

## **E-MAIL RETENTION POLICY**

BCC e-mail accounts are intended to support and administer the BCC's goals and objectives. Accordingly, all e-mail exchanged between employees both internally and externally, and any e-mail transmission residing on the BCC's computing and networking facilities is potentially an official BCC record, and must be stored in its original format and designated location. The effective management of electronic mail transmissions supports administrative efficiencies by facilitating the identification and accessibility of records and by preventing the premature deletion of e-mail messages relevant to management's decision-making.

This policy applies to all employees that use the BCC's electronic mail system to create, receive, transmit and retain information. This includes permanent, temporary and part time employees, as well as contractors or volunteers. All BCC data should be stored in the corporate network and are the property of the BCC. Any data residing on the BCC's network, including those of a personal nature, is subject to disclosure in the event of legal discovery or regulatory investigations.

### **I. Determining the Value of an E-Mail Message**

For purposes of this policy, e-mail transmissions fall into one of the following 4 categories:

**Personal E-mail:** Personal e-mail messages have no relevance to the official business of the BCC and can be deleted at any time. Examples include lunch arrangements, jokes and private messages between employees.

**Spam E-mail:** Unsolicited e-mail messages that are not related to an employee's work responsibility should be deleted immediately.

**Information Value Only E-mail:** E-mails that relate to the business of the BCC, but are intended only for informational value or to facilitate BCC business may be deleted once they are no longer needed. These include:

- E-mail that is only relevant to specific offices where the e-mail message has only temporary value. Examples include advice of meeting arrangements, advice of staff movements, copies of documents sent only for reference purposes, office supply requests, and invitations.
- E-mail messages received by courtesy copy and where no action is required. Examples include copies of committee minutes, reports and newsletters.
- Broadcast e-mails including general BCC announcements.

**Administrative E-mail:** As a general rule, e-mails received by or initiated by the BCC's employees which relate to the business activities of the BCC and that have continuing administrative value to the BCC must be retained for as long as they are needed to meet administrative and legal retention requirements. Administrative e-mail includes:

- Authorizations and instructions (e.g., to purchase office equipment);
- Commitments on behalf of the BCC;
- Communications between the BCC's employees relating to official business;
- Development or amendment of policies and procedures;
- E-mails that add value or support to an existing record;
- Final versions of reports or recommendations prepared for management and external agencies;
- Formal communications with external organizations;
- Formal drafts of agreements and legal documents and associated correspondence;
- Minutes and agendas of committees;
- Negotiations and commitments made on behalf of the BCC;

- Where an e-mail requires action from an employee; or
- Where legal advice is involved.

## **II. Managing E-Mail**

The BCC's record keeping system is primarily paper based and, accordingly, e-mail messages with continuing administrative value should be retained consistent with that policy. E-mail transmissions should be managed in a regular office filing system, or one of the following locations:

- BCC's e-mail server;
- PST files stored in the BCC network drives;
- Back-up tapes; and
- BCC e-mail archive.

All e-mail that is stored in the above locations is deemed accessible and discoverable in the event of legal discovery and regulatory investigations.

All BCC employees have a responsibility to create and keep records that adequately record the BCC's activities and should observe the following when constructing and managing their e-mail:

1. Decide if individual e-mail messages have value as official BCC records.
2. Prevent the premature deletion of official e-mail records and delete them only in accordance with approved retention and disposal schedules.
3. Respect the confidentiality of e-mail records and the privacy of personal information.
4. Protect e-mail transmissions against unauthorized access.

## **III. Retention and Disposal**

The BCC has a written Document Retention Policy (DRP). E-mail records with continuing value must be disposed of in accordance with the retention periods indicated in the BCC's approved retention and disposal schedules. The retention and disposal of records created by e-mail is a responsibility of all employees who send or receive e-mail transmissions.

This policy is not intended to replace existing record retention policies and procedures, but to enable its enforcement using an automated archiving solution that matches the classification and retention schedule outlined in the BCC's DRP. Generally, if the e-mail must be retained for longer than one year, it should be printed and filed as a paper copy. Other e-mails that are retained should be moved from the server to a personal folder that is stored on your hard drive and not on the server, and the folders should be organized logically so that records can be easily retrieved. The IT Department can help with setting up personal folders.

The BCC has implemented network procedures for periodically deleting e-mails from an employee's mailbox as follows:

1. *Deleted Box* – messages are deleted automatically upon sign out or after sixty (60) days, depending on how the employee's software is configured. The configuration that results in automatic deletion upon sign out is generally encouraged and is the default configuration on all new computer supplied to BCC personnel. The IT Department is only authorized to change the configuration.
2. *Out Box and Sent Box* – messages are deleted if they are older than sixty (60) days.
3. *In Box* – messages are deleted if they are older than ninety (90) days.

4. Normally, deletion as a result of network procedures will occur on a monthly basis. It is the employee's responsibility to ensure that e-mails that are to be retained are removed from the server in a timely manner. E-mails that are stored on the server are those that are listed under the "Outlook Today – [Mailbox – User's Name]", including emails in Deleted Items, Drafts, Inbox, and Sent Items.

When e-mail records are subject to anticipated litigation and those placed under a litigation hold, they must not be destroyed even if the retention period has passed, until the BCC has been notified by legal counsel.

#### **IV. Access to E-mail Records**

E-mail messages must remain accessible while they are required to meet administrative and external accountability requirements, including legal process. Any and all archived e-mails will be tagged with metadata in order to make e-mail headers, content, attachments and text fully searchable. In addition, the BCC will deploy and maintain software applications that support the archiving and searchability of stored e-mail messages.

E-mail records are official records that belong to the BCC, and, subject to confidentiality considerations, should be available to any authorized staff member where the e-mail has relevance to their work. Employees are required to protect personal or commercially sensitive information from unauthorized disclosure.

Although e-mails may permit the sender of a message to indicate if the subject matter is unclassified, personal or confidential, e-mail networks are, nevertheless, not completely secure and are vulnerable to breaches of security. Employees should therefore refrain from using e-mail for communications of a highly confidential or sensitive nature, unless the transmission is encrypted.

#### **V. Policy Suspension – Litigation Hold**

In some instances, this policy may be temporarily suspended, specifically if an investigation, litigation or audit is anticipated. In some instances, this policy's disposal schedule may conflict with the need to produce e-mail messages relevant to legal or regulatory procedures. If this is the case, then the need to comply fully with the law and/or regulation will override this policy, causing this policy to be temporarily suspended until the matter in question is satisfactorily resolved. Suspension of this policy will take the form of no e-mail messages being disposed of whatsoever for a period of time, until lifted.

#### **VI. Policy Non-Compliance**

The BCC expects that employees will be sensitive to the underlying spirit and intent of this policy and will look to the goals that this policy is intended to achieve. Employees should not attempt to do indirectly what this policy prohibits directly, and should not use means to defeat the goals that the policy is intended to achieve. It is in violation of this policy to dispose of any e-mail or other electronic communications outside of the scheduled identified.

If you believe you have accidentally disposed of or destroyed an e-mail that must be retained pursuant to this policy, please contact the DRP Manager. Your honesty in coming forward will have a significant impact on any disciplinary action taken, if any. If you know of anyone willfully disposing of or destroying e-mails of the BCC, you are under obligation to report these activities to the DRP Manager.

If you have any questions or concerns regarding this policy, or would like to report a policy violation, contact the DRP Manager.