



Office of the Chief Information Officer

# Directive

## Instant Messaging

### Governance

Authority: Treasury Board Approval TBM 2018-111

Audience: All staff, contractors, consultants, partners, students, temporary workers, volunteers, vendors, agents, third parties and other persons working on behalf of the Government of Newfoundland and Labrador, including all departments and other public bodies as defined under the Management of Information Act (hereinafter referred to as "individual").

Compliance Level: Mandatory

Issuing Public Body: Office of the Chief Information Officer  
Application and Information Management Services  
Information Management Services Division

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**Notice:**

The Office of the Chief Information Officer (OCIO) is mindful of creating and delivering accessible materials, in line with the Government of Newfoundland and Labrador's Accessible Communications Policy. New materials created by OCIO align with policy requirements and modifications to existing materials will occur as part of the standard review cycle.

This document is available in alternate format. Please contact [OCIO@gov.nl.ca](mailto:OCIO@gov.nl.ca).

Forward questions and/or comments related to this document to [IM@gov.nl.ca](mailto:IM@gov.nl.ca).

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## 1.0 Overview

Instant messaging technologies are designed to support real-time conversational interactions and are commonly used to facilitate the flow of business. Typically, they replace a conversation that previously occurred in person or over the phone. These technologies provide a temporary space for an electronic conversation (instant message) to occur. Instant messages are discoverable for legal, audit or access to information requests and must be managed appropriately. Where they record government business activities, instant messages must be retained. The individual must ensure the instant message is converted to a recordkeeping format and managed appropriately.

This Directive applies to all government departments and other public bodies as defined under the Management of Information Act (MOIA) and issued under the authority of the Information Management and Protection Policy (IM&P) Policy. The IM&P Policy establishes the foundation for development of all IM&P policies, directives, standards, guidelines and procedures by the OCIO and provides the OCIO with a comprehensive approach in addressing IM&P Policy governance.

Directives provide an official authoritative instruction or order to the organization supporting an existing policy. Compliance with OCIO-issued directives is mandatory. This policy instrument will be reviewed and updated as required. Incidental revisions, which may be required from time to time as a result of changes in operational requirements, legislation or other policies, will be made in a timely manner as necessary.

## 2.0 Purpose

This Directive provides the individuals, departments, and other public bodies' with information management requirements for the use of instant messaging technologies including:

- Applications or tools accessible through the Government of Newfoundland and Labrador's Information Technology (IT) network.
- Any device capable of generating instant messages (e.g., computers, smart phones, tablets and other mobile communication devices) are subject to this Directive.

### 3.0 Definitions and Acronyms

A complete listing of terms are located on the OCIO website - Information Management and Protection (IM&P) Glossary of Terms.

**Individual** – For the purposes of OCIO IM policy instruments the definition of individual refers to all staff, contractors, consultants, partners, students, temporary workers, volunteers, vendors, agents, third parties and other persons working on behalf of the Government of Newfoundland and Labrador, including all departments and other public bodies as defined under the Management of Information Act.

**Instant Message** – An instant message is a form of real-time direct text-based communication also known as an electronic conversation between two or more people using personal computers or other devices and conveyed over a network, such as the Internet.

**Government** – For the purposes of OCIO IM policy instruments the definition of “government” refers to public bodies as defined under the Management of Information Act (MOIA) and in some cases may be used interchangeably with the term “departments and other public bodies”.

**Public Body** – As defined in the MOIA, a public body is:

- i) a department created under the Executive Council Act or a branch of the executive government of the province,
- ii) a corporation, the ownership of which, or a majority of shares of which, is vested in the Crown,
- iii) a corporation, commission, board or other body, the majority of the members of which, or the majority of members of the board of directors of which, are appointed under an Act of the province, the Lieutenant-Governor in Council or a minister of the Crown,
- iv) a court established under an Act of the province, and
- v) the House of Assembly and committees of the House of Assembly. (Source: MOIA)

**Record** – A correspondence, memorandum, form, paper, parchment, manuscript, map, plan, drawing, painting, print, photograph, magnetic tape, computer disc, microform, electronically produced document and other documentary material regardless of physical form or characteristic. (Source: MOIA)

**Government Record** - A record created by or received by a department or other public body in the conduct of its affairs and includes a Cabinet record, transitory record and an abandoned record. Disposal of a government record must be sanctioned by a records retention and disposal schedule (RRDS) that has been approved by the Government Records Committee (GRC). (Source: MOIA)

**Transitory Record** - A government record of temporary usefulness in any format or medium having no ongoing value beyond an immediate and minor transaction or the preparation of a subsequent record. Transitory records can be securely destroyed when no longer of value without authorization of the Government Records Committee. (Source: MOIA)

The table below includes common abbreviations used by OCIO as well as acronyms found within this document.

Abbreviation	Description
ATIPPA, 2015	Access to Information and Protection of Privacy Act, 2015
IM	Information Management
IM&P	Information Management and Protection
IP	Information Protection
IT	Information Technology
MOIA	Management of Information Act
OCIO	Office of the Chief Information Officer

## 4.0 Statements

- 1) Instant messages must be treated like any other information resource and managed according to the Management of Information Act.
- 2) Individuals are responsible for managing the information they create, receive, or transmit in instant messages.
- 3) Instant messages are discoverable for legal, audit or access to information requests and must be managed appropriately.
- 4) Instant messages that do not record government business are transitory, and must be deleted as soon as possible. However, if an information request (e.g., legal, audit, ATIPPA, 2015, etc.) has been received, transitory records cannot be deleted.
- 5) It is the responsibility of the individual to transfer instant messages to a proper government recordkeeping system when the message is deemed to be a Government Record.
- 6) Individuals must transfer instant messages to the recordkeeping format in a timely manner; instant messages are not to remain on devices for extended periods.



## 5.0 Roles and Responsibilities

### **Deputy Minister or Permanent Head or Designate (Department or other Public Body)**

- Enforce this Directive across their Department or other Public Body.
- Support their department or other public body's compliance with the MOIA, the IM&P Policy and other policy instruments issued by OCIO, and other relevant organizational IM&P legal and regulatory requirements.

### **Executive, Director, Manager and other staff responsible for IM (Department or other Public Body)**

- Issue direction to individuals on the appropriate procedure for managing instant messages including conversion to recordkeeping format and the appropriate storage in the recordkeeping system or in other approved location.
- Ensure that all individuals receive training in both OCIO-issued and organizational policy instruments regarding instant messaging use and management.

### **Management and other supervisory staff (Department or other Public Body)**

- Ensure all individuals within the program or service area of responsibility are aware of this Directive and other related policy instruments.

### **Individuals**

- Comply with the MOIA, the IM&P Policy and other policy instruments issued by OCIO, and other relevant organizational IM&P legal and regulatory requirements.
- Understand requirements for managing and protecting information.
- Appropriately use instant messaging technologies supported by the OCIO.
- Transfer any instant messaging communication that constitutes a government record to an appropriate recordkeeping format so that it can be managed according to the requirements for managing government records set out in the MOIA.
- Ensure that instant messages are regularly deleted from devices, which retain them.

### **Office of the Chief Information Officer (OCIO)**

As part of OCIO's administration of the Management of Information Act, the OCIO:

- Recommends to Treasury Board policies for adoption.

- Develops, manages, monitors, and communicates IM&P policy instruments and supporting materials to departments and other public bodies.
- Provides direction on IM&P best practices, resource requirements, organizational structure, recordkeeping systems and IM Programs to departments and other public bodies.
- Assists departments and other public bodies to improve their IM&P capacity.
- Provides IM&P advisory, training and awareness services and support to departments and other public bodies.
- Supports IM forums, committees, and other professional practice communities, consisting of IM representatives from departments and other public bodies.
- Manages the Provincial Records Centre (PRC).
- Provides administrative support to the Government Records Committee (GRC).

In addition, the OCIO will:

- Support authorized instant messaging technologies.
- Maintain the Instant Messaging Directive and any associated supporting materials.
- Provide education and awareness on the use of instant messaging technologies.

## 6.0 Compliance and Enforcement

### **Mandatory compliance**

OCIO directives are mandatory for individuals to follow and dictate uniform ways of operating.

### **Compliance monitoring**

Compliance monitoring of this Directive is the responsibility of the department or other public body.

### **Penalty for failure to comply**

Willful non-compliance with this Directive, or contravention through negligence, may result in disciplinary action, up to and including termination of employment/contract or other disciplinary action as per the policies and procedures established by Treasury Board and contractual agreements. Human Resource Policies can be accessed through the following link:

<https://www.gov.nl.ca/exec/hrs/working-with-us/policies/#4d>

## 7.0 Supporting Materials and Version History

### Supporting Materials

Below is a listing of supporting materials hyperlinked to the published location.

Management of Information Act

<http://www.assembly.nl.ca/Legislation/sr/statutes/m01-01.htm>

Information Management and Protection Policy, TBM 2018-111

<https://www.gov.nl.ca/exec/ocio/im/im-ip-policy/>

Access to Information and Protection of Privacy Act, 2015

<http://www.assembly.nl.ca/Legislation/sr/statutes/a01-2.htm>

FYI - Instant Messaging Directive

<https://www.gov.nl.ca/exec/ocio/files/fyi-instant-messaging-directive.pdf>

FAQ - Instant Messaging Directive

<https://www.gov.nl.ca/exec/ocio/files/faq-instant-messaging-directive.pdf>

Quick Reference - Transitioning Instant Message Content to Recordkeeping Format

<https://www.gov.nl.ca/exec/ocio/files/quick-reference-transitioning-instant-messaging-content-to-recordkeeping-format.pdf>

Transitory Records

<https://www.gov.nl.ca/exec/ocio/transitory-records>

OCIO Website

<https://www.ocio.gov.nl.ca>

### Version History

The following table highlights the version history of this document including date issued and version number.

Date (yyyy-mm-dd)	Version
2012-02-01	1.0

2015-01-10	2.0
2018-09-24	3.0
2020-08-20	4.0