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### **Commissioner issues new instant messaging guide**

HALIFAX - It is International Right to Know Week, and so Nova Scotia's Information and Privacy Commissioner, Catherine Tully, has issued guidance to help ensure citizens continue to have a meaningful right to access government information.

Smartphones, instant messaging and personal email accounts are offering government employees increasing flexibility to work from home and make decisions anywhere. This can create confusion when citizens look to exercise their access to information rights for those same records.

To help clarify how access to information rights and bring-your-own-device policies interact, today Tully announced the release of a new guidance document on the use of instant messaging and personal email accounts.

“Records relating to the conduct of a public body's or municipality's business are subject to access laws,” says Tully. “That's true even if they are created, sent or received through instant messaging tools or personal email accounts.”

An access to information regime is only as good as the records management that supports it. Smartphones, instant messaging and personal email accounts might allow staff greater convenience to take their work home with them, but they create the risk that all appropriate records aren't always securely stored and readily accessible by the public body.

Tully recommends against using these tools unless appropriate records storage can be arranged. Public bodies also need to train staff on the importance of capturing records.

“However you configure your communications tools, staff need clear guidance and training to ensure records are captured and well managed,” says Tully.

Right to Know Week recognizes that access to information rights are foundational to an effective, functional democracy. If all appropriate records are not being captured that right to information can be undermined.



“If you think staff are not complying with your policies, you must take immediate action to preserve the records,” Tully says.

The document, “Instant Messaging and Personal Email Accounts: Meeting your Access and Privacy Obligations,” is available on our website at [www.foipop.ns.ca](http://www.foipop.ns.ca).

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