EPHRAIM MOGALE LOCAL MUNICIPALITY

E-MAIL RECORD MANAGEMENT POLICY
&
PROCEDURES

DOCUMENT APPROVAL

Responsible Person:	Name	Signature	Date

Date approved: _____

CONTENT

1. PURPOSE

1.1 The National Archives and Records Services Act applies to e-mail in the same way as it does to records that are created using any other media.

1.2 All employees are required to create and preserve records of the Municipality, functions, policies, decisions, procedure and transactions. Records must be properly stored, preserved and available for access.

1.3 The policy serve to facilitate the proper creation, management, preservation and disposal of e-mail records.

2. POLICY STATEMENT

2.1 All records created and received by Ephraim Mogale local Municipality shall be managed in accordance with the record management principles contained in Section 13 of the National Archives and Records Service Act, 1996.

2.2 The following broad principles becomes applicable to the record keeping and records management practices of the Municipality.

    i. the Municipality follows sound procedures for the creation, maintenance, retention and disposal of all records including electronic records.

    ii. Record management procedures complies with legal requirement, including those for provision of evidence.

    iii. The Municipality follows a sound procedure for the security, privacy and confidentiality of records.

    iv. Electronic records in the Municipality are managed according to the principles promoted by the National Archive Act and Records Services.

3. DEFINITIONS

Correspondence system; A set of paper-based and electronic communications and associated documents, sent, received, generated, processed and stored during the conduct of business.

Disposal;   The action of either destroying/deleting a record or transferring into archival custody.

Disposal Authority; A written authority issued by the National Archivist specifying which records should be transferred into archival custody or specifying which records should be destroyed/deleted or otherwise disposed of.

Disposal authority number; A unique number identifying each disposal authority issued to a specific office.

Electronic records;   Information which is generated electronically and stored by means of computer technology. Electronic records can consist of an electronic correspondence system and electronic record systems other than the correspondence system.

Electronic records system; This is the collective noun for all components of an electronic information system, namely: electronic media as well as all connected items such as source documents, outputs information, software applications, programmes and meta data (background and technical information in respect of the information stored electronically) and in hard copy. All these components are defined as records by the Act. They must therefore be dealt with in accordance with the Act's provisions.

File plan;   A pre-determined classification plan by which records are filed and/or electronically indexed to facilitate efficient retrieval and disposal of records.

Public Records;   A record created or received by a governmental body in pursuance of its activities, regardless of form or medium.

Records;   Recorded information regardless of form or medium including evidence of a transaction, preserved for the evidential information it contains.

Record keeping;   Making and maintaining complete, accurate and reliable evidence of official business in the form of recorded information.

Records Management;   Records management is a process of ensuring the proper creation, maintenance, use and disposal of records throughout their life cycle to achieve efficient, transparent and accountable governance.

Retention period; The length of time that records should be retained in offices before they are either transferred into archival custody or destroyed/deleted.

System technical manual; A manual containing information regarding the hardware, software and network elements that comprise the system and how they interact. Details of all changes to a system should also be documented.

System procedure manuals; A manual containing all procedures relating to the operation and use of the electronic system, including input to, operation of and how they interact. Details of all changes to a system should also be documented *i.e* Document capture**,** Document scanning, Data capture, Indexing, Authenticated output procedures, File transmission**,** Information retention, Information destruction, Backup and system recovery**,** System maintenance, Security and protection**,** Use of contracted services, Workflow, Date and time stamps, Version control, Maintenance of documentation.

4. REGULATORY FRAMEWORK

4.1 By managing e-mail records effectively and efficiently, the Municipality strive to five effect to transparency and service delivery values contained in the legal framework established by:

i. Constitution of South Africa (Act 108 of 1996).

ii. National Archive Act and Records Services of South Africa, 1996 as amended.

iii. Promotion of Access to Information Act, 2000 (Act 2 of 2000).

iv. Municipal Finance Management Act, 2003 (Act 56 of 2003).

v. Promotion of Administrative Justice Act 2000 (Act 3 of 2000).

vi. Electronic Communications and Transaction Act 2002 (Act 25 of 2002).

vii. Record Management policy.

viii. Internet, computer network & electronic appliance usage policy.

5.   **SCOPE AND INTENDED AUDIENCE**

5.1   **APPLICABILITY TO EMPLOYEES**

i.   the policy applies to all staff of the Municipality who generate records while executing their official duties.

ii.   Employees should be aware that e-mails are subject to Promotion of Access to Information Act (PAIA) request and legal discovery when lawsuit is pending. Should e-mails that are subject of a PAIA request or legal discovery be deleted because e-mails are not managed properly the Municipality will face severe court sanctions and a criminal charge.

iii.   Employees who willfully contravene the e-mail management provisions in this policy will face disciplinary action.

5.2   **APPLICABILITY TO E-MAILS AS RECORDS**

5.2.1   E-mails that are evidence of the business transactions of Ephraim Mogale Local Municipality are public records and should be managed and kept for as long as they are required for functional or historical purposes.

5.2.2   E-mails that approves an action, authorize an action, contain guidance, advice or direction, relate to projects and activities being undertaken and external stakeholders, represent formal business communication between staff, contain policy decisions etc, should be managed as records and should be filed into the file plan. This policy covers the e-mail message itself as well as any attachments that meet this criteria.

5.2.3   An e-mail message becomes a record when it contains the following:

- contains unique, valuable information developed in preparing position papers, reports, studies etc.
- reflect significant actions taken in the course of conducting business.

- Conveys unique, valuable information about the Municipality programs, policies, decisions, or essential actions.
- Conveys statements of policy or the rationale foe decisions or actions.
- Documents oral exchanges during which policy is formulated or other business activities are planned or transacted.
- Document containing Municipal meetings.
- Facilitate action by the Municipal official and their successor in office.
- Make possible a proper scrutiny by the Auditor General or other duly authorized agents of government.
- Protect the financial, legal and other rights of the Municipality and of the persons directly affected by the Municipal actions.
- Approves or authorizes actions or expenditure.
- Constitute a formal communication between staff e.g correspondence or memoranda relating to official business.
- Signifies a policy change or development.
- Create a precedence e.g by issuing an instruction or advice.
- Involves negotiations on behalf of the Municipality.
- Has value for other people or the Municipality as a whole.

6. ROLES AND RESPONSIBILITY

6.1 Council and Municipal Manager:

Council is responsible for the approval of this policy. The Municipal Manager shall mandate an official as the Record Manager to implement this policy.

The Municipal Manager shall ensure that the management of records including e-mail is a key responsibility in the performance contract of all Unit Managers.

6.2   Unit Managers:

Unit Managers are responsible for the implementation of this policy in their respective departments, by ensuring that management of records including e-mails is a key responsibility of all the staff compliment in their departments.

6.3   Divisional Manager Admin. & Legal Services:

-    shall be responsible for the implementation of this policy.
-    Coordinate awareness regarding this policy.
-    Shall be responsible for determining retention periods in consultation with the Internal Auditor, the Unit Manager Corporate Services and the users taking into account the functional, legal and historical need to maintain record transactions.
-    Shall coordinate training and other interventions as need arises to ensure that the Municipal record keeping and records management practices comply with the records management principles contained in the National Archive Act and Records Services Act.
-    Shall from time to time issue circular and instructions regarding the record keeping and records management practices of the Municipality.
-    Shall monitor the implementation of this policy.

6.4   Chief Admin. Officer: Records

-    shall be responsible for approval of request for information in terms of the Promotion of Access to Information Act, 2000 (Act 2 of 2000).
-    Shall inform the Divisional Manager: Admin. & Legal Services if request for information necessitates a disposal hold to be placed on records that are due for disposal.

- shall be responsible for ensuring that e-mails are managed as records according to the records management principles prescribed by the National Archive Act and Record Services Act and in terms of this policy.
- Shall ensure that all record created and received by the Municipality are classified according to the approved file plan and that a written disposal authority is obtained for them from the National Archive Act and Records Services.

6.5   IT Supervisor:

- shall ensure that no e-mails are deleted from any system.
- Shall ensure that the integrity of any records housed in the e-mail are protected until they have reached have reached their approved retention. Integrity of these record will be accomplished through such procedures as test stores, data migration and capturing the required audit trail.
- Shall ensure that all electronic systems capture appropriate systems and audit trail data for all electronic record to ensure that authentic and reliable records are created.
- Shall ensure that all data, audit trail data, operating systems and application software are backed up on a daily, weekly and monthly basis to enable the recovery of authentic, reliable and accessible records should a disaster occur.
- Shall ensure that backup files for the e-mail system are recognized as being part of the overall records management system in that the subject classification scheme shall be evident if files need to be retrieved from the backups.
- Shall ensure that backup are kept in a secured off site environment.
- Shall ensure that systems that manage and store records are virus free.

6.6   Staff:

- Every e-mail user shall ensure that e-mails that are evidence of business transaction are captured as records.

- Every e-mail user becomes responsible for ensuring that e-mails are subject classified against the file plan.

7.   FILLING E-MAILS

E-mails shall under no circumstances be isolated from the Municipality's record management and shall be captured into the file plan.

8.   DISPOSING OF E-MAILS

8.1.   E-mails considered to be public records shall not be deleted or otherwise disposed of without a written disposal authority issued by the National Achieves.

8.2   Should an e-mail be received/generated for which an appropriate subject file does not exist in the file plan, the records manager should be contacted to add an appropriate subject to the file plan and to apply for disposal authority on that subject.

8.3.   E-mails that are not public records may be disposed of after (governmental body should decide how long) months in terms of National Achieves and records Services General Disposal Authority AT2 for the Destruction of Transitory Records .

9.   CREATING RELIABLE E-MAIL RECORDS

9.1.   Structuring an Outgoing E-Mail

9.1.1.   E-mails that are public records shall contain sufficient information to ensure that they are properly contextualized and that they are meaningful and accessible over time.

9.1.2. Outgoing mail shall include the reference number (file number) to provide a contextual link to the business activity that supports the e-mail.

9.2.1. Subject lines are very important since they indicate to a recipient what the message is all about. If subject lines are not used appropriately, the recipients may not realize the importance of the message and choose to read it later or not at all. Users shall allocate useful subject lines to e-mails.

9.2.2. If a user receives a message with a senseless subject line and needs to reply to or forward it, the subject line should be changed to properly cover the subject of the e-mail before sending it off.

9.2   Auto-signatures

9.2.1. Staff should at all times be contactable even if their e-mail systems are down. Auto-signatures shall be used and shall contain the following identifying information of a sender:

- Name of sender

- Position of sender

- Name of unit/section

- Postal address

- Phone number / cell numbers

- Fax number

9.   LANGUAGE USED IN E-MAILS

9.1   Official communications shall be approached in the same manner as a business letter, thinking it through carefully and using proper grammar and correct spelling.

10.   CAPTURING E-MAIL STRING

10.1   E-mail messages on a particular subject can become a string of replies until a matter is finalized. In such cases users shall:

- Place all e-mail into the system separately as they occur and relate them to each other or

- Capture the final message – in which case user needs to make sure that the final message contains whole threads of the discussion.

11.   WHEN TO CAPTURE E-MAILS

11.1   Users shall capture official e-mails at the time of the action to ensure that:

- The chronological order of the business transaction is clear.

- The authenticity of e-mail is guaranteed.

12.   METADATA

12.1.   The IT Supervisor shall ensure that the system is set up to capture the following metadata:

- The transmission data that identifies the sender and the recipient(s) and the date and time the message was sent and/received.

- When e-mail is sent to a distribution list, information identifying all parties on the list must be retained for as long as the message is retained.

13.   MONITOR AND REVIEW

13.1.   The Chief Admin. Office: Records shall review the e-mail record keeping and records management practices of Ephraim Mogale Local Municipality on a regular basis and shall adapt them appropriately to ensure that they meet the business and service delivery requirements of Ephraim Mogale Local Municipality.

13.2.   This policy shall be reviewed annually and shall be adapted appropriately to ensure that it meets the business and service delivery requirements of Ephraim Mogale Local Municipality.