

# Lost, Stolen and Damaged devices (Staff)

Technology Services Procedure

UPDATED: 28 April 2021

## Purpose

All employees at Manukau Institute of Technology Limited (MIT), who have been allocated an electronic device as part of their employment agreement, have a responsibility and obligation to care for the equipment under their stewardship.

Additionally, all employees who have been allocated an electronic device as part of their employment agreement are legally obligated to protect sensitive MIT data. If this data or the network and computer resources that contain it become compromised or threatened due to the loss or theft of information technology equipment, MIT and its employees must immediately take steps to prevent or minimise the harm or damage that could result.

The purpose of this procedure is to set out the steps to be followed in the event such device is lost, stolen or damaged.

## Loss or Theft of devices

When equipment or a device (laptop, desktop, mobile phone, tablet) is lost or stolen, it is imperative to report the incident as soon as possible to Technology Services (TS). TS may, amongst other things, reset your password and block all access to network resources, including e-mail, until such a time that you can change your password and TS may contact you to determine the nature and scope of any compromised MIT sensitive data.

When equipment or a device is stolen, the incident must also be reported as soon as possible to Campus Security. Where urgent Police action is required, the staff member should report the theft directly to the New Zealand Police and advise Campus Security that they have done so. Otherwise, Campus Security will be responsible for reporting the theft to the New Zealand Police.

Campus Security will conduct an internal investigation and will work with the New Zealand Police, to aid their investigation e.g., provide CCTV footage etc. Individuals may also need to access the CCTV footage and may do so with the approval of the MIT Legal department via the applicable documentation. The New Zealand Police will investigate and provide a full report, regardless of if the incident occurred on or off campus.

When equipment or a device is stolen or lost outside of New Zealand, the incident must be reported as soon as possible to the local Police authority.

Where a staff member loses equipment or a device (laptop, desktop, mobile phone, tablet), MIT may view this as a disciplinary issue that is subject to MIT's HR7 Disciplinary Policy. Staff members or their department, may be required to meet the cost of replacement devices if reasonable care has not been followed.

## Damage of devices

Damage to equipment or a device (laptop, desktop, mobile phone, tablet) shall be assessed as follows:

- where the cause of the damage is not due to the careless action or neglect of a person or entity (such as, where the damage is caused by acts of God like lightning and other natural occurrences), replacement/repair charges may be waived.

- where the cause of the damage arises from staff member's careless action, neglect or infringement of the laws of New Zealand, MIT may view this as a disciplinary issue that is subject to MIT's HR7 Disciplinary Policy. Users may be required to meet the cost of replacement or damaged device/s.
- where the cause of the damage arises from the carelessness/neglect of some other person (other than the staff member), the staff member, shall endeavour to recover full replacement/repair costs from the other party on MIT's behalf. The staff member may appeal to MIT should he/she fail to claim the sums from the other party. This does not include scenarios where the borrower passed the equipment to the other party for use as MIT requires that the equipment shall remain in the possession of the staff member during the term of their employment and the staff member may not assign, transfer or delegate any of their rights and obligations.

For damaged equipment, TS will in the first instance, assess the damage and at their discretion send the equipment to the manufacturer's service centre for assessment whether the fault(s) is caused by fair wear and tear, manufacturer's defect or by operator error/neglect/mishandling. Faults due to fair wear and tear and manufacturer's defect after warranty period has lapsed would be borne by MIT.

If the equipment is deemed as not repairable, and there is a degree of negligence by the staff member:

- The staff member shall pay up to MIT's assessed (market or residual) value for replacement or
- MIT departments will be billed to recoup the cost, up to MIT's assessed (market or residual) value for replacement

Where repairs would restore the equipment to good working and dependable condition and economically worthwhile over replacement, repair charges apply otherwise replacement charges apply. Replacement charges will be calculated, based on the higher of fair (market or residual) value.

- Fair market value would be the price MIT pays to purchase in the retail market for an available same model of similar age or the equivalent/replacement model where the damaged model is no longer offered in the current retail market.
- Equivalent/replacement model will be determined by MIT based on similar product specifications.

The staff member will be notified of any outstanding payment for the loss/damages. However, failure to make contact does not relieve the staff member from payment of outstanding charges.

The following actions may be undertaken if the staff member does not return equipment and/or make payment for the damage in a timely manner:

- suspension of Technology privileges
- interdepartmental fund transfer
- legal action by collection agency, and
- notification of police.

## Additional information

Associated documents

[ICT5 Mobile Device Policy](#)

[ICT6 Information Security Policy](#)

[ICT7 MIT Technology Allocation Policy](#)

[HR7 Disciplinary Policy](#)