



# *Allen County and Fort Wayne Electronic Communications Retention Policy*

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The purpose of this policy is to establish an electronic communications policy for all County and City offices that create, use, and manage electronic communications as part of the transaction of county or city business.

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## **I. Intent**

To establish guidelines that will promote the effective capture, management, and retention of emails and electronic communications.

## **II. Scope**

This policy applies to all county and city provided electronic communications equipment for county and city business use.

## **III. Definitions**

- A. Email** messages are similar to other forms of communicated messages such as correspondence, memoranda, and letters. These include non-record (transitory) emails and public-record emails.
- B. Non-record or Transitory Electronic Communications** are considered to have no administrative, legal, fiscal, or archival requirements for their retention. Examples of such non-record electronic communications include the following:
  - 1. personal correspondence not relating to conducting county or city business such as lunch invitations, unsolicited advertisements, and spam;
  - 2. routine requests for information or publications which require no administrative action, policy decision, or special compilation or research, and copies of replies;
  - 3. originating office copies of letters of transmittal that do not add any information to that contained in the transmitted material;
  - 4. quasi-official notices including memoranda and other records that do not serve as the basis of official actions (i.e., holiday notices, meeting confirmations, etc.).
  - 5. non-email electronic communications including, but not limited to, instant messaging, texting, paging, voice recording, and other electronic communication technologies other than email.
- C. Public-record Emails** include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the County or City.

Examples of emails that may constitute a public record (not confidential) include the following:

- 1. policies and directives,
- 2. correspondence or memoranda relating to official business (excluding duplicates)
- 3. agendas and minutes of meetings
- 4. any document that initiates, authorizes, or completes a business transaction
- 5. final reports or recommendations.

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In addition, confidential or partially confidential emails are required to be retained as required by the appropriate retention schedule.

Examples include the following:

1. declared confidential by state statute,
2. required to be kept confidential by federal law,
3. investigatory records of law enforcement,
4. attorney work product,
5. personnel file information (except for information that must be disclosed),
6. intra- or interagency deliberative materials – expression of opinion or speculative in nature and communicated for purpose of decision making.
7. covered by an Indiana Court Administrative Rule 9

### **IV. Responsibility for Retention**

The sender of the email is responsible for ensuring proper retention of emails sent within the County or the City. All other copies of internal email are duplicates and may be deleted. However, if an email was sent by an outside agency, a member of the public or anyone outside the County or City enterprise, the recipient is responsible for retention. **Warning** –Each department is responsible for complying with its retention schedule for its electronic records and for complying with that retention schedule. The IT department is not responsible for the long-term retention of these records.

### **V. Method of Retention**

Email records that have not met their retention should be saved by one of the following methods:

1. Print the email and store the hard copy in the appropriate file.
2. Move the email out of the email system.
3. Archival software.

Each department shall select the method of retention for that department.

### **VI. Mail Attachments**

Attachments should be retained or disposed of according to the content of the attachment itself based on its appropriate retention, not the email which transmits the attachment.

### **VII. Email Archival**

Data in the mailbox (including the inbox, sent items, drafts, contacts, and calendar items) will be archived by the IT Department for a period of three (3) years. Mailbox items will be archived in real-time. After three (3) years, emails will be purged, and therefore, the user and City or County Department has the responsibility to save electronic records before the three (3) years have concluded when the retention is longer than three (3) years. Contacts and Calendar items will not be purged as part of this process; it will be up to user to determine if those items need to be purged for space requirements.

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**VIII. Archived Emails**

To prevent the loss of email after the three year archival period, the user may:

1. Print the email and store the hard copy in the appropriate file.
2. Move the email out of the email system.

**IX. Personal Storage Table (.pst) files**

The use or creation of .pst files is not supported by the IT department. PST files are not part of the email system.

**X. Litigation Proceedings**

Regardless of retention requirements, email and all other electronic correspondence pertaining to threatened or actual legal proceedings must be retained until the litigation is finally concluded. It is the responsibility of the department involved to notify the IT department, in writing, of the need for the hold on the destruction of electronic communications.

**XI. Responding to Public Records Request**

It is the responsibility of the department involved to immediately notify the IT department, in writing, of a public records request if the IT department's assistance is required to provide the public records.

**XII. Email Accounts When Employee Leaves Employment**

When an employee is no longer employed with a county or city department, it is the responsibility of that department to immediately notify the IT department. That user's mailbox will be maintained for sixty (60) calendar days. Individual user mailboxes will be purged after sixty (60) calendar days unless that former employee's department head requests an extension, in writing or the IT department is notified items in the email must be managed by another user. It is the department's obligation to ascertain that electronic records stored by the former employee will be met and that items are safeguarded before the 60 day purge is completed.

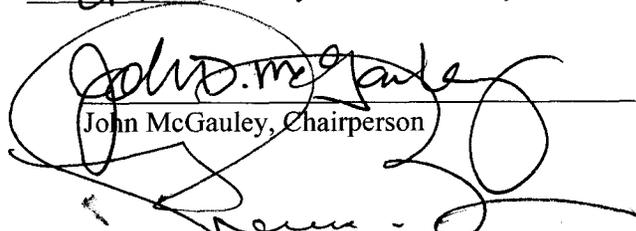
**X. Amendments**

Allen County and Fort Wayne reserve the right to amend or revise the contents of this policy as deemed suitable. Each employee will be provided with a notice of all amendments and revisions to this policy.

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Approved on this 14<sup>TH</sup> day of SEPTEMBER, 2010 by the Allen County Public Records Commission.

  
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John McGauley, Chairperson

  
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Therese Brown, Secretary

Passed and Adopted this 22 Day of OCTOBER, 2010

  
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Allen County Board of Commissioners

  
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Mayor of Fort Wayne