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International Research on Permanent Authentic Records in Electronic Systems

TEAM Canada

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Table of Contents

Preface.....	1
E-mail Management Guidelines for The University of British Columbia School of Music	3
Introduction	3
E-mail Defined	4
Types of E-mails	4
Executive or Decision-Making E-mails.....	4
Routine Administrative E-mails	5
Ephemeral or Personal E-mails.....	5
Records Management.....	6
Authenticity.....	6
Privacy	7
Maintenance.....	7
Attachments.....	8
Executive or Decision-Making & General Administrative E-mails.....	8
Ephemeral or Personal E-mails.....	9
Related Legislation.....	9
Provincial	9
Federal.....	9
Appendix 1: E-mail Examples.....	10
Appendix 2: E-mail Etiquette	12

Action 27: A. Doyle, with assistance from the Graduate Research Assistants assigned to case study 10(1), to draft corporate e-mail guidelines for the School and then submit the guidelines to Dr. Kurth for his feedback about any problems or concerns he may have with the guidelines, particularly with regard to actually implementing them (L. Duranti)¹

Preface

At the May 2008 InterPARES TEAM Canada Plenary Workshop, it was suggested to develop e-mail management guidelines for the University of British Columbia's School of Music. These guidelines would serve to help the director better manage the large number of messages he receives and sends daily while facilitating retrieval, disposal and long-term preservation.

On 22 July 2008, we, Alan Doyle (UBC's Records Manager) and Donald Force (InterPARES 3 Project Graduate Research Assistant), met with Dr. Kurth (Director of UBC's School of Music) to further discuss his e-mail situation. As observed in the contextual analysis, Dr. Kurth does not place his messages into a predetermined folder structure; instead, he relies on keyword searching to retrieve e-mails he needs to examine or reference.² Although he has encountered no problems with keyword searching, one consequence of relying on this strategy is that he rarely deletes any messages other than spam or junk mail. During our meeting, we learned that, although Dr. Kurth is open to the idea of classifying e-mails and placing them into a folder structure to ensure easier access and better long-term management, he lacks the time to accomplish this feat.

When we suggested having his office staff have more control of his e-mail and how it is managed, Dr. Kurth did not oppose the notion but made it clear that his staff would not be e-mail gatekeepers. In other words, he prefers to maintain a "hands on" approach for responding to and dealing with administrative e-mails, but he would be willing to give the responsibilities of managing "appropriate" messages to his staff. As a possible solution, it was proposed that he forward his messages to his office staff who would appropriately file and manage them. To some extent, this process already occurs as he forwards or CCs messages to his staff that he deems

¹ InterPARES 3 Project, "TEAM Canada Plenary Workshop #02: Action Items and Decisions," 4.

² Cathryn Gasztonyi, "Case Study 10(1) Contextual Analysis: University of British Columbia School of Music," version 1.0 (February 2008).

important enough to be retained. Upon further discussion with InterPARES administrators, this is not a viable option.

Forwarded messages pose several concerns for their long-term preservation. The foremost problem is that of ensuring the e-mails' authenticity. Forwarded messages may be easily modified by the new sender; for this reason, if forwarded messages are to be considered the official record (as was proposed), there must be some procedure in place to verify their authenticity (such as the use of an audit trail, for example). The other issue with forwarded messages is the date. When applying a retention schedule to messages, the date used should be the date the e-mail was received by the original recipient or the date of transmission by the original author. This date appears in the header section of the message, making messages easy to identify and retrieve for retention purposes. But once the e-mail has been forwarded, the date is no longer the proper one for retention and disposition purposes, especially in situations where the e-mail has been forwarded several days, weeks or months later.

It was also decided that the e-mail guidelines (see below) should not focus solely on Dr. Kurth's own management of his messages but also should be usable by his office staff. In particular, we decided to focus on making the different categories of messages (executive, routine, and ephemeral/personal) as explicit as possible, providing detailed information about their retention periods. If followed, these guidelines should improve the efficiency of e-mail management within the office by increasing the consistency of how e-mails are composed and sorted.

To ensure that Dr. Kurth and his staff understand the different types of e-mails and their related retention periods, a short "cheat sheet" was devised (Appendix 1). It is our intention to have Dr. Kurth and his staff review this list of example e-mails (divided by category) and ask questions regarding "exceptional" e-mails that may not be clearly listed or fall between two categories. Finally, this report concludes with an "E-mail Etiquette" section (Appendix 2), to further facilitate the creation and management of electronic messages.

At the time of this report, Dr. Kurth and his staff were unavailable for feedback or follow-up meetings.

E-mail Management Guidelines for The University of British Columbia School of Music

Introduction

Electronic mail (e-mail) is the most commonly used communication tool at the University of British Columbia (UBC). Since many e-mails are university records detailing the actions, transactions and decisions of employees of the University, it is essential that the messages be effectively managed. There are legal, administrative and corporate reasons for managing and retaining e-mail records. The responsibility for maintaining e-mail records falls on the individual employee.

The purpose of these guidelines is to help the Director of the School of Music and his office staff manage their e-mails in a way that promotes efficiency, ensures accountability, and maintains a strong historical record.

It is not desirable to dictate a recordkeeping strategy that will not be embraced (for example, classification schemes developed by previous directors have been abandoned by the present director in favour of keyword searching of undifferentiated e-mail). There are, however, basic actions that should not occur, regardless of their immediate usefulness. For example, it is risky to retain records containing personal information: (1) in multiple locations/formats; and (2) for longer than required by a retention schedule. There is always the possibility of the information being stolen or inappropriately released. As well, because the records are discoverable in case of legal action, the presence and retention of unnecessary personal information in the records makes compliance with a *Freedom of Information and Protection of Privacy Act* (FIPPA) request a costly endeavour for the School and the University.

In addition to FIPPA, there are other federal and provincial acts (see “Related Legislation” section for more information) that detail retention periods for records containing personal information, records of employment, as well as records related to taxation—all of which may be in the form of e-mail. In addition, the retention of records of the activities carried out by the Director is essential to confirm or support the University’s actions or decisions taken. Among these records, some will meet the Archives’ definition of a “record of enduring value” and should be retained as historic records in the University Archives.

It is important that these guidelines be followed and if difficulties are encountered, questions or concerns be directed to the University Records Manager, Alan Doyle, (604) 827-3952 or alan.doyle@ubc.ca.

E-mail Defined

British Columbia's *Freedom of Information and Protection of Privacy Act* (RSBC 1996, Chapter 165) states that a record "includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records." Thus, any e-mail message received or sent by a University employee, regardless of its perceived confidentiality or legal implications may be subject to access by a third party and/or litigation discovery. Additionally, it should be emphasized that an e-mail does not simply consist of the typed text that appears within its message body; rather, it has at least two, sometimes three, different components:

- Header (To, From, Subject, Date (sent and received), File size, etc.)
- Textual message
- Attachment(s)

Types of E-mails

At UBC, three broad types of e-mail messages are identified: (1) Executive or Decision-Making E-mails, (2) Routine Administrative E-mails and (3) Ephemeral or Personal E-mails.

Executive or Decision-Making E-mails

These records concern the decision-making of the unit and may include:

- Discussions and recommendations related to programs, students, personnel and policies that are not of a routine nature;
- Substantial information about the unit, its personnel, students or programs;
- Action, decision or commitment of the unit.

Examples may include, but are not limited to:

- Establishment of new policy or clarification of an existing one;
- Meetings agendas and minutes;

- Search committees correspondence;
- Internal planning and budgeting;
- External academic review correspondence;
- Requests to Deans and Vice Presidents for funding;
- Curriculum changes;
- Project and event discussion;
- Student, discipline and human resource issues.

There is an expectation of action related to these e-mails. They **should be retained for a minimum of five (5) years prior to being destroyed. Please note that some records may have long-term value and should be retained permanently (see “Records Management” section for more information).**

Routine Administrative E-mails

These e-mails relate to the general and routine activities of the unit. Examples of these may include, but are not limited to:

- Distribution of e-mails received for information;
- General inquiries;
- Requests for information about meeting hours, events, etc.;
- Best wishes, holiday, anniversary and congratulation messages.

These e-mails **should be retained for a minimum of one (1) year minimum prior to being destroyed.**

Ephemeral or Personal E-mails

These e-mails have no connection to the work of the unit and the records have no retention requirement. Examples of these include:

- Personal e-mail;
- Spam.

There is no requirement of further action; these **e-mails may be destroyed at the discretion of the user.** It is recommended that these e-mails be deleted as soon as their purpose is fulfilled. These messages are discoverable when a legal review such as a Commissioner’s inquiry or litigation is under way, and all messages present on the equipment are considered in the custody and property of the University and, thus, are subject to the same disclosure requirements.

Records Management

E-mails are university records and need to be managed, retained and, when appropriate, destroyed. Records Management carries out these functions according to records retention and disposition schedules.

The long-term or permanent retention of executive or decision-making e-mails requires records to be maintained over time either electronically—taking into account ISO Standard 15489 (4.3.9.2 Continuing retention) and the “Electronic Records as Documentary Evidence” Standard (CAN/CGSB-72.34-2005)—or by printing them to paper or moving them to microfilm. However, the retention of routine administrative and ephemeral e-mails does not require special effort and the messages may be kept in their native application if the need for them is expected to be exhausted before format or software obsolescence occur. These guidelines encourage users to maintain the messages electronically.

Using folders based on function, subject, activity or project often makes for more effective management of e-mail. If mailboxes are not organized there is a possibility that some types of information will be lost and the University has the right to reprimand or punish any employee who loses University records, or fails to preserve the proper documentation of University business. Thus, besides keeping better track of the records, the aforementioned types of organization also facilitate searching and retrieval while allowing for easier disposition. This method of management is recommended over using only the inbox and sent folders or organizing solely by month or year. When maintaining electronic records, specifically e-mails, there are several factors that records creators and managers need to be aware of to ensure the accuracy, authenticity, privacy and ongoing accessibility of the records.

Authenticity

Authenticity is the trustworthiness of a record as a record; i.e., the quality of a record that is what it purports to be and that is free from tampering or corruption. With e-mail, it is easy to forge a message and make it look as if it were coming from another person. This can be accomplished, for example, simply by setting up another mailbox name through the client configuration options. Despite the ease with which e-mails can be forged, anecdotal evidence suggests that e-mails exchanged in common business activities may be nearly always considered authentic. Although digital forensics experts may be able to examine the technical components of a message to determine its authenticity, the average person has to presume its integrity on the

basis of the reliability and security of the sender, mode of transmission, and the recipient's system. However, certain common e-mail handling practices can adversely impact the accuracy and authenticity of e-mails. For example, when forwarding an e-mail, the body of the message and/or its subject line may be altered without the recipient being aware of the changes.

Privacy

For e-mail, most privacy concerns relate to e-mail handling practices within the office environment. The main concern is unauthorized access to an employee's mailbox, rather than interception and disclosure of message content during its transmission. Another concern relates to the common practice of using the office e-mail system to transmit, receive and store personal e-mails. It is risky to keep private personal information in multiple locations and on multiple devices, especially within an office environment. Laptops, external hard drives, flash drives, etc., may either be stolen or accessed by an unintended third party. Furthermore, authorized access to e-mails may also occur. In many working environments, employers reserve the right to inspect or monitor e-mails retained by an employee on equipment owned by the employer.

Maintenance

Currently, no product provides functions (so-called "wizards") to help users in systematically setting up and carrying on message maintenance. Therefore, users interested in keeping messages over a relatively long term have to establish their own procedures, which may be based on three alternatives:

1. converting individual messages into text files;
2. converting messages into PDF files. Using Adobe Acrobat, it is possible to convert e-mails (with attachments embedded), either one at a time or in groups;
3. performing regular e-mail backups and maintaining them. However this is not advisable as legislation warns that backups do not contain records and their only function is to support the recovery of the system in case of disaster.

To improve the chances of ensuring the long-term survival of e-mails and their continuing accessibility—so that they may effectively be subject to retention and disposition schedules—these guidelines encourage the development of a folder scheme that corresponds to the functions of the office. This will ensure that e-mails are properly retained and/or disposed of in accordance with UBC retention schedules and federal and provincial legal requirements. If

mailboxes are not organized according to a logical scheme corresponding to the office's functions and workflows, there is a strong possibility that needed information will not be found, meaning that it is effectively lost. The loss of information will negatively impact the office's ability to effectively and efficiently conduct its business and to meet its compliance requirements vis-à-vis requests for information under FIPPA.

The UBC Records Schedules may be accessed at:

- <http://www.library.ubc.ca/archives/rrsda.html> (Note: Document is in draft form.)

The University Records Management Manual can be accessed at:

- http://www.library.ubc.ca/archives/manuals/rm_manual.pdf

The University Records Manager is in the process of reviewing and updating the retention schedules. The disposition of records—whether by destruction or by retention in the University Archives—must be a planned process. It is important to emphasize that, in response to a lawsuit, it is only through the regular and routine disposition of records in accordance with the retention schedule, that the non-availability of requested records and/or the submission of the existing records can be accepted under the business records exemption to the hearsay rule. Therefore, it is recommended that a consultation between the University Records Manager and the staff and faculty of the School of Music be arranged to provide a basic understanding of Records Management and to facilitate the disposition process.

Please consult the University Records Manager, Alan Doyle, (604) 827-3952 or alan.doyle@ubc.ca, if you have concerns or questions.

Attachments

The basic management of e-mail attachments varies according to e-mail type or category. This section provides guidelines on how best to handle attachments of each type of e-mail. See Appendix 2 (E-mail Etiquette) for additional information.

Executive or Decision-Making & General Administrative E-mails

- If you save a copy of the attachment to your local hard drive or location other than your e-mail program (e.g., network drive), link it to the e-mail transmitting it either by including this information among the properties of the attachment (i.e., in its metadata) or by copying also the e-mail as the cover page of the attachment.

- If a copy of the attachment is saved to your local hard drive or location other than your e-mail program (e.g., network drive), and an edited version of the same document is saved in the same folder, indicate in the attachment's metadata which is the final, authoritative record.
- When possible, attachments should be kept with their transmitting e-mails in the original e-mail environment, especially when the e-mail expresses a decision or an action with respect to the attached document(s); such as: "Yes, I approve of the attached document."

Ephemeral or Personal E-mails

- Attachments can be treated as it is convenient on a case-by-case basis.
- Since the messages have no required retention period, it is recommended that the transmitting messages and their attachments be destroyed once they are no longer needed.

Related Legislation

Provincial

- Freedom of Information and Protection of Privacy Act (R.S.B.C. 1996)
- Employment Standards Act (R.S.B.C. 1996)

Federal

- Income Tax Act (R.S.C 1985)
- Canada Pension Plan (R.S. 1985)
- Employment Insurance Act (1996)

Appendix 1: E-mail Examples

This document contains a list of the different types of e-mail messages that you may encounter during the course of a regular business day. Due to the volume and variety of messages, it can become a quite tedious effort to determine which ones must be saved and which ones may be deleted. The following list should support you in making this decision. If you encounter any types of messages that are not listed or have any concerns or questions, please contact the University Records Manager, Alan Doyle, (604) 827-3952 or alan.doyle@ubc.ca.

Records that have long-term value as evidential or historical records are to be retained for five (5) years minimum and are considered to be Executive or decision-making records detailing the actions, decisions and initiatives of the School of Music. Such records include, but are not limited to:

- **Committee Records**—Correspondence relating to committees on which the Director or Faculty members from the School of Music serve as Chair or which have significant bearing on the curriculum, staff, faculty or students of the School of Music.
- **Employee Records**—Correspondence relating to employees of the School of Music. These records pertain to their career progression, discipline, health and legal issues, vacations and holidays; they may also include other non-routine records (e.g., award letters, vacation or leave notifications, etc.). These records also include:
 - **“Search” Records**—Correspondence relating to the search for senior Faculty/Director. This includes committee minutes, recommendations and other relevant material.
- **“Project” Records**—Correspondence relating to unique initiatives undertaken by, or in conjunction with, the School of Music. These records may pertain to physical space, planning, curriculum or other projects that impact the School of Music or its staff, faculty or students.
- **“Reviews and Audit” Records**—Correspondence relating to External and other Reviews/Audits of the School of Music.

- **“Decision-Making” Records**—Correspondence relating to announcements of new procedures, practices, routines, entities (e.g., committees or working groups) or activities announced by the Director of the School of Music.

The following examples are routine administrative messages and should be kept for a minimum of one (1) year. These types of messages include requests for information, general inquiries, scheduling, as well as best wishes, holiday, anniversary and congratulation notices of a routine nature.

- **Records of minor committees** whose main minutes, findings and/or reports are summarized at a higher level, or routine committee records that are not the responsibility of the School of Music.
- **“Routine” Employee correspondence.** These include, but are not limited to general, non-specific, directives from Human Resources concerning employees, as well as messages regarding meeting times, locations and reminders.
- **“Routine” Student correspondence.** These include, but are not limited to messages requesting information, general inquiries, scheduling and congratulation notices.

The following types of e-mails may be deleted as required and have no retention requirements. It is recommended that these types of e-mails be deleted on a regular basis.

- Personal e-mail;
- Unsolicited/irrelevant correspondence from listservs, contacts, suppliers, professional associations, etc.;
- Spam.

Appendix 2: E-mail Etiquette

The management of e-mail depends on the different components of any given message (header, text and attachments). To make messages easier to handle, proper e-mail etiquette should be followed in writing your e-mails.

General

- Delete drafts of e-mail messages after the final version has been completed and sent. Drafts, although rarely needed, are discoverable and subject to FIPPA.

E-mail Threads

- Keep the last e-mail containing all previous messages on the topic.
- If messages in the e-mail thread have been modified, they need to be retained.

Subject Line

- When sending an e-mail, never leave the subject line blank.
- Be as precise or as descriptive as possible. For example:
 - Staff meeting, 5 Aug. 2008, 4 PM
 - Question regarding Doug Smith's Ph.D. program application
- Never alter the subject line of an already transmitted message, even if you inadvertently sent a message with a blank subject line.

Message Body

- The body of the message you write should build from the subject line.
- Use a proper greeting.
- Be professional. Your message could be read by a third party. Remember, e-mail is *not* a private or secure communication tool.
- Be aware that what you write may be interpreted differently than what you intend, especially since body language is not present. In other words, choose your words carefully.
- Create separate e-mails for separate subjects.
- If multiple issues need to be addressed in a message pertaining to the subject, separate each issue into a new paragraph (use bullet points if necessary).

- White space is your friend. Separate your ideas into different paragraphs regardless of length.
- Use proper punctuation. Do not use all capital letters; do not use all lower case letters (i.e., capitalize the first word of each sentence and proper nouns such as “I”).
- Avoid including personal information.
- Never include passwords, social insurance or credit card numbers in an e-mail message. If this information needs to be transmitted, call the person.
- Avoid using emoticons (e.g., :-))

Replying to a message:

- Ensure that a reply is necessary.
- Be specific with a response if you do not understand the original message. In other words, if you receive an e-mail that is confusing, do not simply write back “What?” or “Please clarify.” Provide a brief explanation as to what you do not understand.

Sending Messages

- Before sending, check the message for spelling and grammar mistakes.
- If you have a non-UBC affiliated e-mail address (e.g., gmail, hotmail, yahoo!, etc.), do not use it for UBC-related correspondence.
- When copying other people in a message, make sure only to include the necessary people.
- Always verify the address when replying to a message (be sure you are not sending it to an unintended person, group of people, or listserv).

Attachments

- Ensure that the attachment is necessary.
- Attach first, write second. When sending, double check the message to make sure you attached the document.
- Be sure that the file name of the attachment is clearly identified.
- If your organization or office uses a stable and reliable recordkeeping system, you should create links to files instead of sending attachments. This will reduce the number of copies of the document, reduce storage space, and simplify the management and long-term preservation of the document. When sending links, be sure that the recipient has access to the site.