

Fact Sheet

Text Messages as University Records



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At times, especially during a critical or emergency situation, it might be tempting to conduct university business using text messaging. The speed and convenience of text messaging cannot be disputed, but everyone needs to be mindful that texts are “records” and some of what is communicated using text messaging may need to be preserved and produced as evidence of decisions or actions taken to satisfy legal inquiries or freedom of information requests.

The term “texting” originally referred to messages sent using the Short Message Service (SMS). It has grown beyond alphanumeric text to include multimedia messages using the Multimedia Messaging Service (MMS) containing digital images, videos and sound content, as well as emojis and other icons.

To text or not to text?

The brevity of text messages makes them a poor medium for business communication. Avoid texting about important decisions or sensitive matters as the rapid-fire back and forth can devolve into confusion and unsuitable or unprofessional “from the hip” responses. Ideally, text messaging in the workplace should be kept to a minimum, used to get someone’s attention, or to communicate simple informational messages such as meeting times.

Furthermore, text messages are difficult to capture in a useful way that preserves them as evidence. Ontario’s Information and Privacy Commissioner strongly recommends that institutions prohibit their employees from using instant messaging (including text messaging) for doing business unless their text messaging systems can be set up to retain and store records automatically. **Queen’s has no such process in place.** Accordingly, **it is important that employees not use text messaging for communicating important business information.**

Further Guidance

See the Information and Privacy Commissioner’s publication entitled [Instant Messaging and Personal Email Accounts: Meeting Your Access and Privacy Obligations](#) for more details on this topic.

Deleting text messages

Most text messages are likely to be [transitory records](#) and can be deleted once read. For those using the Queen’s cellular provider Telus, be aware that deleted messages can be recovered up to 48 hours after initial deletion. Even after the content is deleted, Telus can retrieve details about the date and time of a sent or received message for up to 90 days.

Remember that while you may be diligent about deleting *your* text messages, the same may not be true of the other people involved in the conversation.

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Text messaging and FIPPA

The *Freedom of Information and Protection of Privacy Act* (FIPPA) applies to records in the custody or under the control of an institution. Text messages sent or received for business purposes, even those sent using personal accounts, have been found by the Information and Privacy Commissioner to be under an institution's control for FIPPA purposes and therefore required to be disclosed. Be aware when texting that any record, even a transitory one, could be within scope of a FIPPA request.