



Records Management Policy 2

Policy on Electronic Messages as Records

Issued 1998

Table of Contents

[Introduction](#)

[Definitions](#)

[Policy](#)

1. [Electronic messages are records](#)
2. [Electronic messages are to be captured and maintained as functioning records](#)
3. [Electronic messages must be captured into an identifiable recordkeeping system](#)
4. [Electronic messages must be effectively managed](#)
5. [Electronic messages must be appropriately accessible](#)
6. [Electronic messages must be appropriately protected](#)
7. [Management of electronic messages as records must be supported by internal policies, procedures and guidelines](#)

[Further information](#)

Browsable format

This policy can also be viewed in a [browsable format](#).

Introduction

Purpose

The purpose of this policy is to establish Government-wide policy on the management of electronic messages as records.

Scope

This policy applies across the whole of the New South Wales public sector. It should be applied in conjunction with the [Policy on Electronic Recordkeeping](#) and the standards, codes of best practice and guidelines on recordkeeping noted as referenced documents below.

Background

The Government is committed to improving the quality and keeping of official records so that they facilitate the transaction, monitoring, and auditing of official business. Public offices subject to the *State Records Act 1998* are required to make and keep records to adequately and properly document their business. Agencies will need to comply with standards and codes of best practice on recordkeeping issued under the Act.

At the same time the Government is committed to delivering responsive and accessible government services to the community through improved use of information technology. The Government's vision and comprehensive strategies for planning, management and use of information management and technology are set out in the [Information Management and Technology Blueprint for NSW](#).

Business conducted in the electronic environment needs to be documented appropriately to meet a variety of operational, accountability and community requirements. Among other things, this involves agencies capturing and managing those electronic messages which document substantive business as official records for as long as required. Some electronic messages can be identified as ephemeral and therefore only need to be kept for a short time. This document is based on national and international best practice. It complies with the Australian Standard AS 4390 *Records Management* (Part 3 *Strategies*, 8.4.1 Electronic Mail) and the principles in [Corporate Memory in the Electronic Age: Statement of a Common Position on Electronic Recordkeeping](#) issued by the Australian Council of Archives. A number of other governments have adopted similar policies and guidance including in Australia the Commonwealth and Victorian Governments and, overseas, those of the United States of America, Canada, New York State and British Columbia.

The policy was issued as an exposure draft in April 1996 and revised to take account of agencies' comments. It was then submitted for endorsement by the Chief Executives' Committee and the board of the Archives Authority of NSW (now State Records) in December 1997.

In June 1998 the policy was circulated to government agencies under Premier's Memorandum No. 98-16. This established a clear policy direction for NSW agencies to implement effective strategies for the management of electronic messages as records.

Further background to this policy is available in [Documenting the Future: Policy and Strategies for Electronic Recordkeeping in the New South Wales Public Sector](#) (Archives Authority of New South Wales, 1995) and the standards on [Full and Accurate Records](#) and [Records Management Programs](#). State Records is developing guidelines, training and other support to help agencies implement this policy. Specifically, [Managing the Message: Guidelines on Managing Formal and Informal Communications as Records](#), provides practical guidance in support of this policy.

Definitions

For the purposes of this standard the following definitions apply. The definitions are taken from Australian Standard AS 4390, *Records Management, Part 1, General*, except definitions marked *.

Disposal

A range of processes associated with implementing appraisal decisions. These include the retention, deletion or destruction of records. They may also include the migration or transmission of records between recordkeeping systems, and the transfer of custody or ownership of records.

Electronic messaging*

A general term covering all forms of electronically-mediated communication. This includes electronic mail for text messages and an equivalent service that uses recordings of spoken messages, known as voice messaging. It may also include computer conferencing and videotext. Also used as synonymous with electronic mail. (Tony Gunton, *The Penguin Dictionary of Information Technology*, Third edition, Penguin Books, London, 1994, p.100)

Electronic records

Records communicated and maintained by means of electronic equipment.

Official records*

Includes State records as defined in the State Records Act and the records of agencies subject to this policy that are not covered by that Act.

Record

Recorded information, in any form, including data in computer systems, created or received and maintained by an organisation or person in the transaction of business or the conduct of affairs and kept as evidence of such activity.

Recordkeeping

Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

Recordkeeping systems

Information systems which capture, maintain and provide access to records over time.

Transaction

The smallest unit of business activity. Uses of records are themselves transactions.

Policy

1 Electronic messages are records

1.1 An electronic message is a form of business communication. The sending of an electronic message is a business transaction and therefore a record.

1.2 Records sent and received by a government employee in the course of official duties are to be treated as *official records*. For public offices subject to the State Records Act these are *State records* as governed by the Act.

1.3 As records of government agencies, electronic messages, like records in other formats, are subject to legislation such as the *Freedom of Information Act 1989* and to legal processes such as discovery and subpoenas. The records may also be required by Royal Commissions, the Courts, auditors and other people or bodies to whom or which they may be subject.

2 Electronic messages are to be captured and maintained as functioning records

2.1 In order to function as a record, electronic messages require the preservation of their structure, context and content.

Structure refers both to the software instructions for the layout (format) of the message and the links to attachments and related documents for a particular transaction. Content refers to the content of the message as received. Context refers to the information documenting the source and destination of the message and gives the message meaning (found, for example, within header information for electronic mail).

2.2 In order to maintain their value as evidence, electronic messages must be inviolate, that is, they cannot be altered or manipulated, for as long as they are retained.

3 Electronic messages must be captured into an identifiable recordkeeping system

3.1 Electronic messages required as evidence of substantive business activity should be captured directly into an electronic recordkeeping system.

3.2 If the preferred method of capturing records above cannot be satisfied an agency must satisfy one of the following options:

- recordkeeping functionality can be built into the electronic messaging system
- electronic mail and voice mail, with appropriate contextual detail, can be printed or transcribed and filed into a paper-based recordkeeping system.

3.3 Back-up stores of electronic messages within messaging systems and ad-hoc saving of messages to directories are not to be considered a form of recordkeeping system.

4 Electronic messages must be effectively managed

4.1 Effective practices for managing electronic messages as records will help ensure that an agency can meet its business needs, accountability requirements and community expectations through recordkeeping.

4.2 Records should be retained for as long as required to meet identified recordkeeping requirements and no longer. Ephemeral messages, therefore, are

records which only need to be retained for a short time and may not need to be captured into a recordkeeping system.

4.3 Public offices subject to the State Records Act should dispose of electronic messages as records in accordance with the provisions of that Act.

4.4 Electronic messages should be managed in accordance with sound data management practices.

5 Electronic messages must be appropriately accessible

5.1 Electronic messages must be readily accessible to meet business and accountability requirements.

5.2 Electronic messages must be accessible for as long as they are required to be retained.

6 Electronic messages must be appropriately protected

6.1 Arrangements for maintaining electronic messages as records should operate in accordance with Government-approved policies, such as those protecting personal or commercially sensitive information from unauthorised disclosure.

7 Management of electronic messages as records must be supported by internal policies, procedures and guidelines

7.1 Corporate level policies, procedures and guidelines should cover the following:

- ownership of the messaging system and messages received or sent
- legislation that directly affects the agency's recordkeeping and legal processes
- conditions for use of the corporate messaging facilities, including any private use
- responsibilities for management of the messaging system and of electronic messages as records
- capture, management and disposal of electronic messages as records
- security and access requirements.

Further information

Referenced documents

[*Policy on Electronic Recordkeeping*](#)

[*Standard on Full and Accurate Records*](#)

[*Standard on Records Management Programs*](#)

[*Australian Standard AS 4390-1996, Records Management*](#)

[*Documenting the Future: Policy and Strategies for Electronic Recordkeeping in the New South Wales Public Sector*](#), discussion paper issued by the Archives Authority of New South Wales in July 1995

[*Corporate Memory in the Electronic Age: Statement of a Common Position on Electronic Recordkeeping*](#), Australian Council of Archives, May 1996

Exemptions

There are no general exemptions from this policy.

Exclusions

There are no general exclusions from this policy.

Funding

No special conditions for funding exist for implementing this policy.

Enquiries

Enquiries regarding this policy should, in the first instance, be directed to [State Records](#).

**State Records Authority of New South Wales
Sydney, Australia**

April 1998. This online version of the policy has been amended to reflect the introduction of the *State Records Act 1998*.

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