

Website checklist

We shall be glad to audit your website for compliance with various legal requirements for a fixed fee. In the meantime, the issues you may wish to consider are:

Terms of use

These set out the basis on which visitors may use your website. They cover things such as the re-use of any material on your website and, most importantly, they help to contain your liability to visitors. They should also include an appropriate privacy statement, which explains how you use any information you obtain from visitors to your site.

Terms of use will only be effective if they are clear, they meet various legal requirements, and there is some mechanism for ensuring that visitors accept them. You should be able to prove all these things in respect of each visitor.

You should make visitors use a login / password combination if you want to restrict or monitor their access to particular parts of the site, or their use of those parts.

Domain name

You will need a suitable web address (a 'domain name', such as *vwl.co.uk*). This has to be registered, and you should ensure that you own the registration.

It is worth considering registering variants of your domain name. This will help ensure that anyone who mis-types your address still finds your website. It will also help to reduce the risk that someone else may inadvertently or deliberately operate their own website under a similar address, which could cause unwelcome confusion.

There are advantages in registering your address as a trade mark, which may help you prevent this last problem. For information on how to do this please contact Doug Locke on 0117 314 5602, or dlocke@vwl.co.uk.

Agreement with website developer

Most developers will offer you their standard terms of business. Most of these are intended to protect the developer rather than you, and can leave you with an unsuitable website and no remedy. Instead, you need an agreement which ensures you receive the website and support you want, which gives you the ability to control your website, and which gives you the right to switch to an alternative supplier.

Website content

Your material will almost certainly be protected by copyright, so you can control what use is made of it. You may wish to impose restrictions on any use of the general content, but it may be better to make users accept a

more detailed licence agreement if they want to use any more substantial material such as separate documents available on your site.

You should keep accurate records of when the content was created or amended, and your website should include appropriate copyright notices.

Third parties

You will probably need permission if you use anyone else's material or trade marks on your website. Trade marks can be a particular problem as your website developer may include them in the site's metatags. These are hidden keywords which are picked up by internet search engines and help to ensure that your website comes up in searches.

You will also need permission if you display any personal information about living people, including photographs of them. Photographs of children may raise special issues.

Gathering information from users of the site

It may be useful to gather information about the people viewing your site, for marketing purposes and to assess how the site should be changed and updated to maintain interest. If you do, you will have to comply with the Data Protection Act and other regulations. These include special rules covering the use of 'cookies': small files which the website places on the visitor's computer. Your terms of use should include a privacy statement as explained above.

Links

You may wish to control links to your website from other websites, so that only ones which are acceptable to you are put in place. Similarly, you may need permission to link to other websites - especially if you wish to link to specific pages.

To discuss any aspect of your website please contact Paul Sampson.

For further information please contact:

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