

East Lothian Council

FOI Ref: 2022/ELF3287

Please could you share a copy of your email retention and deletion policies and procedures?

Also, any information that could help answer the following questions would be appreciated:

- a) What retention periods have you set for mailboxes, if any?***
- b) What retention periods have you set for emails in outlook, if any?***
- c) How do you know which email, while in outlook, is to be deleted and when?***
- d) How do you delete emails in outlook that are due for destruction?***
- e) Are your users allowed to move emails from outlook to other systems? And if yes, what guidance do you have for them, if any?***

Please ignore questions a to e, if you do not use Outlook/Exchange.

Clarification Requested:

In order for East Lothian Council to process your request efficiently, it would be most helpful if you could please clarify the type and content of guidance that is being requested in the following question: e) Are your users allowed to move emails from outlook to other systems? And if yes, what guidance do you have for them, if any?

Clarification Received:

To clarify question e. I am interested in any guidance the council's records management or IT department (or departments with similar functions) have produced, if any, to assist users when moving an email from Outlook to a Network file, for example, or any other system used by local authorities, like Mosaic. For example a step by step guide, or a departmental procedure.

Response:

East Lothian Council (ELC) does not have formally approved policy or procedures addressing the retention or deletion of emails specifically. We do hold a draft 'Managing Email Policy' (attached) that was created in October 2019, but never formally adopted or approved.

We also hold File Planning Principles and File Naming Guidance (attached). Information is also included on the Council's records management Intranet pages, please refer to Appendix I overleaf.

East Lothian Council

FOI Ref: 2022/ELF3287

All Council records (including email) are governed by the Council's corporate Retention Schedule, which is available for download on the Council website:

https://www.eastlothian.gov.uk/downloads/download/13015/business_classification_schemeretention_schedule

The retention and deletion of records is also covered by the Council's Information and Records Management Policy (linked below), as well as its Records Management Plan (attached):

http://www.eastlothian.gov.uk/download/meetings/id/14559/03_information_and_records_management_policy

In response to points a) to e):

- a) Retention periods are recorded in the Council's Retention Schedule. There is no entry in the Council's Retention Schedule that specifically addresses retention periods for mailboxes, although staff are advised only to keep email as required, and to use email mailboxes as a communication tool rather than a filing/storage system.
- b) The Council's retention periods are set according to the nature of the information held in the record (i.e. the email) and the business activities that it evidences. These retention periods are recorded in the Retention Schedule.
- c) As noted in response to question b) above, the retention period depends on the nature of the information held. Each record type normally has a trigger (such as the end of a financial year or closure of a case, for example), which signals the beginning of the agreed retention period, following which the record is to be destroyed or transferred to the permanent Archives. These triggers and retention periods are recorded in the Retention Schedule.
- d) Emails can be manually deleted by staff when they are no longer required for business or evidential purposes.
- e) Council IT users are able to save/export/attach emails from Outlook to other locations and applications, for example the Council's file network or within business applications. The Council has a range of guidance regarding records management available to all staff

Finally, ELC would explain that Freedom of Information legislation and the Environmental Information Regulations only apply to information which is held or recorded by a public authority. They do not apply to views, opinions, intentions, general questions about our processes or questions which simply require a yes/no answer. This means that some of the questions asked are not technically valid for the purposes of this legislation as they are not requests for specific recorded information that ELC may or may not hold.

East Lothian Council

FOI Ref: 2022/ELF3287

In view of this, under Section 17(1)(b) of the Act, we must formally advise you that ELC has been unable to fully comply with your request as not all of the information you require is held or recorded. In order to assist you, however, officers have addressed the questions posed to the best of their knowledge.

For future reference, a link to the "*How do I ask for information?*" page of the Scottish Information Commissioner's website has been provided which you may find useful: [How do I ask for information? | Scottish Information Commissioner \(itspublicknowledge.info\)](https://itspublicknowledge.info)

East Lothian Council

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Appendix I

Managing Paper and Electronic Records

Records may be kept as paper files, or electronically in shared drives, databases, or document management systems. It is important that an "information gap" does not arise during the changeover from paper to electronic filing systems. If there is a paper file on a subject, remember to print out relevant electronic documents and add them to the master file. If these documents are particularly bulky it would be acceptable in an individual's working files to cross-reference to an accessible electronic version. However, particular care should be taken to ensure that the document is available until the paper file is destroyed.

Managing Electronic Files and Folders

If you create a folder or document on a shared drive or on your personal drive, you should take responsibility for managing that folder or document. They should have file titles which are easily understood by all members of staff. Do not name them after yourself, as no-one else will know what they contain. Likewise, only use commonly understood abbreviations. The title should clearly indicate the version status, such as draft 1, final version etc.

*Here is a **Guide on how to name files correctly.***

Shared drives should be used for information to which your colleagues may need access. Do not password protect material unless your colleagues know the password so that the information can be accessed in your absence. Use your personal drive only for any information which is genuinely confidential or personal.

Managing Emails

E-mails are as much an official communication as a letter, memo or fax. Your emails may be disclosed in response to a freedom of information or data protection request. Electronic messages can be legally binding, contracts can be set up via e-mail and we may be held liable for defamatory statements in e-mails. For these reasons, do not say things in e-mails that you would not say in other forms of written communication.

Emails should be regarded in exactly the same way as other types of written communication. If they contain important information they should be printed out if there is a paper file, or saved to the electronic folder if the information is held electronically. Most emails are about ephemeral matters. Delete ephemeral or out-of-date emails as soon as they are no longer required: do not allow a backlog to accumulate as this becomes difficult to manage.