



MAINE STATE ARCHIVES

Department of the Secretary of State

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Social Media Retention Guidance and Best Practices for State Agencies

Maine State Agencies and Departments are required to manage and retain their social media records if they hold accounts on social media networking websites such as Facebook, Twitter, Instagram, TikTok, blogs, wikis, etc.

How the agency uses social media will determine the best way to capture those records. Agencies use social media internally and externally to share routine agency information, support their business processes, and connect the public to state government. Social media includes blogs, microblogs (X [formerly known as Twitter]), video sites (YouTube), image sharing services (Flickr, Instagram), networking sites (Facebook, LinkedIn), and other interactive sites. Agencies must be aware that social media is also a records creation platform, and those records must be managed throughout their lifecycle, just like any other record.

If agencies are already using social media, it is recommended they conduct an inventory of how those platforms are being used and what type of records are being created so they have a broad sense of the scope of the activity and value of the records being generated (what should be captured and for how long). If any agency uses social media simply to share meeting announcements or publish policies that exist somewhere else, capturing the social media posts may not be necessary. But if an agency uses social media to engage with and converse with constituents, or shares information that does not exist elsewhere, a record of all posts and comments is required.

Any agency using social media for State business should comply with the following according to [MaineIT's Social Media for State Business Policy](#):

All posted material is public record. The agency must institute a process to save and retain all postings, outgoing and incoming, in accordance with the State's Records Retention Law. This requirement applies regardless of the form of the record (digital text, photos, audio, video, etc.). Agencies shall not rely upon the Social Media provider's in-house policies for this purpose.

PLEASE CONTACT THE MAINE STATE ARCHIVES FOR ANY AND ALL QUESTIONS ABOUT RETENTION REQUIREMENTS AND METHODS FOR SOCIAL MEDIA. The Maine State Archives will provide guidance and develop records retention schedules for social media records.

***IMPORTANT: All social media retention period and methods must be reviewed and approved by the Maine State Archives.**

Agencies need to consider the following four (4) factors when managing the retention of their public records created or received through social networking sites:

1. Are the social media posts public records requiring retention? If the posts are made or received in connection with the transaction of the agency's public business (such as providing advice or receiving comments about the agency, its programs, etc.), then they may be public records which need to be retained dependent on the following:

- Do they document government business or provide evidence of an important action?
- Are the records unique?
- Does the information exist elsewhere in a different record or format?

Citizen comments may also be records; most are likely covered by retention requirements for information or service requests.

2. Are the posts primary (record copy) or duplicate records? If the posts are copies of records the agency is already retaining for the required retention period (in paper, digital or some other media format), then the posts may be considered duplicates and destroyed when no longer needed. Otherwise, the posts are the agency's primary record (record copy) which must be retained according to the schedule.

3. How long do the posts need to be retained? First, determine if the post is a duplicate record which would not need to be retained. Agencies should use the same retention schedule for posts as they would if the information was distributed via letter or email to everyone within the agency's purview. A good guide to follow is described in [State General Schedule 6 – Electronic/Information Technology Records](#):

"If the information posted or received on a social media platform documents government business, the post is likely a government record. Agencies need to retain posts which are public records for at least the minimum retention period listed for those records in approved records retention schedules. If the information in a post exists elsewhere or it is not the official record copy, then it may be duplicate information with no retention requirements. If a post simply points to external resources, it may be transitory information and can be deleted as soon as the agency purpose has been served."

4. How can you manage your agency's social media records? Records in social media sites (including metadata) must be copied or otherwise captured and maintained with related records, unless the site has a record management application that can manage the records throughout its lifecycle. Non-record content consisting of duplicate information which is maintained elsewhere may be deleted when no longer needed. Options are retention are:

- Copy social media posts to PDF files and save on a cloud-based drive
- Contract with an approved third-party vendor who manages and archives social media posts. Contact the Maine State Archives for discussion and a list of MSA and Maine-IT approved vendors.

Additional advice regarding the management of public records is available at <http://www.maine.gov/sos/arc/records/state/statetraining.html>