

Management and Retention of Email
Office of the Public Records Administrator

1. Email messages sent or received in the conduct of the public's business are public records and subject to disclosure and discovery pursuant to CGS Sec. 1-200(b). Email messages that document municipal functions and provide evidence of municipal business must be retained in accordance with the appropriate records retention requirements.
2. Pursuant to CGS Sec. 11-8 and 11-8a(c), the destruction of public records, including email, requires approval from the Office of the Public Records Administrator once the records have met all retention requirements in accordance with the approved records retention schedule. Disposal requests for email must be submitted through the Office of the Public Records Administrator.
3. Records generated through email are subject to the same laws that regulate paper and other formats of municipal records. Retaining email beyond the designated retention period increases litigation risks and storage costs. Additionally, the more email messages stored on a server the longer and more complicated search and retrieval becomes. Searching through a high volume of email is time consuming, and attempting to locate a single email record is often difficult regardless of available search tools.
4. Employee responsibilities for managing email are the same as those for managing other records, which include:
 - Organizing email messages so they can be located and used.
 - Using an approved records retention schedule to identify how long email messages must be kept.
 - Retaining email messages for their entire retention period and for deleting email messages in accordance with an approved records retention schedule.
5. The Office of the Public Records Administrator has issued the following policies related to the management and retention of email:
 - a. [Public Records Policy 05: Disposition of Public Records](#)
 - b. [General Letter #2009-02 Management and Retention of Email and other Electronic Messages](#)
6. Pursuant to *General Letter #2009-02* email is a form of correspondence and falls under the following three categories:
 - i. **Transitory**, which consists of email that does not relate to an employee's job responsibilities or has short term administrative value. Many email messages, while meeting the definition of a record, qualify as a transitory record. Transitory email does not set policy, establish guidelines or procedures, certify a transaction, or become a receipt.

Transitory email can be deleted at will and does not require destruction authorization from the Office of the Public Records Administrator. Once a transitory message has served its purpose it should be deleted immediately. The deletion of transitory email on a regular basis will reduce the number of Inbox messages as well as avoid unnecessary storage costs.

Examples:

- CC, bcc, or FYI copies of an email where there is no action required on the part of the employee being copied
 - Casual communications, e.g. *“cookies in the break room”*
 - Duplicate copies of official records
 - Informal messages or rough drafts not required as evidence in the development of a document
 - Information received as part of a distribution list
 - Routine traffic or weather alerts
 - Personnel reminders
 - HEP, open enrollment
 - External listserv messages
- ii. **Routine**, which consists of emails that is part of or relates to commonplace tasks/duties within an office and is done at regular or specified intervals. Routine email falls under M1-080 Correspondence, Routine on the [M1 General Administration Records Retention Schedule](#) and has a retention period of 2 years. Destruction of routine email requires disposition authorization from the Office of the Public Records Administrator.

Examples:

- Requests for program information.
 - Freedom of Information Act (FOIA) requests where no complaint is filed.
- iii. **All other correspondence** consists of email related to another records series on a [general retention schedule](#). These emails would be retained for the same amount of time as the other records within the records series. Destruction of these emails requires disposition authorization from the Office of the Public Records Administrator.

Examples:

- Emails related to intergovernmental agreements should be retained for 5 years from expiration under M1-165.
 - Emails related to job recruitment should be retained for 2 years from date position filled or closed under M2-250.
7. Email messages can be forwarded and routed to multiple people, resulting in copies of the messages potentially existing in many areas of your municipality. In most cases, the sender is the person responsible for retaining the messages sent within an organization. Therefore, the recipient(s), in most cases, may destroy their copy at will. However, where the sender is from outside an organization (e.g., the public), the recipient is the record custodian and should retain the message. If the email recipient has altered the message (made changes, added or revised attachments), the recipient is responsible for retaining the message. For committees, working groups, or other collaborative efforts, one individual or office should be designated as the records custodian for emails.

8. Similar to conversations, a thread is a string of email messages. After a thread is completed, the record custodian may retain only the last message (as long as it includes the prior messages) as the official record copy.
9. For additional guidance refer to [Frequently Asked Questions about Email](#) or contact the Office of the Public Records Administrator, 860-757-6540.