



EXECUTIVE SUMMARY

UNSOLICITED E-MAILS

APRIL 2010

Background:

An internal complaint came to the former Business Process & Quality Assurance group regarding receipt of unsolicited e-mail. The HRM employee believed their HRM e-mail address was provided to the sender without their knowledge and/or permission. An examination was undertaken to determine if inappropriate use of HRM resources (in contravention of Administrative Order 40/41) took place in providing individual names to a third party. The OAG is completing the file and providing recommendations both to ensure completeness as well as to understand any areas where internal controls may be lacking or not functioning as expected.

Scope:

The specific issues or allegations considered under this review included:

1. Was the HRM e-mail directory of names provided to an outside agency by an individual or individuals without permission?
2. Does receiving unsolicited e-mail messages violate privacy issues?

Details:

1. On or about December 4, 2009 the HRM e-mail system received a mail message addressed to 2,162 HRM e-mail account holders. On December 10, 2009 an additional message was sent to 2,008 HRM e-mail accounts. February 9-10, 2010 HRM received messages to 1,883 individual accounts. (The decrease was likely a result of individuals choosing to "unsubscribe" from the mail list)
2. It cannot be determined how many of these messages were unsolicited, as individual HRM e-mail account holders may have hypothetically subscribed to receive e-mails from the third party.
3. Consultations with Legal Services and information management staff indicated no privacy rules had been violated as business e-mails are not considered private.
4. Individuals at the sender had access to HRM's GroupWise account via an operational relationship with HRM.
5. E-mail logs for the months of November and December 2009 up to the first series of mail messages being received, were reviewed to see if the HRM e-mail address book was sent to outside parties. No e-mail record was found for such a transfer.
6. HRM's e-mail administrator has been in contact with the third party/list administrator in an effort to remove all HRM e-mail addresses where individuals did not subscribe. When asked as to the source of the e-mail addresses, HRM was advised the third party was not certain as to the origin, as their list was maintained by an outside service provider.

Disposition:

It was concluded no direct violations of Administrative Orders 40/41 had occurred. HRM staff have been inconvenienced with unsolicited e-mails; however, no privacy rules had been violated.

A noticeable decrease in e-mail traffic from the sender has occurred since contact through HRM's e-mail administrator was made.

Recommendations:

While it was not possible to establish with certainty the source of the HRM e-mail addresses, given the first message was received by 2,162 HRM users, it would not seem completely unreasonable to believe HRM resources and time were used in some manner to acquire the e-mail addresses for the business solicitation.

Management may wish to consider reinforcing to all HRM employees the fact that HRM e-mail accounts are intended to be used primarily to conduct HRM business and their distribution to outside sources or agencies should take place in an approved and controlled (as to purpose and subsequent distribution) manner. For obvious reasons, the receipt of unwanted and unsolicited marketing e-mails detracts from the efficient and effective operations of HRM overall.

Management Response:

HRM has an Email Acceptable Use Policy which states "Halifax Regional Municipality prohibits personal use of its e-mail systems and services for unsolicited mass mailings, non-Halifax Regional Municipality commercial activity, political campaigning, dissemination of chain letters, and use by non-employees". We are committed to ensuring this is better communicated to our staff.

To begin with, a new logo has been developed and posted on the staff intranet site which communicates a message has been posted from the Chief Administrative Officer. This tool will be used periodically when the Office has something to convey to staff, and will remain on the site for approximately two weeks. The message itself however, will remain on the CAO intranet site for a much longer period for staff to view over time.

In order to specifically address the concern raised in this report, the following message was posted August 26, 2010:

“I would like to remind staff about the importance of GroupWise as a business tool. Used appropriately, it can be very helpful, save time and assist us in working more efficiently. However, misuse can cause interruptions and waste valuable time. Please be considerate of your co-workers when sharing account information. HRM employee account information should never be shared outside of the organization for non HRM business related matters. The receipt of unwanted or unsolicited marketing emails detracts from the efficient and effective operations of HRM overall.”

A similar message will be included in our September edition of the HRM newsletter with reference to the existing policy. That newsletter is distributed to all staff, and will serve to inform those who do not use computers on a daily basis.