

Ref. No: 1560
Date: 19th February 2025
Subject: Clinical emails policy

REQUEST and RESPONSE

1. What is the email retention policy at your trust for official NHS clinical staff emails related to patient care. Also, what is the retention policy for deleted clinical emails, deleted by staff from their mailbox?

If an email is relevant to medical care it is added to the clinical record and kept under NHS medical records retention policy.

1a) Does your trust require that clinical emails related to patient care be placed in the patient's record?

If an email is relevant to care then it is added to the clinical record.

2. What is the back-up policy at your trust for backing up clinical staff/doctor's emails related to patient care? How often are the clinical emails backed-up and how long are the back-ups kept? Are the back-ups automated?

Relevant emails that are related to the clinical care of a patient are stored within the appropriate patient record. All emails are retained in line with the NHS Records Management Code of Practice.

3. Are deleted clinical emails (deleted by staff) recoverable on the email system at your trust, either from onsite or offsite storage? How long after the emails are deleted by staff, can the emails be recovered from the different locations they are stored?

Emails are retained within Outlook itself for 180 days and are recoverable.

Overall retention of emails on storage is 7 years as per the retention policy.

4. Your trust uses nhs.uk email so NHSmail helpdesk cannot assist with forensic discovery of emails. Hence, does your trust perform a forensic discovery equivalent to the forensic discovery provided by NHSmail help desk to retrieve deleted NHSmail (dot net) emails up to 2 years after they were created/sent even if deleted prior to 2 years by staff?

ie Can your trust retrieve deleted [nhs.uk](https://www.nhs.uk) emails up to 2 years after they were created/received?

Yes, we can perform forensic discovery of email.

5. Do your doctor's have the ability to permanently delete emails from all locations without IT system administrative privileges? Do the doctors at your trust have IT system administrative privileges?

No doctors have IT system administrative privileges.

6. When emails are deleted by clinical staff without significant knowledge and access rights, there are other possible places where the deleted emails can be recovered from: For example, local offline storage, where emails are cached on the local machine in an offline storage file (OST) which even when emails are deleted from the mailbox, can leave fully recoverable items, unless the OST file is forensically destroyed. Does your trust maintain an email OST for the staff NHS emails?

We would not rely on local files on computers for data recovery.

7. Are clinical staff emails archived off into different locations? If yes, what are these locations.

No

8. Can your trust IT team identify and create a log of emails deleted by a specified doctor working at your trust? How long after email deletion can the log still be created?

Logs of who deleted emails kept for 6 months.

9. When emails are deleted on the local staff computer and need to be retrieved, administrators can perform a search across the entire MS 365 environment to establish the presence of any of these emails in other user mail-boxes and non-email storage locations - is this a process that your trust can perform via the IT team or other team?

IT security only.

10 If staff emails related to patient's clinical care are requested under DPA 2018 SAR, what is the IT process undertaken at your trust to identify and retrieve the emails. Are offline storage searched and all locations as mentioned in this FOI or only the staff local computer/mailbox? Can you retrieve clinical emails requested under SAR DPA 2018 for up to 2 years after creation/send even if the staff have deleted them?

The clinical emails will have been kept with the medical records if this is relevant to patient care.

11) NHS's data retention and information management policy states that "an email will be retained and available for forensic discovery in NHSMail for two years after it was sent/received or until it is deleted from the mailbox by staff, whichever is later." Does your trust adhere to this policy with your nhs.uk email system? ie your trust must be able to retrieve a clinical email for 2 years after it was created or sent, even if it was deleted by staff prior to 2 years - NHSMail helpdesk cannot assist - so does your IT team have a process to ensure compliance with NHS's policy highlighted above?.

Yes