1. Scope

This guidance is intended for every member of University staff who creates or receives e-mails as part of carrying out their contract of employment with the University.

2. Purpose

This document provides detailed, practical guidance on how to comply with the requirements of data protection and freedom of information legislation and how to ensure that when using e-mail. Annex A contains a separate short dos and don’ts checklist to help you use email more effectively (also published online at www.go.warwick.ac.uk/gov/informationsecurity).

3. Why should you care about data protection, freedom of information and records management when writing e-mails?

The Data Protection Act 1998 and the Freedom of Information Act 2000 apply to all the e-mails that you send and receive as part of your employment with the University.

The Data Protection Act permits people to see information that the University holds about them while the Freedom of Information Act gives people the right to access any other recorded information that the University holds.

The Data Protection Act also requires us to comply with 8 data protection principles that set out how we can use information about living, identifiable individuals. For a full list of the data protection principles please see http://www2.warwick.ac.uk/services/gov/legalservices/whentouse/dataprotection/. Those most relevant to e-mails include: requirements to hold information about living identifiable individuals for no longer than is necessary, to ensure that information is accurate, and to adopt appropriate security measures for this information to protect it from unauthorised access, amendment or deletion.

We have 40 calendar days to respond to a data protection request and 20 working days for freedom of information request. These deadlines mean that the University must know what information it holds, and must be able to retrieve that information even if key staff are away.

If the University does not comply with this legislation, it can be investigated by regulatory authorities and in certain cases could be sued or held to be in contempt of court.
4. **What is E-mail?**

E-mail is short for electronic mail. It is a tool for written communication. It has largely replaced the traditional paper memo or telephone call as the most used form of communication within the University. E-mails are electronic University records and need managing, just like the other records the University creates.

5. **Why should I manage my e-mails?**

Your work e-mails are an important part of the University’s records. Managing your e-mails will help you:

- Ensure that you can find what you want when you need it
- Ensure that your colleagues can find important information even if you are not in the office
- Save server space and make better use of resources
- Ensure that your e-mails carry weight in court as e-mails may be requested as evidence as part of legal proceedings.

6. **Who is responsible for managing my e-mails?**

The University Data Retention Policy states that all University staff have a responsibility to keep University information (including e-mails) protected. This can be summarised as a responsibility to create appropriate records, to capture important e-mails in your department’s record keeping system and to destroy those e-mails that are no longer needed. Heads of academic and administrative Departments within the University have overall responsibility for the management of records generated by their department’s activities, that is, for ensuring that records controlled within their unit are managed in a way which meets the aims of the University’s records management policies. This includes e-mails.

The Deputy Registrar has a particular responsibility in ensuring that the University corporately meets its legal responsibilities, and internal and external governance and accountability requirements.

*What issues should I consider when composing an e-mail?*

Think about what information you are communicating prior to composing an e-mail message; perhaps a telephone call or visit in person would be more appropriate. If e-mail is the best method, consider whether it is:

- for information only?
- a request for action?
- a request for information?
- a response to a request?

Whatever the purpose of the e-mail, indicate this by entering a short, clear and relevant description in the subject field. The reader should be able to determine what your message is about before opening it, as this will help them to prioritise their time.
At the start of the e-mail, explain whether it is for information or action and ensure that its purpose and content are clearly explained. This helps receivers identify, prioritise and retrieve e-mails more effectively. Make it easy to respond to your message by clearly identifying (e.g. by numbering) your questions/requests.

Try to restrict an e-mail to one topic, and do not mix personal and University matters in one e-mail. This will make your e-mail easier to manage, and will mean that you will not have to spend time blanking out irrelevant or personal information if we receive a request for that e-mail.

Only use the “cc” (carbon copy) function when it is necessary. If it is used, ensure that the recipient of the “cc” is aware as to why the e-mail is being copied to them. As a general rule, this function should only be used to send e-mails for information; the “to” field should be used when you are expecting the recipient to act on your e-mail.

If you are sending your message to a long list of people, or to external individuals (i.e. non-University of Warwick employees) that do not already know each other’s e-mail addresses, consider using a Bcc’d distribution list so that the full e-mail addresses of all the recipients are not included in the message.

Do not type in CAPITALS as this is considered to be SHOUTING.

Your e-mail message may be disclosed in response to an information request under the Freedom of Information 2000, the Data Protection Act 1998 or as part of a court case. In view of this, please take care what you write in it. Avoid using e-mail to let off steam, including by copying the e-mail to a large number of people. Ensure you read it before sending it, and check:

- Does it say what you want it to say?
- Is the tone of the e-mail as you intended?
- If it were a memo or formal letter, what would you write and how would you write it?

If you are not acting in your capacity as a member of University staff, please make this clear.

7. What issues should I bear in mind when writing e-mail about an identifiable, living individual?

As well giving people the right to see the information we hold about them, the Data Protection Act also requires us to ensure that the information we hold about identifiable, living individuals is relevant, accurate but not excessive. The following points will help you to achieve this in your e-mails (all the examples are based on real situations):

- Do not include irrelevant information. For example, when giving an academic reference it is unlikely to be necessary to comment on a person’s health, financial position or personal circumstances unless they have a direct bearing on the person’s academic achievement.
- Clearly differentiate between matters of fact and opinion. For example, say, “In my opinion, this person has difficulty mixing with others”, rather than, “This person cannot mix with others”.
- Do not express opinions that you are not prepared to defend, or which you cannot substantiate. For example, do not say, “This person has no personality whatsoever”; this clearly cannot be substantiated.
• Do not express opinions in areas where you are not qualified. For example, do not say, “This person has a personality disorder”, unless it is relevant and you are qualified medical practitioner in a position to make such a diagnosis, or you know that a qualified medical practitioner has diagnosed the condition. It might be acceptable in some circumstances to say, “I am concerned about the mental health of this person” but only if it is relevant to the matter under discussion.
• Always be sure of the facts. Do not say, “This person has no archival research experience” if you do not know the full details of their career. Instead say, “While this person was studying with me they did no archival research”, or, “To my knowledge, this person has no archival research experience”.
• Do not write in anger or in haste. This is a particular danger with e-mails because of the immediacy of e-mail as a means of communication. Do not say, “This clod should be horse-whipped”. Wait and write once you have calmed down.
• Always speak respectfully of the person, even when expressing negative information. For example, do not say, “This student is the weakest link. Goodbye”. Say, “This student’s performance falls significantly below the standards required for this course and we cannot allow them to continue their studies”.

8. What should I consider when sending an attachment(s)?

Try to avoid attaching documents to your e-mails. Consider whether it is necessary to attach the information or could the information be included in the body of the e-mail? This is particularly useful when sending smaller pieces of information.

If the attachment contains information that can be accessed via shared folders, Files.Warwick, a shared drive or an internal or external University website, provide a link to the document rather than attaching it to the e-mail.

Whether you provide a link or attach the original document, please bear in mind the need to ensure that everyone can read it. The University recommended format for sharing information is PDF. However, this format cannot easily be altered, so if this functionality is important, you may wish to consider using a rich text format. This format is preferable to proprietary formats such as Microsoft Word as it is less likely to carry viruses and worms and it can be read and modified in all supported computing environments.

9. What e-mails should I keep or delete?

Whenever an e-mail is sent or received a decision should be made about whether the e-mail needs to be kept as a record. Decide whether to leave the message in its present folder, to delete it immediately or to move it elsewhere. Keeping it in your sent items folder or in box means that it is inaccessible to others that might need it and can make it difficult to retrieve information once the folder becomes too large.

E-mails are used for a wide variety of purposes and so it is not possible to develop blanket rules about what should be deleted or kept. However, the principles are the same as for any record. If the e-mail is about an important issue, you should save it to a shared drive or other similar facility so that your colleagues are able to access it.
easily even if you are away from the office. Reasons for preserving e-mails in this way include:

a. We need the information to carry out our business, such as day-to-day administrative records or material potentially relevant to present or future research
b. There is a legal requirement to keep the information
c. We need the information for financial purposes
d. We will need the information to explain why we arrived at a particular decision
e. We will need the information if our decision is challenged in court
f. We will need the information to be publicly accountable for our policies and decisions
g. We will need the information to help us deal with similar situations in the future, such as records that show what procedure was followed in a particular situation or copies of past references provided for students or staff
h. We will need the information to defend our rights and responsibilities, or the rights and responsibilities of others
i. The information has value for historical research purposes

As well as the text of the e-mail, it is important to keep the associated metadata (data about the data) about the e-mail, such as to, from, date, time, and subject. This is necessary to understand the e-mail and can affect the credibility a court will give to e-mail evidence (“the evidential weight”).

10. For how long should I keep my e-mails?

It is not possible to set a standard retention period for all e-mails because e-mail is used to communicate about such a wide range of things, ranging from the instantly disposable (e.g., discussion of people’s availability for a meeting) to the highly significant (e.g., a decision to commit the University to a significant amount of expenditure). The retention period of e-mail is determined by the importance of its contents. Therefore, retention decisions have to be taken on a case-by-case basis at the time of receiving or sending an e-mail. If you make arrangements to save important e-mails and e-mails relating to ongoing issues somewhere other than your inbox and sent items folder, the remaining e-mails can be destroyed after a very short period (such as three months).

11. Where should I keep important e-mails?

Most e-mails do not need to be kept beyond the timeframe of the task to which they refer. A simple way to deal with this is to move them to a temporary folder named after the task to which they refer. Once the task is complete, the whole folder can be deleted.

If you think that an email is sufficiently valuable as to be kept as a permanent record, two options are available and these are set out below. For business continuity purposes, and also to enable the University to meet its freedom of information and data protection obligations, important e-mails should be stored where they will be accessible to other staff in your area as well as to yourself.

11.1. Print out and file in the appropriate paper file

| Advantages: | All records held together in one place |
| Disadvantages: | Storing printed records takes up space |
Costs associated with printing, including time
If the record is required in court, a paper print out may carry less evidential weight than an electronic version.

11.2. Keep electronically on shared server in relevant folder
Ideally, e-mails should be stored out with the e-mail system as a plain text document in appropriately named folders on shared drives or servers. Reveal any "hidden" header information before saving the e-mail and ensure that you save the full header information whenever possible.

Advantages: Electronic records on a particular topic all kept together, regardless of original format
Accessible to everyone that needs to see them
Easy to search content of a range of records in different formats to find relevant information

Disadvantages: Will lose some functionality available in the original e-mail system, including some e-mail properties information
May be difficult to retain in original format over time, so may need to save as plain text rather than as an e-mail document if long-term readability is an issue
If saving as plain text, may lose "hidden" header information needed to demonstrate whether or not the e-mail is a forgery, so if the record is likely to be needed in a court of law you should save a copy to the shared drive as plain text for reference convenience, but keep the original in your e-mail account.

If you need to prove that the e-mail is not a forgery you should only save the e-mail to a shared drive or server if you are confident that the "hidden" header information (eg routing information) will also be preserved. If you cannot do this and there is a reasonable possibility that the authenticity of the e-mail will be questioned, a copy should be saved to the shared drive or server in plain text for reference convenience, and another copy should be retained in a folder in your e-mail account. The folder in your e-mail account should have the same title as the folder on the shared drive or server, and it should be deleted at the same time as the shared drive or server folder.

12. How should I title e-mail when I am saving it?

If you are saving your e-mails within a mailbox, you should retain the original title as renaming it will change the e-mail’s subject line and could affect the integrity or legal admissibility of the record. However, if you are saving the message to a shared drive or server, you should take the opportunity to ensure that the title accurately reflects the content of the e-mail and will be meaningful to everyone that needs to access the record for as long as it is needed. For example, a title such as, “Yesterday’s meeting” will quickly become meaningless and should be replaced with a new title.

13. How should I save an e-mail that has an attachment?

If you need to keep an e-mail with an attachment, you should consider whether you need to keep the e-mail, the attachment or both. It is likely that you will need to keep
both, as the e-mail message will provide the context within which the attachment was used. When you save them to a folder outside your e-mail system, the attachment and e-mail should be saved separately as this will make it easier to preserve the authenticity of the message and attachment. Use the title and properties boxes indicate the relationship between the two.

14. How should I save an encrypted e-mail?

If you know that an e-mail has been encrypted, decrypt it before saving it as a record. If this is not done, it is likely that you will experience difficulty in reading it later.

15. How should I go about clearing out unwanted e-mails?

Delete ephemeral or out-of-date e-mails as soon as they are no longer required. Do not allow a backlog to accumulate as this becomes difficult to manage. The most efficient ways of doing this include:

- sorting by date and deleting all those over a certain age
- sorting by addressee/sender and deleting all those sent to or received from certain individuals
- sorting by subject and deleting those relating to completed business
- sorting by size and deleting large e-mails that are no longer required.

Opening and deleting e-mails on a case-by-case basis should be avoided as it is time consuming and unlikely to be cost effective.

Some e-mail systems save deleted items in a folder rather than actually deleting them. It is important to ensure that e-mails you meant to delete are actually deleted.

16. What should I do about my e-mails when I am away from the office?

The deadline for responding to freedom of information and data protection requests is calculated from the date that the University received a request for information, and not from the date that you read it. Thus, if you are on leave for three weeks and someone sends an e-mail asking for information on the first day of your leave, 15 of the 20 day response target will have passed by the time you read the e-mail.

If you are out of the office and unable to check your e-mail for more than a week, you should either set an out of office message that provides an alternative contact point for the time you are away or arrange for someone else to check your e-mails. The former is the University’s preferred option. Remember to suspend your membership of e-mail discussion lists when setting an out of office message, or you may post your out of office message to the entire list.

When writing an out of office message, try not to include important personal information, such as the fact that you will be away from home or that your office will be empty. It would be sufficient to say something like, “I will be unable to access e-mails sent to this account until **insert date**. Please contact **insert name** if you require a response before that date or shortly thereafter.”

If you work in a high-profile role, or one that regularly generates enquiries that could be viewed as freedom of information requests, your preferred option may be to make arrangements for your e-mails to be checked in your absence by using the autoforward
facility or by giving another person access to your e-mail. In the longer term, you may wish to avoid this need by setting up a generic e-mail address, accessible to more than one member of staff, that can be used as the main contact point for enquiries.

If you choose to arrange for someone else to check your e-mails, never give another person your password. Instead, make use of facilities such as autoforward or options for giving people access to your e-mail account through their own account.

As well as helping to meet the University’s legislative obligations, making appropriate arrangements will help ensure that we are responsive to the needs of our suppliers, customers, students and other stakeholders.

17. What security issues should I consider?

All e-mails may be monitored by the University to ensure correct usage. E-mails are not private or confidential and can be illegally intercepted. It is the responsibility of all members of staff to consider the appropriateness of using e-mail to discuss sensitive subjects. Highly sensitive information should not be sent by ordinary e-mail. Remember that whilst an e-mail may be sent to an individual’s account (s)he might not be the only person who sees it.

E-mail messages containing information that is not intended for general distribution should be clearly marked either in the title or in the beginning of the message.

18. What should happen to the e-mail accounts of staff that have left the University?

Before the staff member leaves the University, their manager should confirm that they have saved important e-mails to a shared drive or another place where they will remain accessible to everyone still employed by the University that needs them. On their last day, the member of staff should either set an out of office message that gives details of a new contact point or arrange to forward all their e-mails to another member of staff. Within a few weeks of the member of staff’s departure, their e-mail account and all the e-mails it contains should be deleted from the system.

19. I sometimes use my University e-mail account to send or receive personal e-mails. What issues should I consider?

All e-mails relating to the conduct of the University’s academic or administrative business would be regarded as work e-mails and are not personal. However, any e-mail not related to the business of the University would be considered personal.

The University’s computing regulations allow small-scale personal use of University e-mail facilities (as a privilege and not a right). The regulations also state that in some circumstances the University may need to access data or computer files. This might include personal e-mails that you have sent or received. For further information see the University’s Information Security Policy at: www.go.warwick.ac.uk/gov/informationsecurity. To limit the circumstances in which it becomes necessary for University staff to examine your personal e-mails, you are advised to set up a folder called, “Personal” within your e-mail account. All sent and received personal e-mails should either be deleted or stored in this folder. Even if you
store your personal e-mails in a folder called, “Personal”, please ensure that you delete them as soon as possible so that they are not occupying University server space unnecessarily.

Please ensure that you only deal with genuinely personal material in this way; if there is reason to believe that work-related information has been marked as “personal” to evade data protection or freedom of information requirements, we may have to access all your personal e-mails to identify that those that are really work related.

20. I sometimes send and receive work e-mails from a personal e-mail account. What issues should I consider?

It is strongly recommended that you avoid using a non-University e-mail account for University business. Most University e-mail accounts are accessible via the Internet so it should be rare that you need to use any other account. Your IT support service can advise on how to access your University e-mail account remotely if necessary.

If you do have to use a personal e-mail account for University business, the e-mails you create and receive should be sent or copied to your University e-mail account so that they can be added to the relevant University record. In all cases, delete copies of work e-mails from any privately-owned PC and personal e-mail account, otherwise you will be required to produce them in the event that their subject matter is relevant to a freedom of information or data protection request.

21. What should I do about spam mail?

Spam mail is unsolicited junk e-mails, usually sent for marketing or fraudulent purposes. If you receive a spam e-mail, or one you suspect is spam, do not open the e-mail or any of its attachments. Spam mail and its attachments are often a source of viruses, and they are always a waste of your time. Some systems offer a “preview pane” facility that enables you to see the content of an e-mail without actually clicking on it to open it. To avoid opening spam via this facility, turn off the preview pane in any folder that may receive mail.

The University provides a mail filtering service which will send possible spam messages to a Junk Mail folder for you to review and delete as appropriate.

22. What help is available?

The University Deputy Registrar’s Office provides advice, guidance and training on data protection, information security and freedom of information issues. See our website at www.go.warwick.ac.uk/gov/informationsecurity.
# Email Do's and Don'ts

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<tr>
<th><strong>Bcc distribution lists</strong></th>
<th>If you’re sending an email out to a distribution list, put the addresses in the Bcc box so recipients don’t see all the addresses.</th>
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<tbody>
<tr>
<td><strong>Don't always 'reply all'</strong></td>
<td>If your reply isn’t to all the current recipients, don’t hit 'Reply All'. Double check the recipients in the To:, Cc: and Bcc: boxes.</td>
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<tr>
<td><strong>New topic, new email</strong></td>
<td>If it’s a new topic, start a new email so you don’t end up with a huge tail of previous emails.</td>
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<td><strong>Don’t email big files</strong></td>
<td>Put big files in your department’s shared folder, on Files.Warwick or upload them to a web page.</td>
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<tr>
<td><strong>Do Housekeeping</strong></td>
<td>Regularly empty your Junk and Deleted items folders to keep your mailbox to a minimum - having too many messages and attachments can slow your email down.</td>
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<tr>
<td><strong>Close calendars</strong></td>
<td>Calendars contain a lot of information which will be updated in the background, slowing your email down so only select them when you need to check them.</td>
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<tr>
<td><strong>Be polite</strong></td>
<td>Include a greeting (e.g. &quot;Dear Joan,&quot; ) and a proper sign off (e.g. &quot;Best wishes,&quot; ) unless you know the recipient doesn’t care.</td>
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<tr>
<td><strong>Don’t try to be funny</strong></td>
<td>What might seem like an amusing aside to you could be an unwarranted attack on the most cherished principles of someone else.</td>
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<td><strong>Emails last ages</strong></td>
<td>Once you’ve sent it it can get copied all over the place, even if you delete it. Think about what you’re sending.</td>
</tr>
<tr>
<td><strong>Don’t break the law</strong></td>
<td>The Data Protection and Freedom of Information Acts apply to emails as well as to paper. Make it clear to recipients whether the information is RESERVED or CONFIDENTIAL i.e. should not be shared further.</td>
</tr>
<tr>
<td><strong>Reply</strong></td>
<td>It doesn’t have to be by email, but do get back to people.</td>
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