

# NFU Policy

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## WhatsApp Usage Policy

Department:

Corporate Legal Adviser

Compliance

Valid from:

01 December 2023

To be reviewed by:

01 December 2024

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The voice of British farming

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NFU SUPPORTED BY

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## 1. Purpose and Scope

This Policy outlines the NFU's position on the use of WhatsApp Groups created by NFU Staff for NFU related business. These rules are in place to protect the NFU, its Staff, Officeholders and Members. Any breach of this Policy by NFU employees, officeholders, members, agents or consultants or any other person or body acting on its behalf will be investigated and dealt with either under the NFU Disciplinary Policy and Procedure or the NFU Code of Conduct.

This Policy applies to all Users working at all levels and grades, including officeholders, directors, senior managers, employees, whether permanent, fixed term or temporary (collectively referred to as 'Staff' in this policy).

It is the responsibility of all staff to assist the NFU to comply with this Policy. Failure to comply could expose the business to reputational damage, enforcement action by the Information Commissioner or complaints or claims for compensation from affected Users.

## 2. Additional Policies

This WhatsApp Acceptable Usage Policy should be read in conjunction with the following Additional Policies;

### For Officeholders

- [NFU Privacy Policy](#)
- [NFU Code of Conduct for Officeholders](#)
- [Data Protection Policy for Officeholders](#)
- [Anti-Corruption and Bribery Policy for Officeholders](#)
- [Officeholder Policy and Procedure for Managing Conflicts of Interest](#)
- [Personal Device Data Security Requirements for NFU Officeholders and Secure File Transfer Guide](#)

### For Staff

- [NFU Social Media Policy](#)
- [IT Acceptable Use Policy](#)
- [Personal Data Breach and Incident Response Plan](#)
- [Data Protection Policy](#)
- [Information Security Policy](#)

## 3. Policy Outline

This Policy covers:

- The procedure Staff must follow when creating a WhatsApp Group;
- Group Admin responsibilities and guidance;
- Group Usage Rules;

- APPENDIX A - WhatsApp Acceptable Usage Policy for NFU Staff
  - APPENDIX B - WhatsApp Acceptable Usage Policy for Officeholders
  - APPENDIX C - WhatsApp Acceptable Usage Policy for Members
  - APPENDIX D - WhatsApp Acceptable Usage Policy for Third Parties
- The process for reporting inappropriate conduct / content;
  - The consequences of breaching this Policy.

#### 4. Creating a WhatsApp Group

- WhatsApp Groups must each have a Group Admin, who is a member of NFU Staff.
- The Group must have a clear purpose and be capable of being monitored regularly.
- The Group Name must include 'NFU' and refer to the purpose of the Group where possible.
- Notification of new Groups should be given to the Compliance Team using the 'Register a WhatsApp Group form' in Appendix F.
- Consent for NFU to process the User's data must be sought from each participant and this consent must be recorded by the Group Admin. A record of their consent must be logged using the 'Consent Record Form' in Appendix H.
- The Group Admin should ensure users are only added once they have accepted the WhatsApp Acceptable Usage Policy in either Appendix A, B, C or D of this policy
- As part of the process of joining a WhatsApp Group each participant must agree to abide by the rules of the Group and the Additional Policies referred to.
- Groups should be set up with the 'Disappearing Messages' option to ensure messages are automatically deleted after 90 days.
- Groups must be set up so that only the Group Admin is able to alter the Group subject, icon and description.
- Once created, the details of the WhatsApp Group must be sent to the Compliance Department. The Group Admin should complete the WhatsApp Group Users Form in Appendix G and return the form to the Compliance Team.
- The content must be regularly monitored by the nominated Group Admin to ensure compliance with this Policy and the Additional Policies referred to.

In the event that the Group cannot be monitored regularly, it must be closed. Group Admins are responsible for removing users from closed groups.

#### 5. The Group Admins' Responsibilities

All WhatsApp Groups must have an appointed Group Admin, a member of NFU staff, who is responsible for ensuring the Group is run in accordance with this Policy and the additional policies referred to.

This includes, but is not limited to, adding users to Groups, monitoring the Group's content, keeping information relating to the Group up to date, reviewing the Group's purpose, necessity and appropriateness periodically and responding to initial complaints or reports of inappropriate conduct / breaches of this Policy or additional policies referred to.

### Issuing the WhatsApp Acceptable Usage Policy

The Group Admin is responsible for issuing the WhatsApp Acceptable Usage Policy to all Users. The Group Admin must issue the appropriate WhatsApp Acceptable Usage Policy Appendix for each User by selecting Appendix; A, B C or D

### Obtaining Consent from Users

All WhatsApp Group Members should be sent a link inviting them to join the WhatsApp Group and accept the WhatsApp Usage Policy. The Group Admin should use an invitation link so that all NFU Group WhatsApp Users can choose whether to join and agree to have their information shared.

### Adding Users to Authorised Groups

Only the Group Admin may add new users to authorised Groups. This can be done on an individual basis once the user has been notified, and consents to, the usage rules.

### Group Record-Keeping

The Group Admin is responsible for recording the following details for each WhatsApp Group:

- The name of the WhatsApp Group;
- The date it was created;
- The identity of the Group Admin;
- The purpose of the Group; and
- An accurate record of each user.

**Please see Appendix F for registering a What App Group and Appendix G for Whats App Group Users Form.**

### Third Party Users

If any third party (someone that isn't an NFU member or Officeholder, for example employees of DEFRA) is to be added to an authorised WhatsApp Group, the existing users must be notified of their inclusion, and the reasoning behind it, by posting a message within the chat. Equally, for new NFU users joining a Group which has within its participants a third party, the new user must be notified by the Group Admin before they are added. This information should be included in the initial conversation with the new user in which the Group Admin informs them of the purpose of the Group and the contents of this Policy. The Group Admin should ensure that all Third Party Users are sent Appendix D – WhatsApp Acceptable Usage Policy.

### Reviewing Existing Groups

The Group Admin is responsible for periodically reviewing the purpose, necessity and appropriateness of each Group. This must be done annually, and the result of the review recorded and made readily available for audit by the Compliance Team, as failure to do so could result in the removal of the Group in its entirety. The Group Admin will complete and return to the Compliance Team the WhatsApp Group Annual Review Form as set out in Appendix J.

### Monitoring Group Content

It is expected that the Group Admin regularly checks the overall nature of the content being shared and that anything which is in breach of this Policy or the Additional Policies is immediately addressed as soon as it is reported.

## Consequences of Breach

As soon as a breach of this Policy has been notified or identified, immediate action must be taken by the Group Admin to investigate the alleged breach. The Inappropriate Conduct form in Appendix I must then be completed and returned to the Compliance Team.

### Temporary Absences or Annual Leave

The Group Admin and their Line Manager should ensure suitable cover arrangements are in place to cover annual leave, absences and other situations which could affect the Group Admins responsibilities under this Policy and the additional policies referred to.

### Required Action in the event of a breach:

In the event of the Group Admin being notified of a breach or detecting any content which is in breach of the WhatsApp Acceptable Usage Policy or Additional Policies, the following action should be taken immediately and without delay:

1. The Group Admin should take a copy of the content .
2. The Group Admin should delete the content for all Users within the WhatsApp Group
3. The Group Admin should post a message to the WhatsApp Group reminding Users of the WhatsApp Group Policy and their responsibilities within the WhatsApp Group
4. The Group Admin will speak to the User separately to establish the facts of the matter and fully investigate the potential breach. The Group Admin should complete the Inappropriate Conduct Form in Appendix I. The completed form should include details of the alleged breach and which User uploaded the content to the WhatsApp Group and the date and time it was uploaded.
5. If after investigating the alleged breach the Group Admin considers that no breach has been identified, the Group Admin should still nevertheless complete the Inappropriate Conduct Form in Appendix I and forward to the [Compliance Team](#) for filing and monitoring purposes
6. If a breach of the WhatsApp Acceptable Usage Policy and the Additional Policies is established, the Group Admin should fill in the Inappropriate Conduct Form in Appendix I and where appropriate detail any recommendations for further action.
7. A copy of the Inappropriate Conduct Form in Appendix I and a copy of the content, including any other information gathered by the Group Admin during their investigation should be sent to the [Compliance Team](#).
8. The Compliance Team will undertake an investigation and advise the Group Admin as to whether any further action is necessary.
9. The Group Admin will assist the Compliance Team in notifying any Users under investigation for a breach of the WhatsApp Acceptable Usage Policy and in the notifying Users of the outcome of any investigations into breaches of the WhatsApp Acceptable Usage Policy.

### Data Protection Impact Assessments (DPIAs)

The Group Admin must complete a Data Protection Impact Assessment for each Group they are responsible for, a template of which can be [found on the intranet](#), or obtained from the [Compliance Team](#). This should be completed and kept by the Group Admin and a completed copy sent to the Compliance Team. This applies to both new and existing Groups.

### Replacing the Group Admin

If an existing Group Admin should leave the NFU, they should be replaced beforehand wherever possible. Failing this, the absence of a Group Admin should be notified to the Compliance Team so that reasonable steps can be taken to appoint a replacement. If the line manager is unable to find a replacement Group Admin, the line manager must notify Compliance immediately.

If any Group Admin should decide that they are not willing to be held responsible for the monitoring of content, they must notify their line manager and a new Group Admin must be appointed or the WhatsApp Group should be deleted. The NFU will not accept the continuance of any unmonitored, or poorly monitored, WhatsApp Groups.

## APPENDIX A - WhatsApp Acceptable Usage Policy for NFU Staff

This WhatsApp Acceptable Usage Policy applies to all NFU Staff Users of NFU WhatsApp Groups and sets out the rules that apply when using NFU WhatsApp Groups. This WhatsApp Acceptable Usage Policy and the Additional Policies should be read alongside the [NFU Privacy Policy](#), the [NFU Social Media Policy](#), the [IT Acceptable Use Policy](#), the [Personal Data Breach and Incident Response Plan](#) the [Data Protection Policy](#) and the [Information Security Policy](#).

**By joining this Group, you agree to be bound by this WhatsApp Acceptable Usage Policy and the Policies listed above.**

### 1. You agree that you will not use any chat area or WhatsApp Group to:

- a) Share any content that is unlawful, harmful, threatening, abusive, harassing, defamatory, vulgar, obscene, offensive, libellous, invasive of another's privacy, hateful or racially, ethnically or otherwise objectionable or that harms minors in any way;
- b) Impersonate any person or entity, falsely state or otherwise misrepresent your affiliation with a person or entity or disguise the origin of any content;
- c) To Stalk, bully, insult, intimidate or humiliate any person.
- d) Collect, store or post personal data about other users;
- e) Share any content that you do not have a right to transmit under any law or under contractual or fiduciary relationships;
- f) To upload terrorist content.
- g) In any way that breaches any applicable local, national or international law or regulation.
- h) In any way that is unlawful or fraudulent or has any unlawful or fraudulent purpose or effect.
- i) Share any content that infringes any intellectual property rights of any party;
- j) To knowingly transmit any data, send or upload any material that contains viruses, Trojan horses, worms, time-bombs, keystroke loggers, spyware, adware or any other harmful programs or similar computer code designed to adversely affect the operation of any computer software or hardware;
- k) To transmit, or procure the sending of, any unsolicited or unauthorised advertising or promotional material or any other form of similar solicitation (spam).
- l) Disrupt the normal flow of dialogue or otherwise act in a manner that negatively affects another users' ability to engage in real time exchanges;
- m) Share any content, information or "news" that has not been verified as true;
- n) Share any content regarding sensitive business-related topics, such as draft proposals, or information belonging to any organisation belonging to, or in partnership with, the NFU;
- o) Include NFU's logos or other trademarks in any posting or profile unless authorised to do so;
- p) Express opinions on the NFU's behalf, unless expressly authorised to do so; or
- q) Share any content that can be seen or considered as direct marketing under section 122(5) of the Data Protection Act 2018.

2. You understand that all data, text, software, music, sound, photographs, video, memes, messages or other materials ('content'), whether publicly posted or privately transmitted, are the sole responsibility of the person from whom the content originated. This means that you, and not the NFU, are entirely responsible for any content that you upload, or post in this Group.



3. You understand that the NFU does not control the content posted via any chat area or Group and therefore does not guarantee the accuracy, integrity or quality of the content.
4. You agree that you must evaluate and bear all risks associated with the use of any content including any reliance on its accuracy or completeness. Under no circumstances will the NFU be liable in any way for any content, including (without limitation) any errors or omissions in any content, or for any loss or damage of any kind incurred as a result of your use of any content.
5. You understand that any discussions within WhatsApp Groups are potentially disclosable and you agree to keep all discussions confidential when notified to do so by the Group Admin, with the exception of; (i) reporting the content or conduct of another user; (ii) or as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.
6. Group participants are entitled to withdraw their consent to being a part of any NFU WhatsApp Group at any time. This should be done by the User removing themselves from the NFU WhatsApp Group. Group Admins should monitor the list of users and keep an up-to-date record.
7. While the NFU will monitor the content of the Group chat, it is possible that you may be exposed to content that is offensive, indecent or objectionable. Please report any such content to the Group Admin as soon as possible.
8. Where a work phone has been provided, the use of personal phones by NFU Staff to administer NFU WhatsApp Groups is strictly prohibited.

## **9. Reporting Inappropriate Conduct / Content**

If you witness conduct or content within an NFU WhatsApp Group that is in breach of this Policy or the NFU Code of Conduct, please report it immediately to the Group Admin.

## **10. Indemnity**

By joining this WhatsApp Group, you agree to indemnify and hold the NFU and our subsidiaries, affiliates, staff, officers, agents or partners harmless from and against any direct or indirect loss or damage (including consequential loss and loss of profits, goodwill or business opportunities) arising from any third-party claim in relation to any content you share within our chat areas or WhatsApp Groups, your use of them, or your breach of this Policy or the rules within it.

## **11. Breach of this policy**

A breach of the WhatsApp Acceptable Usage Policy by a staff member may result in Disciplinary Action being taken.



## APPENDIX B - WhatsApp Acceptable Usage Policy for NFU Officeholders

This WhatsApp Acceptable Usage Policy applies to all NFU Officeholders Users of NFU WhatsApp Groups and sets out the rules that apply when using NFU WhatsApp Groups. This WhatsApp Acceptable Usage Policy should be read alongside the [NFU Privacy Policy](#), the [NFU Code of Conduct for Officeholders](#), the [Data Protection Policy for Officeholders](#), the [Anti-Corruption and Bribery Policy for Officeholders](#), the [Officeholder Policy and Procedure for Managing Conflicts of Interest](#) and the [Personal Device Data Security Requirements for NFU Officeholders and Secure File Transfer Guide](#).

**By joining this Group, you agree to be bound by this WhatsApp Acceptable Usage Policy and the Policies listed above.**

### 1. You agree that you will not use any chat area or WhatsApp Group to:

- a) Share any content that is unlawful, harmful, threatening, abusive, harassing, defamatory, vulgar, obscene, offensive, libellous, invasive of another's privacy, hateful or racially, ethnically or otherwise objectionable or that harms minors in any way;
- b) Impersonate any person or entity, falsely state or otherwise misrepresent your affiliation with a person or entity or disguise the origin of any content;
- c) To Stalk, bully, insult, intimidate or humiliate any person.
- d) Collect, store or post personal data about other users;
- e) Share any content that you do not have a right to transmit under any law or under contractual or fiduciary relationships;
- f) To upload terrorist content.
- g) In any way that breaches any applicable local, national or international law or regulation.
- h) In any way that is unlawful or fraudulent or has any unlawful or fraudulent purpose or effect.
- i) Share any content that infringes any intellectual property rights of any party;
- j) To knowingly transmit any data, send or upload any material that contains viruses, Trojan horses, worms, time-bombs, keystroke loggers, spyware, adware or any other harmful programs or similar computer code designed to adversely affect the operation of any computer software or hardware;
- k) To transmit, or procure the sending of, any unsolicited or unauthorised advertising or promotional material or any other form of similar solicitation (spam).
- l) Disrupt the normal flow of dialogue or otherwise act in a manner that negatively affects another users' ability to engage in real time exchanges;
- m) Share any content, information or "news" that has not been verified as true;
- n) Share any content regarding sensitive business-related topics, such as draft proposals, or information belonging to any organisation belonging to, or in partnership with, the NFU;
- o) Include NFU's logos or other trademarks in any posting or profile unless authorised to do so;
- p) Express opinions on the NFU's behalf, unless expressly authorised to do so; or
- q) Share any content that can be seen or considered as direct marketing under section 122(5) of the Data Protection Act 2018

2. You understand that all data, text, software, music, sound, photographs, video, memes, messages or other materials ('content'), whether publicly posted or privately transmitted, are the sole responsibility of the person from whom the content originated. This means that you, and not the NFU, are entirely responsible for any content that you upload, or post in this Group.

3. You understand that the NFU does not control the content posted via any chat area or Group and therefore does not guarantee the accuracy, integrity or quality of the content.
4. You agree that you must evaluate and bear all risks associated with the use of any content including any reliance on its accuracy or completeness. Under no circumstances will the NFU be liable in any way for any content, including (without limitation) any errors or omissions in any content, or for any loss or damage of any kind incurred as a result of your use of any content.
5. You understand that any discussions within WhatsApp Groups are potentially disclosable and you agree to keep all discussions confidential when notified to do so by the Group Admin, with the exception of; (i) reporting the content or conduct of another user; (ii) or as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.
6. Group participants are entitled to withdraw their consent to being a part of any NFU WhatsApp Group at any time. This should be done by the User removing themselves from the NFU WhatsApp Group. Group Admins should monitor the list of users and keep an up-to-date record.
7. While the NFU will monitor the content of the Group chat, it is possible that you may be exposed to content that is offensive, indecent or objectionable. Please report any such content to the Group Admin as soon as possible.
8. Where a work phone has been provided, the use of personal phones by NFU Officeholders to administer NFU WhatsApp Groups is strictly prohibited.

## 9. Reporting Inappropriate Conduct / Content

If you witness conduct or content within an NFU WhatsApp Group that is in breach of this WhatsApp Acceptable Usage Policy, the Additional Policies or the NFU Code of Conduct, please report it immediately to the Group Admin.

## 10. Indemnity

By joining this WhatsApp Group, you agree to indemnify and hold the NFU and our subsidiaries, affiliates, staff, officers, agents or partners harmless from and against any direct or indirect loss or damage (including consequential loss and loss of profits, goodwill or business opportunities) arising from any third-party claim in relation to any content you share within our chat areas or WhatsApp Groups, your use of them, or your breach of this WhatsApp Acceptable Usage Policy or the rules within it.

## 11. Breach of this policy

When we consider that a breach of this WhatsApp Acceptable Usage Policy has occurred, we may take such action as we deem appropriate.

Failure to comply with this WhatsApp Acceptable Usage Policy may result in our taking all or any of the following actions:

- a) Immediate, temporary or permanent withdrawal of your right to use the WhatsApp Group.
- b) Immediate, temporary or permanent removal of any content uploaded by you to the WhatsApp Group.
- c) Issue of a warning to you.
- d) Legal proceedings against you for reimbursement of all costs on an indemnity basis (including, but not limited to, reasonable administrative and legal costs) resulting from the breach.
- e)
- f) Further legal action against you.
- g) Disclosure of such information to law enforcement authorities as we reasonably feel is necessary or as required by law.
- h) A breach of the WhatsApp Acceptable Usage Policy may also result in your removal as an officeholder.

We exclude our liability for all action we may take in response to breaches of this WhatsApp Acceptable Usage policy. The actions we may take are not limited to those described above, and we may take any other action we reasonably deem appropriate.

## APPENDIX C - WhatsApp Acceptable Usage Policy for NFU Members

This WhatsApp Acceptable Usage Policy applies to all Users of NFU WhatsApp Groups and should be read alongside the [NFU Privacy Policy](#).

**By joining this Group, you agree to be bound by this WhatsApp Acceptable Usage Policy, the NFU Privacy Policy**

1. You agree that you will not use any chat area or WhatsApp Group to:
  - a) Share any content that is unlawful, harmful, threatening, abusive, harassing, defamatory, vulgar, obscene, offensive, libellous, invasive of another's privacy, hateful or racially, ethnically or otherwise objectionable or that harms minors in any way;
  - b) Impersonate any person or entity, falsely state or otherwise misrepresent your affiliation with a person or entity or disguise the origin of any content;
  - c) To Stalk, bully, insult, intimidate or humiliate any person.
  - d) Collect, store or post personal data about other users;
  - e) Share any content that you do not have a right to transmit under any law or under contractual or fiduciary relationships;
  - f) To upload terrorist content.
  - g) In any way that breaches any applicable local, national or international law or regulation.
  - h) In any way that is unlawful or fraudulent or has any unlawful or fraudulent purpose or effect.
  - i) Share any content that infringes any intellectual property rights of any party;
  - j) To knowingly transmit any data, send or upload any material that contains viruses, Trojan horses, worms, time-bombs, keystroke loggers, spyware, adware or any other harmful programs or similar computer code designed to adversely affect the operation of any computer software or hardware;
  - k) To transmit, or procure the sending of, any unsolicited or unauthorised advertising or promotional material or any other form of similar solicitation (spam).
  - l) Disrupt the normal flow of dialogue or otherwise act in a manner that negatively affects another users' ability to engage in real time exchanges;
  - m) Share any content, information or "news" that has not been verified as true;
  - n) Share any content regarding sensitive business-related topics, such as draft proposals, or information belonging to any organisation belonging to, or in partnership with, the NFU;
  - o) Include NFU's logos or other trademarks in any posting or profile unless authorised to do so;
  - p) Express opinions on the NFU's behalf, unless expressly authorised to do so; or
  - q) Share any content that can be seen or considered as direct marketing under section 122(5) of the Data Protection Act 2018.
  
2. You understand that all data, text, software, music, sound, photographs, video, memes, messages or other materials ('content'), whether publicly posted or privately transmitted, are the sole responsibility of the person from whom the content originated. This means that you, and not the NFU, are entirely responsible for any content that you upload, or post in this Group.
  
3. You understand that the NFU does not control the content posted via any chat area or Group and therefore does not guarantee the accuracy, integrity or quality of the content.

4. You agree that you must evaluate and bear all risks associated with the use of any content including any reliance on its accuracy or completeness. Under no circumstances will the NFU be liable in any way for any content, including (without limitation) any errors or omissions in any content, or for any loss or damage of any kind incurred as a result of your use of any content.
5. You understand that any discussions within WhatsApp Groups are potentially disclosable and you agree to keep all discussions confidential when notified to do so by the Group Admin, with the exception of; (i) reporting the content or conduct of another user; (ii) or as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.
6. Group participants are entitled to withdraw their consent to being a part of any NFU WhatsApp Group at any time. This should be done by the User removing themselves from the NFU WhatsApp Group. Group Admins should monitor the list of users and keep an up-to-date record.
7. While the NFU will monitor the content of the Group chat, it is possible that you may be exposed to content that is offensive, indecent or objectionable. Please report any such content to the Group Admin as soon as possible.

#### **8. Reporting Inappropriate Conduct / Content**

If you witness conduct or content within an NFU WhatsApp Group that is in breach of this Policy, please report it immediately to the Group Admin.

#### **9. Indemnity**

By joining this WhatsApp Group, you agree to indemnify and hold the NFU and our subsidiaries, affiliates, employees, officers, agents or partners harmless from and against any direct or indirect loss or damage (including consequential loss and loss of profits, goodwill or business opportunities) arising from any third-party claim in relation to any content you share within our chat areas or WhatsApp Groups, your use of them, or your breach of this Policy or the rules within it.

#### **10. Breach of this policy**

When we consider that a breach of this WhatsApp Acceptable Usage Policy has occurred, we may take such action as we deem appropriate. Failure to comply with this WhatsApp Acceptable Usage Policy may result in our taking all or any of the following actions:

- a) Immediate, temporary or permanent withdrawal of your right to use or participate in the WhatsApp Group.
- b) Immediate, temporary or permanent removal of any content uploaded by you to the WhatsApp Group.
- c) Issue of a warning to you.
- d) Legal proceedings against you for reimbursement of all costs on an indemnity basis (including, but not limited to, reasonable administrative and legal costs) resulting from the breach.
- e) Further legal action against you.
- f) Disclosure of such information to law enforcement authorities as we reasonably feel is necessary or as required by law.

- g) A breach of the WhatsApp Acceptable Usage Policy may result in the termination of your membership.

We exclude our liability for all action we may take in response to breaches of this WhatsApp Acceptable Usage policy. The actions we may take are not limited to those described above, and we may take any other action we reasonably deem appropriate.

**NB. To be issued only to third party WhatsApp Users that are not NFU Staff, Officeholders or Members**

## APPENDIX D - WhatsApp Acceptable Usage Policy

This WhatsApp Acceptable Usage Policy applies to all Users of NFU WhatsApp Groups and should be read alongside the [NFU Privacy Policy](#).

**By joining this Group, you agree to be bound by this WhatsApp Acceptable Usage Policy and the NFU Privacy Policy**

1. You agree that you will not use any chat area or WhatsApp Group to:
  - a) Share any content that is unlawful, harmful, threatening, abusive, harassing, defamatory, vulgar, obscene, offensive, libellous, invasive of another's privacy, hateful or racially, ethnically or otherwise objectionable or that harms minors in any way;
  - b) Impersonate any person or entity, falsely state or otherwise misrepresent your affiliation with a person or entity or disguise the origin of any content;
  - c) To Stalk, bully, insult, intimidate or humiliate any person.
  - d) Collect, store or post personal data about other users;
  - e) Share any content that you do not have a right to transmit under any law or under contractual or fiduciary relationships;
  - f) To upload terrorist content.
  - g) In any way that breaches any applicable local, national or international law or regulation.
  - h) In any way that is unlawful or fraudulent or has any unlawful or fraudulent purpose or effect.
  - i) Share any content that infringes any intellectual property rights of any party;
  - j) To knowingly transmit any data, send or upload any material that contains viruses, Trojan horses, worms, time-bombs, keystroke loggers, spyware, adware or any other harmful programs or similar computer code designed to adversely affect the operation of any computer software or hardware;
  - k) To transmit, or procure the sending of, any unsolicited or unauthorised advertising or promotional material or any other form of similar solicitation (spam).
  - l) Disrupt the normal flow of dialogue or otherwise act in a manner that negatively affects another users' ability to engage in real time exchanges;
  - m) Share any content, information or "news" that has not been verified as true;
  - n) Share any content regarding sensitive business-related topics, such as draft proposals, or information belonging to any organisation belonging to, or in partnership with, the NFU;
  - o) Include NFU's logos or other trademarks in any posting or profile unless authorised to do so;
  - p) Express opinions on the NFU's behalf, unless expressly authorised to do so; or
  - q) Share any content that can be seen or considered as direct marketing under section 122(5) of the Data Protection Act 2018.
  
2. You understand that all data, text, software, music, sound, photographs, video, memes, messages or other materials ('content'), whether publicly posted or privately transmitted, are the sole responsibility of the person from whom the content originated. This means that you, and not the NFU, are entirely responsible for any content that you upload, or post in this Group.



3. You understand that the NFU does not control the content posted via any chat area or Group and therefore does not guarantee the accuracy, integrity or quality of the content.
4. You agree that you must evaluate and bear all risks associated with the use of any content including any reliance on its accuracy or completeness. Under no circumstances will the NFU be liable in any way for any content, including (without limitation) any errors or omissions in any content, or for any loss or damage of any kind incurred as a result of your use of any content.
5. You understand that any discussions within WhatsApp Groups are potentially disclosable and you agree to keep all discussions confidential when notified to do so by the Group Admin, with the exception of; (i) reporting the content or conduct of another user; (ii) or as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.
6. Group participants are entitled to withdraw their consent to being a part of any NFU WhatsApp Group at any time. This should be done by the User removing themselves from the NFU WhatsApp Group. Group Admins should monitor the list of users and keep an up-to-date record.

#### **7. Reporting Inappropriate Conduct / Content**

The NFU will monitor the content of all WhatsApp Groups. However, if see or witness conduct or content within an NFU WhatsApp Group that is in breach of this Policy please report it immediately to the Group Admin.

#### **8. Indemnity**

By joining this WhatsApp Group, you agree to indemnify and hold the NFU and our subsidiaries, affiliates, employees, officers, agents or partners harmless from and against any direct or indirect loss or damage (including consequential loss and loss of profits, goodwill or business opportunities) arising from any third-party claim in relation to any content you share within our chat areas or WhatsApp Groups, your use of them, or your breach of this Policy or the rules within it.

#### **9. Breach of this policy**

When we consider that a breach of this WhatsApp Acceptable Usage Policy has occurred, we may take such action as we deem appropriate.

Failure to comply with this WhatsApp Acceptable Usage Policy may result in our taking all or any of the following actions:

- a) Immediate, temporary or permanent withdrawal of your right to use and participate in the NFU WhatsApp Group.
- b) Immediate, temporary or permanent removal of any content uploaded by you to the WhatsApp Group.
- c) Issue of a warning to you.
- d) Legal proceedings against you for reimbursement of all costs on an indemnity basis (including, but not limited to, reasonable administrative and legal costs) resulting from the breach.

- e) Further legal action against you.
- f) Disclosure of such information to law enforcement authorities as we reasonably feel is necessary or as required by law.

We exclude our liability for all action we may take in response to breaches of this WhatsApp Acceptable Usage policy. The actions we may take are not limited to those described above, and we may take any other action we reasonably deem appropriate.

**APPENDIX F - Register a WhatsApp Group**

<b>Name of Employee:</b>	
<b>Date:</b>	
<b>Job Title:</b>	
<b>Department:</b>	
<b>Name of Group:</b>	
<b>Expected No. of Participants:</b>	
<b>Description of Group's Purpose:</b>	
<b>Nominated Group Admin:</b>	

Please return this form to the Head of Compliance, Agriculture House, Stoneleigh Park, Stoneleigh, Warwickshire, CV8 2TZ or email it to [ComplianceTeam@nfu.org.uk](mailto:ComplianceTeam@nfu.org.uk)





**APPENDIX I – Inappropriate Conduct Form (to be completed by person reporting the incident)**

<b>Name and contact details of the person reporting incident:</b>	
<b>Date of and time of the incident:</b>	
<b>Name of Group:</b>	
<b>Group Admin:</b>	
<b>Description of Content:</b>	
<b>Provision(s) of WhatsApp Usage Policy being breached:</b> (E.g., Offensive language)	

I confirm that the above conduct has been investigated fully:

**To be completed by The Compliance Team**

The outcome of the above Report is as follows:

.....  
 .....  
 .....

Signed .....

Date .....

**Please return this form to the Head of Compliance, Agriculture House, Stoneleigh Park, Stoneleigh, Warwickshire, CV8 2TZ or email it to [ComplianceTeam@nfu.org.uk](mailto:ComplianceTeam@nfu.org.uk)**

## Appendix J – WhatsApp Group Annual Review

Refer to the **WhatsApp Usage Policy** for guidance on procedures, Group Admin responsibilities, usage rules, the process for reporting inappropriate conduct and consequences of breaching the Policy.

<b>WhatsApp Group Name</b>	
<b>Group Admin Name</b>	
Is the Group active?	Yes / No (Delete as appropriate)
Was a Data Protection Impact Assessment completed and submitted to the Compliance Team?	Yes / No If 'no', please contact the Compliance Team for a DPIA template.
Is the WhatsApp User List correct (Form G)	Yes/ No If 'no' please submit an updated list on <b>Form G</b> from the WhatsApp Usage Policy.
Have all Users completed the 'Consent Record Form'? ( <b>Form H</b> ) It is the responsibility of the Group Admin to store the forms securely	Yes / No
Have all Users accepted the WhatsApp Acceptable Usage Policy? (in either <b>Form A, B, C, D</b> )	Yes / No
Is the content of the WhatsApp Group monitored regularly to ensure compliance with the WhatsApp Usage Policy?  (In the event that the Group cannot be monitored regularly, it must be closed. Group Admins are responsible for removing users from closed groups.)	Yes / No
Do you know what action to take in the event there is a breach of the WhatsApp Usage Policy?	Yes / No
Has there been a breach of the WhatsApp Usage Policy in the last 12 months?	Yes / No
If you answered 'yes' to the question above  Was the breach reported by submitting <b>Form I</b> to the Compliance Team and the breach subsequently investigated?	Yes / No If 'no' please submit <b>Form I</b> as soon as possible.

Now email this completed form, along with any additional update forms to: [lynn.oliver@nfu.org.uk](mailto:lynn.oliver@nfu.org.uk)