



Fairfield County Government Email Retention Policy

1.0 Purpose

When email enters or leaves Fairfield County Government data devices, the general public will tend to view that message as an official statement from the Fairfield County Government and/or an endorsement regarding the content of the message. The Electronic Mail Retention Policy is intended to help employees determine what information sent or received by electronic mail should be retained and for how long.

The information covered in these guidelines includes, but is not limited to, information that is either stored or shared via electronic mail.

All employees should familiarize themselves with the e-mail retention topic areas that follow this introduction.

The purpose of this policy is to comply with and compliment South Carolina and Federal laws regarding the retention of email as related to the Code of Law. This will include, but is not limited to the Uniform Electronic Transactions Act of 2004 and the Public Records Act.

2.0 Scope

This policy covers appropriate retention of any email sent from and/or sent to a Fairfield County Government email address and applies to all employees, vendors, and agents operating on behalf of Fairfield County Government. This e-mail retention policy is secondary to State and Federal policy for Record Keeping. All e-mail that comes through any data system (computers, smartphones, etc.) owned by Fairfield County is categorized into two main classifications with retention guidelines:

- (3.1) Public Records (to be retained for a specific time for public request on viewing)
- (3.2) Ephemeral Correspondence (Retain until read, can be destroyed immediately)

All state and local government records, regardless of their format, must be kept for as long as needed for legal, fiscal, administrative, and historical reference purposes if deemed to be “public record”. As with paper records, the retention value of electronic records depends upon their content, not their format. The legal retention and disposition of all state and local government records, including those in electronic formats, is managed through the establishment of record retention schedules prepared and approved in accordance with the South Carolina Public Records Act (Code of Laws of South Carolina, 1976, Section 30-1-10 through 30-1-140, as amended).

Most retention schedules vary, depending on classification. In order to simplify the archiving of e-mail categorized as a public record, a default retention period of 1 year will be used for Fairfield County Government. Email may be kept longer by the employee (or at the discretion of the employee’s manager) but **MUST** be kept for no less than 5 years from the time of creation or reception **if** the sender/receiver deems it as public record.

Whether an email is public record or NOT, public record is to be determined by the sender or receiver of the email. The affected sender/receiver must then decide whether to retain the email in question. If you have questions about any email message in particular, please consult your supervisor.

3.0 Policy One official copy of all e-mail used in or relating to the transaction of government business is a public record and, just like all public records, will be retained and disposed of in accordance with properly approved record retention schedules set forth in this document. However, this document is subject to amendment by the Fairfield County Administrator or Council and if amended, will be communicated appropriately to all affected.

While Fairfield County IT will provide applicable technology to facilitate the help with the archival retention of electronic documents, it is still the end user's responsibility to categorize and store these documents properly.

3.1 Public Records Correspondence

Fairfield County Public Records Correspondence is all information encompassed, but not limited to the South Carolina Public Records Act disseminated in the course of official county business. To ensure Public Records Correspondence is retained, you should "CC" relevant e-mail to Emailarchive@Fairfield.sc.gov This will automatically classify the e-mail as a public record with a 5-year retention period.

These emails include:

- Policies and directives
- Work schedules and assignments
- Drafts of documents circulated for approval or comment
- Any document that initiates, authorizes, or completes a business transaction
- Final reports or recommendations
- Correspondence, memos, or messages about agency or local government business
- Any other items that you and/or your supervisor deem necessary

3.2 Ephemeral Correspondence

Fairfield County Ephemeral Correspondence is by far the largest category and includes:

- Incoming list-serve messages
- Personal e-mails unrelated to county business
- Spam or unsolicited advertisements or sales promotions
- Non-policy announcements
- Published reference materials
- Invitations and responses to meetings, etc.
- "Thank you" emails
- Replies to routine questions, "we're open 8 - 5", "our address is . . .", "the deadline is.... "
- Scheduling meetings
- Out of Office auto-replies
- Attachments to e-mail that are identical to records that are stored and managed outside the e-mail system pursuant to approved record retention schedules

These ephemeral emails will be retained for no more than 30 days on our email system if deleted and may be deleted from your e-mail at any time by you.

33 Recovering Deleted E-mail via Backup Media

Fairfield County, in conjunction with our email provider maintains back-ups of deleted emails from the e-mail server. These back-ups will only cover the prior 30 days; however, all other e-mail is retained indefinitely until the end-user deletes it.

4.0 Monitoring

Fairfield County Government employees shall have no expectation of privacy in anything they store, send or receive on the County's email system. This includes, but is not limited

to computers, iPads, iPhones, etc. Fairfield County Government may monitor messages without prior notice, however Fairfield County Government is not obliged to monitor email messages.

5.0 Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Policy Approvals

Prepared by 
Information Technology Department Director

Date 11-18-2019

Approved by 
County Administrator

Date 11-18-19