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State Records  
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# Management of Email as Official Records

## Principles and Guidelines

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- inclusion of issues around email context, attachments, email trails, calendars.
- deletion of 'technical solutions', attachments 1 (bibliography) and 4 (options for transfer)

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## Introduction

Electronic records are a critical element in the conduct of the business of the Government of South Australia, to maintain accountability and retain an ongoing documentary heritage of the State. Strategies must be in place to ensure that electronic records are properly created and captured, survive without alteration or degradation, and remain accessible for as long as they are required. Email is a key type of electronic record.

In most email software, there is also the ability to manage calendars. Items created in calendars are also records. The successful management of email and any other records of business requires involvement from records creation and system development through to the approved destruction or the ongoing maintenance and accessibility of such records.

Electronic records and email messages are ‘official records’ when they are made or received in the conduct of agency business. Without active management throughout their existence, electronic records are neither likely to remain accessible nor to be complete and reliable, even over short periods of time.

At the present time, State Records does not have a Digital Archive with which to store, manage and provide access to digital materials of permanent value. The responsibility to securely store and manage these materials resides with agencies until such time as a Digital Archive has been established.

## Purpose of this document

The purpose of this document is to identify the principles of records management as they apply to email and other electronic records and provide guidelines for the management of those official records.

The principles establish an across Government approach to the management of email messages as official records. The guidelines incorporate a series of actions that need to be implemented by agencies to ensure that email messages as official records are appropriately managed.

## Scope

This Guideline applies to all agencies as defined under section 14(2) of the *State Records Act 1997* (SR Act). Other agencies, including local government authorities, are encouraged to adopt this Guideline.

## Related documents

This Guideline was developed with reference to *Managing Emails that are Public Records* issued by the Queensland State Archives, *Managing email (Guideline 22)* and *Recordkeeping in Brief 49 – FAQs: Emails and recordkeeping* issued by State Records Authority of NSW, *Email as records: advice to agencies 3* issued by the Public Records Office of Victoria and advice on *Managing Email* published by the National Archives of Australia.

Other related State Records SA documents are:

- *Adequate Records Management – Creation, Capture and Control V1*
- *Adequate Records Management – Disposal V1*
- *Electronic Records Management V2*
- *Recordkeeping Metadata information sheet V3*

### **Variation to this document**

State Records may update this standard as authorised by the Director of State Records, in consultation with the State Records Council. All South Australian agencies will be informed of any such alterations or updates.

## Principles

### Email messages are records

Email messages are official records when they are made or received in the conduct of agency business. Each agency should develop guidelines that clearly define what types of email messages are official records in the context of the agency's particular business functions and activities.

### Calendars are records

The majority of agencies use electronic calendars (this term is meant to be inclusive of diaries, schedules, etc.) in MS Outlook and other applications to organise day-to-day appointments, meetings, attendance and other business. These calendar bookings constitute official records when they are made or received in the conduct of agency business. Calendars belonging to certain staff members require permanent retention.

Calendars are official records and do not belong to the individual. They are the property of the agency and therefore should be managed as an agency responsibility.

### Official records should be adequately managed

Email messages that are official records need to be captured appropriately so that they are reliable and sufficient as evidence of business transactions; this includes the capture of the content and context of messages. Most contextual information is automatically generated by the email application. However, some contextual elements such as subject and file reference number(s) need to be manually captured.

Clear procedures should exist for the adequate management of attachments and email trails as an integral part of email messages, calendar items and other electronic records.

### Official records should be managed within a recordkeeping system

Official email needs to be managed through the complete continuum from creation to disposal. The records management continuum involves four main categories:

- creation
- capture and control
- retention and destruction
- access and disclosure.

Electronic records that are official records, including email and calendars, should be maintained in electronic form within a recordkeeping system. Such a system needs to allow for adequate capture, storage, maintenance and disposal and be supported by sufficient policies, procedures and staff.

## **Official records should be disposed according to value as records**

Email messages that are official records are required to be sentenced in accordance with approved disposal schedules. Official records, irrespective of format, cannot be disposed of unless an approved disposal schedule has been approved and minimum retention periods have been met.

Email messages that are of a transitory or ephemeral nature can be destroyed in accordance with Normal Administrative Practice (NAP) (see Attachment 1). Such messages have no ongoing value and should not be incorporated into the agency's recordkeeping system.

Email messages which are official records and which are deemed to be of temporary value should be destroyed when the required retention period has expired.

Email messages which are official records and which are deemed to be of permanent value should be maintained in their native format until such time as they are due to be and can be transferred to the custody of State Records.

## **Official records should be appropriately stored and protected**

Appropriate accessibility measures for agency personnel (taking into account security considerations, information sensitivities, etc.) should be in place to ensure ongoing retrievability of corporate memory and consequently to allow informed decision-making.

System administrators should routinely conduct audits relating to access to monitor the security of any electronic systems within which official records are maintained and to ensure no impropriety regarding disclosure takes place.

Official records designated for long-term or permanent retention must be managed proactively to remain accessible and authentic over time, through migrations across software and hardware platforms.

## Guidelines

### Provide email users with a framework

Each agency must develop an agency-specific email recordkeeping policy. It should give clear guidance to users on capturing, or initiating capture, of emails into the agency's recordkeeping system. The Guidelines below will provide a basis upon which to build that policy. Email management should be incorporated into standard agency training procedures.

It can be easy for emails to bypass the process of capture. As a consequence, the process of capturing emails that are official records into an authorised recordkeeping system has become the responsibility of email users, in many cases.

Electronic records must be retained within either the agency's Electronic Document and Records Management System (EDRMS) or business system. Some agencies maintain a hybrid system, where both electronic and physical records exist as part of the same function, activity and transaction. Refer to *Management of Hybrid Records VI* issued by State Records for further information.

Agencies that use a 'print and file' approach should ensure that all electronic records have been printed and placed on the hard copy file.

Agencies that do not have in place adequate records management programs and systems for official records are not complying with the SR Act. Email messages, as official records of continuing or enduring value, need to be managed to ensure ongoing accessibility over time.

### Email and calendars as official records

Email messages and calendar appointments are official records when they are made or received in the conduct of agency business. Such business may be the provision of services, delivery of programs, development of policies, making decisions, performance of agency functions or other similar types of transactions.

An electronic record should be kept as an official record when it does the following:

- approves, authorises or requires actions
- conveys formal communication between staff relating to work
- signifies a policy change or development
- commits the agency to an arrangement or agreement
- contains advice, provides guidance or constitutes formal communications
- is external correspondence received relating to work
- is sent for a business purpose
- is used to make a decision
- contains information another would need to continue the matter
- contains matter which may be reviewed or audited later.

The SR Act defines instances where email messages are not official records:

- a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted
- a record made by an agency as a draft only and not for further use or reference
- a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency
- a Commonwealth record as defined by the Archives Act 1983 of the Commonwealth
- a record that has been transferred to the Commonwealth<sup>1</sup>.

It should be clearly stated in agency procedures when it is appropriate to use email systems to generate or transmit official record (see **Reliability**).

Procedures should also clearly define what elements of the calendar and other electronic records generated in an email system are official records and how they are to be captured. For example, information recorded in Notes and Tasks in MS Outlook may constitute official records if they fit the definitions above.

Email messages that are official records do not belong to the individual but are the property of the agency and therefore should be managed as an agency responsibility.

## Personal, transitory or ephemeral email

An agency policy on the use of email for informal or personal use should be in place. Agency policy and procedures should be unambiguous when defining for the end user the differences between informal email messages and official records.

Not all emails need to be saved as records. Emails that are of a personal or ephemeral nature can be discarded, and they should be regularly deleted. Some emails may be business related, but are of a transitory nature. For example, an email asking if a meeting is still scheduled would not need to be captured as an official record. These do not need to be retained for business purposes (see Attachment 1). Further guidance can be found in the information sheet *Managing Normal Administrative Practice (NAP) in an EDRMS* issued by State Records. NAP also provides for the routine destruction of drafts, duplicates, publications and ephemera with the test that it is obvious that no information of continuing value to the organisation will be destroyed.

Personal email has no relevance to the business of the agency and should be regularly deleted. If an email incorporates personal and work-related information, the email may be an official record.

Email messages that are of a transitory or ephemeral nature should be deleted as soon as possible, perhaps as part of a 30, 60 or 90 day purge. Each agency should have in place a policy and procedure for deleting such email messages.

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<sup>1</sup> *State Records Act 1997*, s.3(1)

## Capture

Email messages that are official records need to have appropriate records management principles and practices applied. These include adequate creation, capture and control, retention and destruction, access and disclosure.

Appropriate actions will depend on the options available and the systems established within your agency. Ideally, email messages that are official records should be maintained in electronic form within a recordkeeping system that allows for sufficient storage, maintenance and disposal.

Even though an individual may not need to retain an email for their own purposes, as an employee of the SA Government, responsibilities go beyond personal immediate needs. The email may contain information that is necessary evidence of Government activities and decisions. Email messages that are official records of permanent value (as defined by a disposal schedule) will eventually be of interest to the wider community.

When using contractors or outsourcing arrangements for the performance of agency functions, records management responsibilities should be included within any agreements or contracts to ensure legal and accountability requirements are satisfied and to protect the interests of the agency and its stakeholders. As part of records management requirements, the management of email messages as official records should be included.

Each agency should stipulate in their email policy and procedures methods of recourse for staff that do not comply with such policies and procedures.

## Special requirements for capture

### Email

#### *Content and context*

In general, email messages should be managed to the same degree as other official records, irrespective of medium. However, there are some requirements peculiar to email.

Both the *content* and the *context* of email messages need to be captured. Contextual data includes date and time of sending and receipt, subject heading, the name, position and contact details of sender and recipient, copies to other people, links to replies, appropriate file reference numbers. Much of this contextual information is system-generated automatically. However, subject heading, position and contact details of sender and recipient and file reference numbers are manually created<sup>2</sup>.

Agencies may have in place organisational policies, procedures, business rules and conventions that require end users to manually generate contextual information. These policies and procedures need to be supported by sufficient end user education and training as well as mechanisms that enable the monitoring of compliance. Corporate style templates may be set up to standardise message layout and facilitate the capture of additional

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<sup>2</sup> See Attachment 2 for further details regarding contextual information.

information such as file/reference numbers. In addition, a classification scheme may be in place that requires key terms to be used within the subject field.

If an agency uses the print and file method of capturing email messages, they should ensure that elements that provide content and context are present.

### ***Attachments***

Each agency should have clear procedures for the adequate management of attachments as an integral part of email messages.

Attachments are required to be kept as part of the email message where they form part of the content, intent and/or context of the message. Attachments need to be saved as part of the email message where not saving would mean loss of meaning, integrity or completeness.

### ***Multiple copies***

When an email message is captured into a recordkeeping system that meets accountability and records management requirements, only that copy needs to be retained and other copies can be deleted once reference ceases. Staff responsibilities should be defined and outlined in agency procedures.

Emails may be sent and copied to multiple recipients. The necessity for each recipient to file the email will depend on where it has been received and where it is to be filed.

An informed decision must be taken by each recipient, and the following criteria can be used as a starting point when formulating agency policy:

- Are you the sender? Does the email/calendar item constitute an official record?
- Are you the only recipient? Does the email/calendar item constitute an official record?
- Are you the only recipient within your agency? Does the email/calendar item constitute an official record?
- Are there other recipients within your agency? Do you maintain the file to which the email subject matter relates?

### ***Message trails***

Emails on a single topic which stem from one email are best saved when the sequence or conversation is complete. This saves on both time and storage space. The most recent message that has the entire sequence of messages can be saved and the rest deleted as long as all the transactions and transmission data for each individual message are captured in the aggregated version.

In other words, details of all senders and recipients, dates and times of the various messages sent and received, and any attachments as well as the actual content of the various related messages need to be incorporated in the message to be saved. Also, ensure that the subject header is completed for at least the consolidated version.

The earlier messages that were part of the sequence of transactions are then only of transitory value and can be destroyed in accordance with Normal Administrative Practice.

Agencies should consider capturing emails individually or at appropriate points in the conversation if:

- the email is long and complex
- the subject changes
- recipients are dropped off, or added to the conversation
- emails in the conversation contain attachments which may be lost through use of the 'reply' function rather than the 'forward' function

Assess whether there are limitations in your email system that may not enable the integrity of a consolidated message to be assured. To mitigate the risk in such instances, the entire sequence of messages, with appropriate contextual information, should be saved.

## Calendars

Calendars are records that provide information about meetings held, meetings attended, presence or absence on certain days, and other information. Permanent retention is required for the calendars of Ministers, Chief Executives, other Executives, community/council events (local government), Mayors, Chairpersons and CEOs (see disposal schedules *GDS15 for State Government agencies*, *GDS18 for Ministerial Offices* and *GDS20 for Local Government*).

Other calendars maintained by managers, authorised officers, staff, elected members and regulators have varying temporary retention periods (e.g. 2 years, 7 years, 10 years) depending on the applicable disposal schedule.

The agency should set policy that outlines the criteria to be used when determining whether an entire calendar should be captured as one item, or individual items from the calendar should be captured into the records management system.

These records will need to be managed and accessible over time, whether they are captured as electronic or hardcopy records.

Once calendars become inactive, they should be incorporated into the agency's recordkeeping system. A calendar that contains both personal and work related information must still be incorporated into the recordkeeping system; however a copy of the personal records may be taken for the individual concerned. Ideally, separate calendars should be maintained in recognition that the work calendar is a public record.

A calendar that only exists in electronic format must still be retained, managed and accessible for the approved retention period. For both temporary and permanent retention periods, this may include migrating the information to a new system if electronic systems are upgraded.

## Tasks and notes

Tasks, notes and other types of electronic records generated within email applications may be official records if they are made or received in the conduct of agency business (see criteria listed at page 8) and should be captured in their native format within the records management system.

## Access

Email as official records of continuing or enduring value need to be managed to ensure ongoing accessibility over time. Appropriate accessibility measures for agency personnel (taking into account security considerations, information sensitivities, etc.) should be in place to ensure ongoing retrievability of corporate memory and consequently to allow informed decision-making.

Official records that have been sentenced for long-term or permanent retention need to be managed proactively so that they remain accessible and authentic over time, through refreshing of media and migrations across software and hardware platforms. Those official records required to be kept permanently will need to be made accessible not only to agency staff but eventually to public researchers.

The design, modification and maintenance of systems that enable accessibility to official records is the responsibility of Records Managers, System Administrators and IT Managers.

## Freedom of Information

The *Freedom of Information Act 1991* (FOI Act) applies to official records, regardless of the technology used to create, store, or transmit that information. Email messages in their entirety are subject to FOI, but their release is subject to the same exemptions that apply to other official records. Erasure, accidental loss or deterioration of email messages are not specified as exemptions for non-disclosure under the FOI Act.

## Information privacy and confidentiality

The Information Privacy Principles apply to these records. The same standards, procedures and precautions need to be applied for email messages containing sensitive information as they are for information in any other medium. Confidentiality and security protocols (sensitive, protected, etc.) can apply to these records, also.

Email systems should not be used to transmit classified or confidential material except where those systems have been established for such a purpose and have appropriate controls, such as encryption.

## Disposal

Official records are required to be sentenced in accordance with approved disposal schedules. Official records, irrespective of format, cannot be disposed of unless an approved disposal schedule is used.

Responsibility for disposal of official records (including emails) should be assigned to the System Administrator or Records Manager in order to ensure appropriate application of disposal schedules and adequate documentation of destruction, migration or transfer to State Records. Individual email users should not be given this responsibility. If (because of decentralised systems) individual email users are given this responsibility, agencies need to provide training, ensure periodic monitoring of disposal actions, and ensure appropriate destruction is more than deleting emails.

## Reliability

Email provides a high level of reliability for end-to-end transmission of messages. However, an agency may choose to assess whether its current email solution addresses increased or special requirements for reliable records, e.g. authenticating the sender's identity and preventing alteration of contents.

It should be clearly stated in agency procedures when it is appropriate to use email systems to generate or transmit official records. Official records which are strictly confidential in nature, require authorisation and/or verification, have privacy implications, or are of a legally sensitive nature may need to be generated through a more secure medium.

Staff should be able to apply those procedures systematically and consistently, and should not be required to make ad hoc or case by case decisions about email as a form of appropriate or inappropriate transmission.

## Systems

Email messages that are of transitory value should be kept in personal folders. However, such folders should be routinely purged. Personal folders should not be used for email messages that are official records.

Email messages that are official records should be stored in the agency recordkeeping system. Ideally, email messages ideally should be integrated with other records.

Back-ups are created to facilitate restoration of a system or file in case of accidental or unintentional loss. Back-ups should not be considered an appropriate and adequate method of recordkeeping or secondary storage for email messages that are official records.

An agency that implements an EDRMS or other business system supported by appropriate policies, procedures and people, thereby satisfying adequate recordkeeping requirements, there is no need to duplicate records in paper form.

## Compliance

Section 16 of the SR Act stipulates that where an agency's records management practices are inadequate, the Director of State Records will report the matter to the Minister.

A person who, knowing that they do not have proper authority to do so, intentionally damages or alters an official record or disposes of an official record or removes an official record from official custody, commits an offence. The maximum penalty for the individual is \$10,000 or imprisonment for two years. The definition of "dispose of" includes "to carry out an act or process as a result of which it is no longer possible or reasonably practicable to reproduce the whole or a part of the information contained in the record"<sup>3</sup>

Individual agencies may also stipulate in their specific policies and procedures methods of recourse for staff that do not comply with such policies and procedures.

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<sup>3</sup> *State Records Act 1997: s.3*

## Attachment 1 – Normal Administrative Practice (NAP)

The following description of Normal Administrative Practice (NAP) is taken from *General Disposal Schedule 15 for State Government agencies in South Australia*. It is also described in *General Disposal Schedule 20 for Local Government Records in South Australia*.

More information can be found in the information sheet *Managing Normal Administrative Practice (NAP) in EDRMS*, available on the State Records website.

### What is NAP?

NAP is the concept that material can be destroyed according to “normal administrative practices”. This provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of continuing value to the organisation will be destroyed<sup>2</sup>. Originating in the National Archives of Australia the term is in general use in Commonwealth Government agencies and has been adopted by some Australian states.

Material that can be disposed of under NAP comprises items of an ephemeral or transitory nature created, acquired or collected by agency officers in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the agency recordkeeping system. NAP falls into seven main groups:

- transitory or short term items, eg. phone messages, notes, compliment slips, office notices and circulars
- rough working papers and/or calculations created in the preparation of official records
- drafts not intended for further use or reference, **excluding** official version drafts of agreements, submissions and legal documents
- duplicate copies of material retained for reference purposes only
- published material which does not form an integral part of an agency record
- system printouts used to verify or monitor data, or answer ad hoc queries, that are not part of regular reporting procedures and not required for ongoing use
- transitory electronic data.

### NAP in electronic media

Just as telephone conversations or other verbal communications that contain information of ongoing value should be documented, so voice mail, e-mail, facsimiles, word processed documents, spreadsheets, etc. should be captured into corporate recordkeeping systems when they contain information of ongoing value.

Agency induction and procedures must ensure that all officers are aware of their recordkeeping responsibilities and that electronic records with ongoing value are captured and retained in an appropriate way.

Only data included in the seven categories outlined above may be deleted from electronic systems according to Normal Administrative Practice.

## The NAP test

Where the information is not duplicated in the agency recordkeeping system, ask:

- Does the material form part of an agency transaction?
- Does it add value to an existing record?
- Does it show how a transaction was dealt with?
- Does it show how a decision was made?
- Does it show when or where an event happened?
- Does it indicate who was involved or what advice was given?
- Is it a formal draft of a Cabinet submission, an agreement or a legal document?
- Is the material included in a disposal class in General Disposal Schedule No.15 or in an agency operational Records Disposal Schedule?

If the answer to any of these questions is *YES* then the material **must not** be destroyed according to NAP.

## Examples of NAP

Items that **may be** destroyed under NAP include:

- word processing documents and spreadsheets in electronic format after updating, printing, or transfer to electronic recordkeeping systems
- drafts and rough notes not intended for further use
- brochures, catalogues, price lists, unsolicited promotional material, etc. received from external sources
- superseded copies of instructions, guidelines, standards, etc., not included in a general or agency records disposal schedule
- extra copies of records no longer required for reference purposes
- copies of published items kept for personal reference
- unimportant messages and notes, e.g. those required for a only a few hours or a few days
- system printouts used to verify or monitor data, or answer ad hoc queries, that are not part of regular reporting procedures and are not required for ongoing use
- transitory electronic data or documents not relating to or supporting the business.

**Remember that NAP is provided in the interests of efficient recordkeeping and extends to material of ephemeral and transitory value only.**

## Authority to use NAP

Destruction of material according to the above guidelines for Normal Administrative Practice is authorised by General Disposal Schedule No. 15.

## Attachment 2 – Contextual information

This table outlines contextual information (metadata) that may be associated with an email.

\* S= system-generated; M=manually-generated

<i>E-mail transmission data element</i>	<i>Sub-elements</i>	<i>Example</i>	<i>(S) or (M) *</i>	
E-mail sender name	Personal Name	Brown, John John Brown	S	Additional elements of personal name, position, corporate name, contact and email address can be captured as an automatic signature, requiring a once-off set up.
	Position	Archivist	M	
	Corporate Name	State Records	M	
	Contact	Ph: +61 8 8343 6800	M	
	E-mail Address	<a href="mailto:b.joe@sa.gov.au">b.joe@sa.gov.au</a>	M	
E-mail recipient(s) <i>(includes primary recipient and secondary recipients to whom copies are sent for information)</i>	Personal Name	Smith, Alan Alan Smith	S	If taken from a Circulation List (e.g. SAGEMS global address book) additional elements of personal name, position, corporate name, contact and email address are available in “details”.
	Position	Manager, Strategic Planning	M	
	Corporate Name	DPC	M	
	Contact	Ph: +61 8 8226 5000	M	
	E-mail Address	Smith.a@sa.gov.au	M	
Date/ time of transmission	Day	Monday, 12	S	Automatic date-stamp.
	Month	February	S	
	Year	2000	S	
	Hour	1300	S	
	Minutes	1315	S	
	Seconds	1315:22	S	
Date/time of e-mail receipt	Day	Monday, 12	S	Automatic date-stamp.
	Month	February	S	
	Year	2000	S	
	Hour	1300	S	
	Minutes	1315	S	
	Seconds	1315:22	S	
Subject/Title line	Free text	Minutes of Strategic Planning Meeting of 23-01-2000	M	Agency policy and procedure is required, stipulating that the completion of the subject line is mandatory. An interim solution, free text is sufficient as long as message is captured into a folder where naming conventions have been defined.
	or thesaurus terms	Strategic Management - Meetings - Minutes		
File Reference Number(s) <i>(Electronic &amp;/or Hard Copy Folder(s))</i>	Various (depending on numbering system used in agency)	e.g. AS21/2000	M	Reliant on sender of message.