



Office of the Chief Information Officer

Directive

Use of Non-Government Email Accounts for Work Purposes

Governance

Authority: Treasury Board

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.

Forward questions and/or comments related to this document to IM@gov.nl.ca.

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1.0 Overview

The Management of Information Act (MOIA) requires departments and other public bodies to manage and protect government records regardless of format; this includes email. Government records exist to document and support the activities of the department or other public body and to support transparency and accountability of the Government of Newfoundland and Labrador.

Individuals provided with a government-issued email account are expected to use it for business purposes. Use of a non-government email account to conduct work on behalf of a department or other public body is not permitted.

This Directive applies to all government departments and other public bodies as defined under the 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 mandates the individual, departments and other public bodies' responsibility related to the use of non-government email accounts.

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.

Electronic Mail (Email) – An email is defined as messages created, sent and received electronically between computers and other devices. For the purposes of OCIO policy instruments, email is inclusive of all items contained within the email account including, but not limited to: messages, invites and other calendar items, tasks, contacts, posts, notes, all attachments as well as system metadata. ‘Email’, ‘email messages’ and ‘email items’ (as terms) are often used interchangeably within the OCIO’s policy instruments.

Individual – Within the context of OCIO’s IM policy instruments, the term 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’s departments or other public bodies.

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”.

Government-issued Email Account – An email account issued by a department or other public body in which the administration of the email account is handled solely by the department or other public body’s information technology resources (e.g. OCIO, internal division, contracted external service provider, etc.). The management of the email account is the responsibility of the person to which the account has been issued.

Non-government Email Account - An email account not issued by a department or other public body in which solely the owner of the email account (e.g. Jane Doe - janedoe@gmail.com, johndoe@a_custom_url.ca, etc.) handles the administration and management of the email account.

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)

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)

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

Abbreviation	Description
IM	Information Management
IM&P	Information Management and Protection
IP	Information Protection
MOIA	Management of Information Act
OCIO	Office of the Chief Information Officer
RRDS	Records Retention and Disposal Schedule

4.0 Statements

1. Individuals must adhere to the direction issued within policy instruments related to email management established by the OCIO and by the department or other public body to which they report.
2. Use of a personal or other non-government email account to conduct work on behalf of a department or other public body is not permitted but approved exceptions may occur.
3. The permanent head (or designate) of a department or other public body can make exceptions to this Directive in limited, identified cases where the requirement and nature of the information exchanged is well understood and a clear process to transfer government records to a recordkeeping format that is managed appropriately has been established. In these cases, the exceptions must be clearly approved and documented.
4. If an individual inadvertently receives an email on their personal or other non-government email account that involves government business, they must copy or forward the email to their official organizational account as soon as possible. The record must then be saved to a recordkeeping format and managed appropriately. This will ensure the record is returned to the proper custody and control of the department or other public body, supporting the security and accessibility of that record.
5. Once transferred to an appropriate recordkeeping format, the initial email must be immediately deleted from the individual's personal or other non-government email account including the Sent Items and Deleted Items folders.
6. Individuals may forward email from their government-issued account to a personal or other non-government email account under either of the following conditions:
 - (a) Use of the non-government account for government work purposes has been specifically approved by the head of the public body or approved designate to whom the individual reports.
 - (b) Content is clearly intended to be publicly available including content the department or other public body, prints, publishes or releases for general or limited distribution to the public.

- (c) Email of a personal nature that is not work related (e.g. notifications from child’s school or personal appointment reminders, etc.).
 - (d) Email of a personal nature that pertains to the person’s relationship with the department or other public body as their employer (e.g. leave reports, HR records, etc.).
- 7) Public bodies that do not avail of OCIO-provided IT services and have their own email system must ensure individuals working on their behalf follow this Directive.
- 8) Public bodies that do not avail of OCIO-provided IT services must work with the department or other public body to which they report to discuss their current organizational standards for managing email and any required exceptions to this Directive.

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.
- Ensure a process for exceptions, if required, from the Directive has been established.
- 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 on the appropriate procedure for the use of non-government email accounts for work purposes within the department or other public body.
- Ensure that all individuals receive training in both OCIO-issued and organizational policy instruments regarding email use and management.
- Provide direction to individuals on appropriate recordkeeping of email in the organization's systems or in other approved locations.
- Develop, implement and communicate organizational-level policy instruments, as necessary, to support this Directive.

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.
- Ensure individuals that require the use of non-government email accounts have proper approval as identified in this Directive.
- Ensure individuals receive training on this Directive.

Individuals

- Comply with the MOIA, the IM&P Policy and other mandatory policy instruments issued by OCIO, and other relevant organizational IM&P legal and regulatory requirements.
- Adhere to this Directive and any related legislation, policies, directives or standards outlining email management requirements.

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:

- Maintain the Use of Non-Government Email Accounts for Work Purposes Directive and any associated supporting materials.
- Provide education and awareness on email management.

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/tbs/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

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

Access to Information and Protection of Privacy Act, 2015

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

Acceptable Use of the Government Network and/or Information Technology Assets

<https://www.gov.nl.ca/exec/ocio/im/employees/asset-use/>

Directive – Email Management

<https://www.gov.nl.ca/exec/ocio/files/directive-email-management.pdf>

FAQ – Use of Non-Government Email Accounts for Work Purposes

<https://www.gov.nl.ca/exec/ocio/files/im-employees-non-government-email-directive-faq.pdf>

Form - Exception Request for the Use of Non-Government Email for Work Purposes

<https://www.gov.nl.ca/exec/ocio/files/im-employees-pdf-exception-request-use-of-non-government-email-accounts-for-work-purposes.pdf>

OCIO Website

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

Version History

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

Directive – Use of Non-Government Email Accounts For Work Purposes

Date (yyyy-mm-dd)	Version
2016-12-06	1.0
2021-06-07	2.0