



## State Records Committee Email Records Retention Guideline

Public Record means public information that is *defined under 2-6-1002(13), MCA*

- (1) Fixed in any medium and is retrievable in usable form for future reference; and
- (2) Designated for retention by the state records committee, judicial branch, legislative branch, or local government records committee.

Correspondence means communication exchanged by letters **or email (received and sent)** and can be categorized as non-record, short-term, routine, and permanent.

This guideline is to provide state agencies and state employees guidance on best practices for records management related to communications produced via email and will be reviewed annually during the first quarter State Records Committee meeting. Records generated through email are subject to the same retention requirements and laws that regulate paper and other formats of state agency records. Retaining emails beyond the designated retention periods creates potential challenges including an increase in storage costs. Furthermore, searching through a high volume of email that has not been properly managed is time consuming and searching for a single email record becomes more challenging.

### **Email Correspondence Types and Examples:**

**Non-record correspondence** means communication that is not used or within the scope of the official business of the agency. This correspondence type may be deleted at will. Examples include (but not limited to) the following:

- Casual Correspondence (e.g., retirement announcements, organization potluck notifications, company picnic notifications, “treats in the break room” notifications, etc.)
- Unsolicited advertising
- Emails about the State Employee Charitable Giving Campaign (SECGC)
- General Notifications from state agencies (e.g., GSD street closure announcements, Healthcare and Benefits Division webinar announcements, Legislative Committees meeting/hearing announcements, etc.)
- Any duplicate email correspondence
- Earlier versions of an email thread

**Short-term correspondence** means communication that does not relate to an employee’s job responsibilities or has short term administrative value. Short-term emails do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. Short-term correspondence has a **retention of a minimum 30 days**. Examples include (but not limited to) the following:

- CC, Bcc, or FYI copies of an email where no action is required by the employee being copied
- Subscriptions to publications
- Preliminary drafts or working notes that are not needed as evidence of a decision
- Internal Meeting Notices
- Internal non-policy related correspondence
- Copies received as a committee or team member (unless you are the designated record keeper)

- Requests for common documents (e.g., job description, informational pamphlet, where to find information on an agency website, etc.)

**Routine correspondence** means communication that provides information related to the daily business functions within a state agency. Routine correspondence has a **retention of 3 years**. Examples include (but not limited to) the following:

- Requests for program information
- Case and/or project correspondence
- Internal policy correspondence
- Progress Reports
- Financial documents and/or Statements of Work
- Public Record Requests

**Permanent Correspondence** means communications that are related to policies and programs and have intrinsic value from a public interest or right to know and generally involve state employees who hold high-level executive/legal positions. **Permanent correspondence must be retained until it no longer holds operational value**. Examples include (but not limited to) the following:

- Correspondence related to official duties and programs of an agency
- Correspondence that communicates policy or other directives
- Correspondence from/to high-level executive officers, elected officials, and their legal counsel

**Note:** State Agencies are highly encouraged to establish internal policies and procedures for retaining permanent correspondence records when there is a transition of an Elected Official and appointed executive staff.

### **Correspondence Attachments**

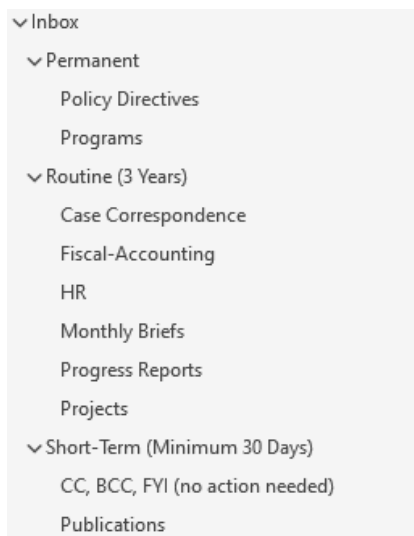
If an email contains an attachment(s) and the attachment is a record type designated for retention, both the email communication and attachment(s) should be filed together under the determined correspondence type as this would be considered a complete record (it is not necessary to save the attachment elsewhere).

### **Guidance to Email Retention Best Practices:**

Employee responsibilities for managing email should be the same as those for managing other records. This includes:

- (1) Organizing email correspondence so they can be located and used;
- (2) Utilizing the previously defined record types to identify how long the correspondence must be kept; and
- (3) Retaining email correspondence for their entire retention period and deleting the record at the time the retention period has been met.

**New Employees** (with the assistance of the agency) are encouraged to set up their email inbox into sub folders breaking out the different correspondence types at the time of onboarding:



**Note:** For further organization of email correspondence, an employee can create additional sub folders by category within the 4 primary record types (e.g., HR, Projects, Fiscal/Financial, Contracts, Monthly Briefs, Safety, Training, Publications, etc.)

**Current Employees** are encouraged to routinely take an inventory of their email inbox and determine which records belong to each record correspondence type and move them into sub folders like the above breakout.

Employees should understand their agency's retention policies and settings within the email application used (i.e., Microsoft Outlook) and are encouraged to reach out to their IT departments for assistance on how to change the retention settings.

#### Helpful Tip:

Employees can set a monthly task reminder to delete any email correspondence that has met their designated retention period.

#### Reminders:

- Any email communication that has been determined as a non-record correspondence should be deleted at will and not filed within the above email inbox sub folders.
- If permanent correspondence is saved outside of the Outlook application in a secure folder, employees should retain those for as long as they serve a purpose and have operational value.
- When a permanent record loses its operational value, it may still retain its historical value. Per MCA 2-6-114(3), those records should be offered to the State Archivist and the Historical Society. If the Historical Society does not want to absorb your permanent correspondence into their collection, then the responsibility of permanently retaining the correspondence should be determined by the agency.

**State Agencies** are encouraged to establish internal policies and procedures to meet the records management requirements and needs for their organization. Examples include (but not limited to) the following:

- Retention of email correspondence when there is a transition of Elected Officials and their appointed staff
- Retention of email correspondence for departing employees