

# The Corporation of the Township of North Kawartha Corporate Policies and Procedures

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**Subject:** Electronic Messaging Records Management Policy

**Policy Number:**

**Approving Authority:** North Kawartha Council

**Date Approved:**

**Revised:**

**Associated Documents / Legislation:**

Records Management By-Law 2010-0062

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56

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## 1. Policy Statement

The Corporation of the Township of North Kawartha and its local boards and committees are committed to ensuring accountable and transparent records management practices relating to electronic mail and electronic messaging. Effective policies assist in the management of municipal records.

## 2. Scope

This policy applies to all electronic messaging records sent or received by authorized users of the Township's email in the care and custody of the Township of North Kawartha.

Township and local board employees, members of Council and its local boards and committees.

## 3. Purpose

The purpose of the Policy is to address how records are managed, created, stored, received and transmitted by electronic messaging systems such as electronic mail (email), messages sent by phone (i.e. text messages, voicemails) and other platforms (i.e. Instant messaging, Team chats, social media).

The Township of North Kawartha is mandated, through the Municipal Act 2001 and the Municipal Freedom of Information and Protection of Privacy Act, to preserve the Records in its custody and control;

- Records that are created, received, stored and transmitted via electronic messaging systems may qualify as Official Records, and in those cases must be retained by the Township; and
- Electronic messages that qualify as Official Records must be maintained according to the Records Classification and Retention Schedule.

## 4. Definitions

**Archival Record** is a Record that is no longer required to be kept for any fiscal, legal or business value or reason, but that is deemed to have enduring value to the Township of North Kawartha to provide a historical context and/or has some provenance to North Kawartha's history. Archival Records are kept for historical purposes.

**Electronic Message** is any form of information or Record created, stored on, received, or transmitted through an electronic or digital messaging system, along with any attachments (e.g., word processing documents, PDFs, etc.). Electronic messages include emails, text messages, personal messages, voicemails, and messages via applications (i.e., Teams). Under applicable legislation, Electronic Messages can constitute Records as defined by this Policy.

**Official Record** is a Record that documents a business transaction, activity or decision and has enduring value. Official Records may set policy or procedures, or be required for legislative, regulatory, legal, fiscal, or operational purposes. Examples of Official Records are documents that: initiate, authorize, approve, or complete a business transaction; provide advice or recommendations to support decisions; commit the Township of North Kawartha to an action or expenditure; or relate to interactions or communications with external third parties.

**Text/Instant Messages** are messages sent via cell phone text, and messages sent via applications such as Teams and Messenger. These messages should be transitory in nature and not further municipal business.

**Personal email message** is an email message which has no relevance to Township business such as a message to a friend or non-work-related messages between Township employees (i.e. lunch arrangements)

**Transitory/Temporary records** mean records kept solely for convenience of reference and of limited value in documenting the planning or implementation of Township policy or programs, such as:

- a) copies of miscellaneous notices or memoranda concerning routine administrative matters or other minor issues;
- b) information copies of widely distributed materials, such as minutes, agendas and newsletters, unless the information copy has been annotated to reflect significant input or for other program purposes;
- c) preliminary drafts of letters, memoranda or reports and other informal notes which do not represent significant steps in the preparation of a final document, and which do not record decisions;
- d) duplicate copies of documents in the same medium which are retained only for convenience or future distribution;
- e) voicemail messages;
- f) email messages and other communications that do not relate to Township business;
- g) copies of publications, such as, published reports, administration manuals, telephone directories, catalogues, pamphlets or periodicals;
- h) duplicate stocks of obsolete publications, pamphlets or blank forms;
- i) unsolicited advertising materials, including brochures, company profiles and price lists.

**Voicemail** are spoken messages left by a caller. Voicemail sent through email are subject to Township retention policies.

## **5. Procedures**

- a) Electronic messaging records which are not spam or personal email messages shall be managed throughout their lifecycle according to the

requirements of the Township's Records Management Policy and Records Retention Schedule;

- b) Electronic messaging records which are not Transitory Records or spam, or personal email messages shall be retained according to the Township's Record Retention By-Law;
- c) Electronic messaging records which are Transitory Records or personal email messages shall be deleted as soon as they have served the purpose for which they were sent, received or stored;
- d) Electronic messaging records which are spam shall be deleted as soon as they are detected;
- e) Electronic messaging records will be disposed of in a manner that maintains the security and confidentiality of the electronic messaging record;
- f) Backups of the email system are intended to restore computer system operations in the event of a disaster and will not be used for records retention purposes.

## **6. Roles and Responsibilities**

### **Clerk**

The Clerk will:

- Be responsible for interpreting, approving and amending this Policy; and
- Adopt procedural controls and conditions to be established and followed for the capture of Records that are electronic messages.
- Provide advice, guidance, support and training to assist users in managing Electronic Messages and capturing Records into corporate repositories; and
- Conduct reviews as required to identify training needs and assess policy compliance.

### **Department Managers**

All managers will:

- Actively support this Policy and the associated recordkeeping practices; and
- Follow this Policy and any related policies and procedures for all

Electronic Message Records in the Department's custody;

- Ensure employees understand and apply effective electronic messaging system management in day-to-day operations; and
- Review electronic messaging systems and email boxes belonging to terminated and transferred employees, following guidance from the Clerk.

### **North Kawartha Staff, Agents, Mayor and Members of Council**

All North Kawartha Staff, Agents and Members of Council will:

- Apply best practice for managing Electronic Messages;
  - Capture Electronic Message Official Records into Filehold; and
  - Delete Transitory Records as soon as they are no longer required.
- a) Internally sent emails are the sender's responsibility to decide if the message is considered a corporate record, and to make sure that these messages are saved appropriately. This is because there is only one sender but may have many recipients. It is sufficient to keep the last email in the string and to destroy the others leading up to the final version.

- b) Externally sent emails are the receiver's responsibility to make sure that these messages are saved appropriately.
- c) Emails and their attachments are considered records and may serve as evidence of transactions and decisions just as Official Records in other formats and media.  
Procedure:  
Isolate attachments where the email message was only the vehicle for delivery (i.e., no commentary, advice or recommendations, or other substantial material in the body of the message), and proof of transmission date and time is not important. In these cases, the original email may be deleted after the attachment is isolated. Attachments should be stored along with other non-email records, according to the department convention.
- d) Determine if the email is an Official Record or a Transitory Record. Consider an Official Record documents a business transaction, activity or decision and has enduring value. Official Records may set policies or procedures, or be required for legislative, regulatory, legal, fiscal, or operational purposes. Some examples of Official Records in email format are messages that initiate, authorize, approve, or complete a business transaction; provide advice or recommendations to support decisions; commit North Kawartha to an action or expenditure; or interact or communicate with external third parties.
- e) A Transitory Record does not document a business transaction, activity or decision and has only temporary value. Transitory Records do not set policies or procedures, and are not required for legislative, regulatory, legal, fiscal, or operational purposes. They may only be needed for a limited time to complete a routine action or to prepare an Official Record. Some examples of emails that are Transitory Records ("transitory emails") are: personal messages, emails sent as an "FYI", messages on upcoming events or with minor administrative details, automated responses, unsolicited advertising, and message in which you are copied (cc'd or bcc'd, i.e., not the primary recipient). Transitory emails can be deleted when they are no longer useful or needed (e.g., the accuracy or completeness of the action has been verified or deemed correct).

**Review Cycle:**

This policy will be reviewed once a term of Council or when deemed necessary.