Addressing the Critical Challenge of Defensible Disposal: Operational and Technological Insights

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Our Presenters

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MC Bernstein Data

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Our Agenda Today

on the Vital Discipline of Defensible Disposal

1. The Defensible Disposal Challenge

2. What Does Defensible Disposal Entail?

3. How to Make Defensible Disposal a Reality

4. Real-World Success Stories

5. The Benefits of Doing it Right

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The Defensible Disposal Challenge

The Data Dilemma

Information Growth is Accelerating

Electronic data is growing at an astronomical pace. IBM estimated that 90% of all digital data was created in the last 2 years!

Absent Good Policies, Organizations Over-Retain

And the consequences for the organization can be serious, including:

- Increased exposure to audits or litigation

- Reputational risks due to cyber-attack or breach

- Increased IT and operational costs – storage, backup, data retrieval, eDiscovery review, etc.

- Lower operational efficiency due to the volume of irrelevant info in circulation

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51%

say they are planning to spend "more" or "a lot more" on information governance (records management and digital preservation) in the next 18-24 months.
- AIIM

32%
ROT
Redundant, obsolete or trivial data

53%
DARK DATA
Unidentified data that can integrate critical, sensitive or ROT data

15%
BUSINESS

80%
is unstructured

2x
data **doubles** every year

CCPA
$2500-7500 per violation and $100-750 per individual/incident or personal damages (if greater)

Data protection and privacy

GDPR
€20M or 4% of worldwide company turnover

30min
a day is wasted searching for information

79%

of executives agree that AI is already driving transformational improvement in workflows and tools for knowledge workers
- Forbes Insights survey

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Strong M&A Activity

Many information-intensive industries are also those that experience the highest M&A – banking, insurance, etc.

M&A drives the accretion of information systems and content is is often under-governed.

Ad Hoc Management Isn't An Option

Relying on IT and business groups to solve this challenge is impractical – the volumes are too high and the expertise is lacking.

- Defensible operational strategies
- Innovative, highly automated technology
- Information governance oversight

Other Factors Driving Demand for a Defensible Disposal Solution

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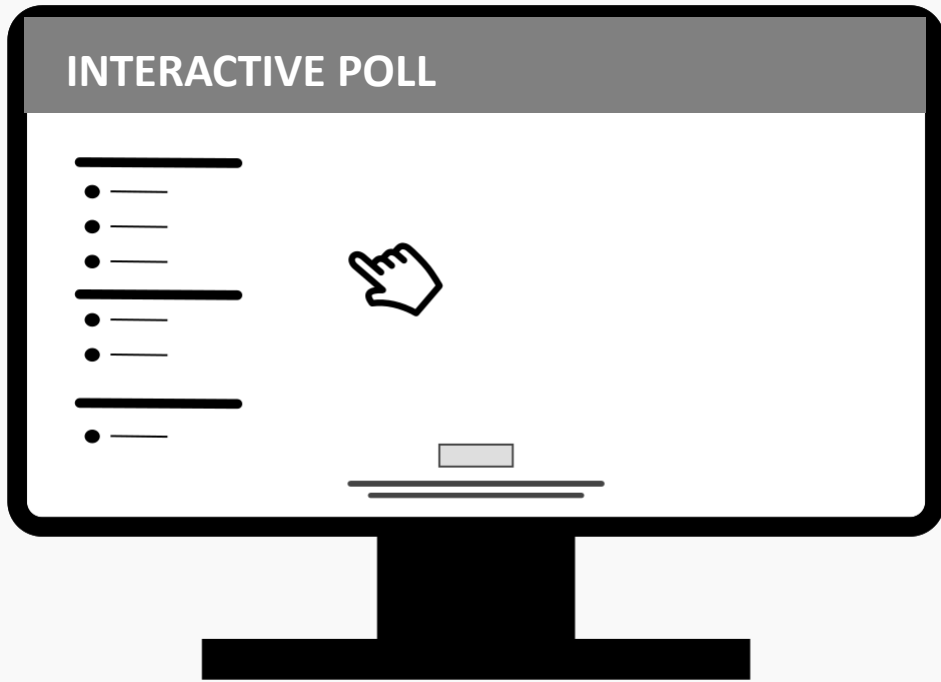
What Does Defensible Disposal Entail?

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Conceptual Requirements

Consistent in its handling of data deletion criteria – formal records, known data, and mystery information

Transparent in its process traceability

Scalable, to address not just individual info assets but collections

Documented, to assure appropriate response to inquiries

I'd rather be consistent than be right.

- Records specialist in the oil industry during a recent interview

On the Technology Side

Locate Information Assets
Connect to far-flung information systems to index, categorize (using AI) and enhance the information assets that are out there for improved visibility.

Automate and Accelerate
Using scalable business process automations and workflows that are consistent, audit-friendly.

On the Operational Side

Govern Information Assets
Once indexed, information lifecycles can be applied based on categories and metadata for defensible disposal. Legal holds can be applied when appropriate, and audit trails and reports maintained for decision support.

"Maintaining a defensible disposal program at the desired maturity and capacity requires the right technology and tools. Technology should **automate legal holds, retention of records, de-duplication and proper tiering** and **disposing of data** that no longer have business, legal or regulatory value."

- Deidre Paknad (Forbes)

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How to Make Defensible Disposal a Reality

Planning and Methodology

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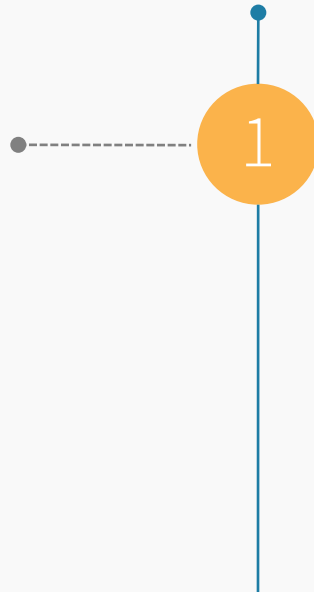
Define and Prioritize Your Objectives
To understand what success will look like, both in qualitative and in quantitative terms.

Determine Appropriate Info System Scope
May include file servers, cloud-based file shares, SharePoint, Office 365, ECM, email, instant messaging, and even structured applications like SAP.

Engage Stakeholders Early and Often
To gather and maintain broad-based support for the initiative.

Keep it Simple
Especially in communications – don't cause eyes to glaze over with details, tie messaging to outcomes and benefits.

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Enabling Technology

Federated, Intelligent Search
that can survey and categorize the
information ecosystem on a recurring basis

Policy Management
to create, refine, and deploy retention
schedules based on identified information
categories

Workflow and Automation
to scale the effort and engage human actors
on as-needed basis

Audit Traceability
to provide strong decision support

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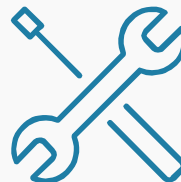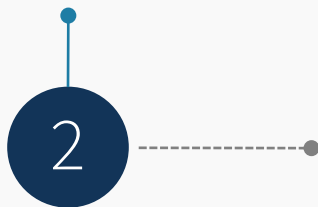
Deep Info Insight Through .discover

An intuitive, federated view that organizes your content, manages its lifecycle and helps you to recognize its value

- Connect to the systems where unstructured files live
- Access content-related workflows, including case management style workflows
- Shed light on dark content – to identify records
- Apply policies based on defined record categories
- Augment files with new metadata for enhanced usability
- Target redundant, obsolete, or trivial content for removal
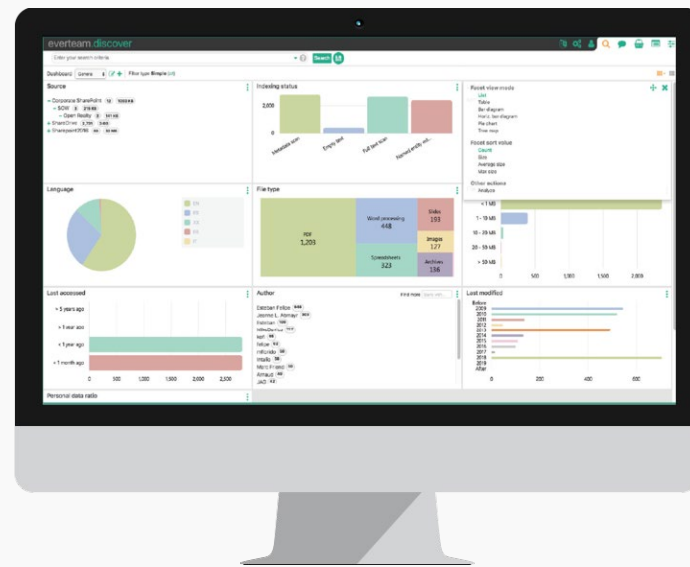
A centralized view of all your digital and physical record sources

Full Lifecycle Governance with .policy
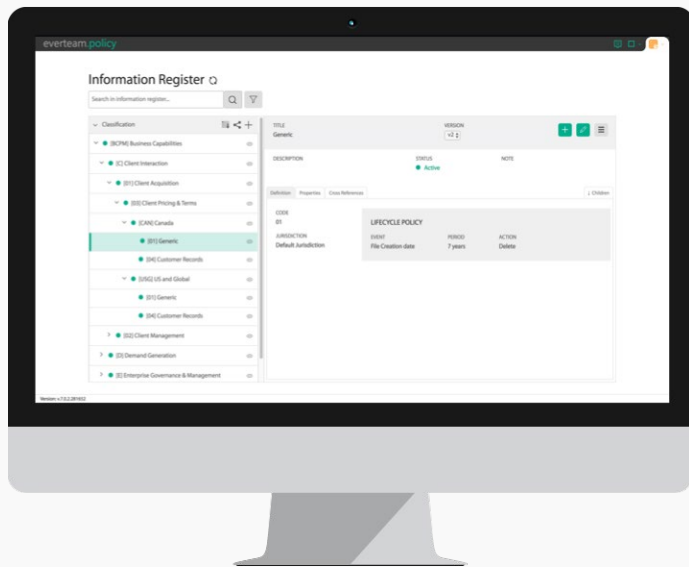
Enhance your data, automate its management

A compliance and business-driven data management solution to stay on top of the increased regulations without being a burden

- Create and manage record retention policies that span the information lifecycle
- Ensure compliance with GDPR, CCPA, NYDFS and other data privacy regulations
- Respond to audits with clearly defined, implemented and updated policies applied across the entire enterprise

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Automate, Accelerate with .process

A workflow and process automation solution that can automate complex information processing, engage human reviewers as-needed, and digitize complex tasks for greater efficiency and visibility:

- Author, manage and publish policies and retention rules
- Define complete data lifecycles for every class of information
- Publish your organization's retention schedule so it is available to anyone and any system
- Build processes with full BPMN (Business Process Management Notation) editor
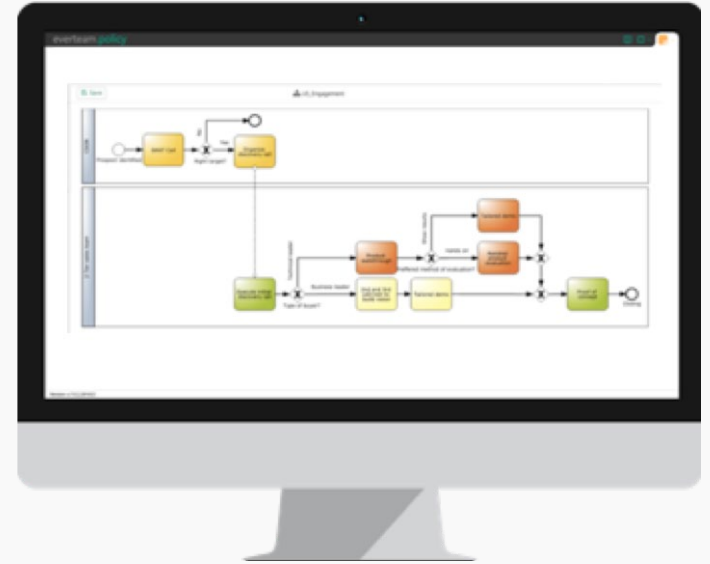
Powerful automation, audit trail, and process acceleration

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Operationalizing the Process

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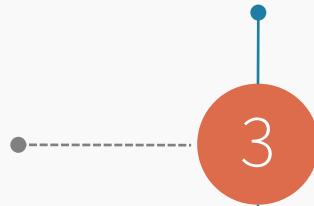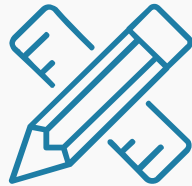
Defining Repeatable, Scalable Information Governance Processes
- Leads to risk reduction and operational improvement

Providing Guidance Documents & Training
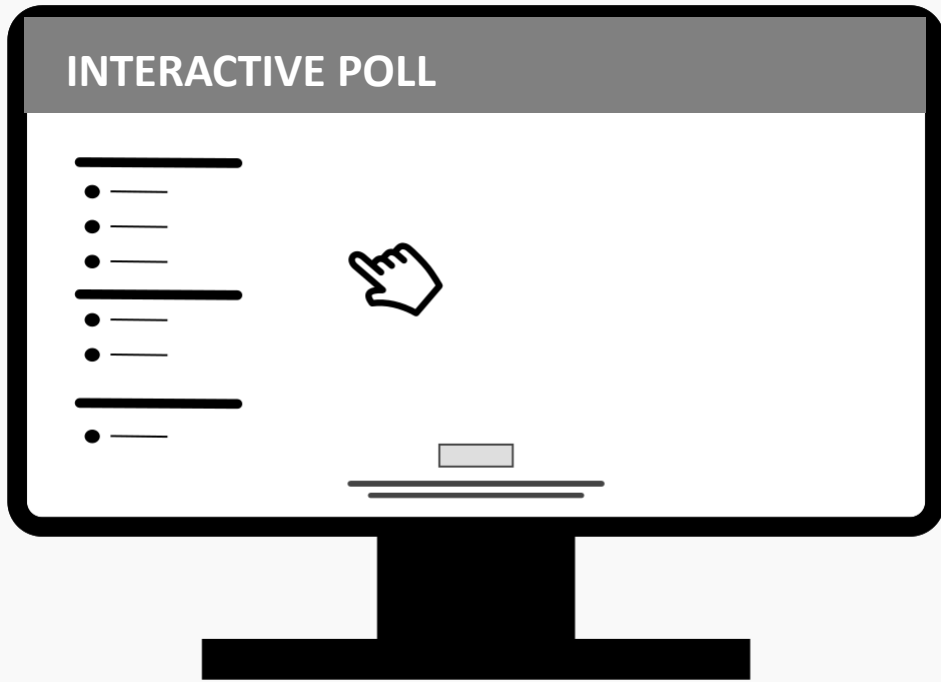- Leads to fully engaged, educated, and empowered employees

Delivering Industry Leading Technology
- Leads to reduction of processing costs and timely responses

Maintaining Momentum Over Time
- Leads to companies safeguarding and governing information proactively *not* reactively

Real-World Success Stories

Electronic Communications Records Retention Project

Real-Life Case Study: The Challenges of Applying a Defensible Disposition Program for Email Archives

Challenges

- Email was used as a file cabinet storing 'golden source' records of transaction or discussions that required to be retained

- Email was the primary source of evidence in many litigations and enforcement actions, and cross border discovery was frequently requested, therefore limitations of action was likely to be relevant to the retention of emails for many employees

- Multiple stakeholders with competing priorities with no sponsor to promote and advocate the program

- Create a compelling business case to meet the needs of business while doing what's right for the Organization

Solutions

- Establish Electronic Communications Governance Operating Framework to address Retention Rules, Population Scoping Rules, Data Capture and Monitoring, System Operationalization, Legal Holds/Data Preservation and Compliant Disposal

- Create change management program to build employee awareness, training and solutions to help employees plan for the change

- Create cost benefit analysis that quantifies the cost avoidance and real savings attributable to reducing the population and storage of email retention

- Conduct industry benchmarking to qualify the reasons why this change makes good business sense and is the industry standard to reduce both cost and risk

Results

- Implemented an Email Retention Policy that moved from indefinite retention enabling disposition on a go forward basis.

- Worked with Legal to determine population on Legal Hold and date range leading to a defensible disposal process for Legacy Data.

- Worked with IT to develop a new process and solution to integrate systems and users to new platform.

- Reduced significant costs and risks to organization.

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Paper Archiving Project

Real-Life Case Study: Creating a cost-benefit analysis to dispose paper records from On and Offsite Storage Facilities

Challenges

- Substantial amounts of hard copy records (onsite and offsite) with no proper governance or controls

- Limited to no metadata to act on disposal (e.g., retention periods, business owner, record type) resulting in paper records being kept beyond the useful life and regulatory requirements.

- Over retention of paper records resulting in significant external vendor and real estate costs, as well as, legal costs and risks.

- Create a business case substantiating the costs and long-term benefits to reduce the hard copy records by retaining only what is necessary for legal, regulatory and business reasons.

Solutions

- Work with vendor to implement records retention schedule to insure 'go forward' inventory has the new record classes and retention applied

- For all unmapped inventory, a review of records was performed using various analytic methods

- Where metadata was present and business owner known retention was applied

- For remaining inventory with limited metadata (e.g., date range) we worked with vendor on a process to sample boxes

- Renegotiated with vendor a revised contractual agreement to include a cost-effective pricing model for retention and disposal

Results

- Presented to COO and CFO the cost savings and cost avoidance opportunities, stating the reduction % and savings

- Worked with businesses to gain consensus on ROI substantiating short term costs offset with long term savings

- Implemented a training and awareness campaign that included enhanced policy, processes, and controls to ensure paper storage had appropriate metadata and, more important, was limited to records that required long term storage in print form

The Benefits of Doing it Right

Reduced Risk

Neglecting the critical requirement for timely, consistent defensible disposal in today's environment means accepting unacceptable risk due to:

- Litigation, in which all your accumulated data can be used against you

- Audits, in which this same data is also a liability, not an asset

- Data breaches, in which the volume of irrelevant data retained simply presents a bigger target to hackers

Improved Efficiency

Information bloat doesn't just expose risk, it hampers productivity and operational efficiency.

- Up to 30% of knowledge worker time is spend finding the right information to do their job according to IDC

- Removing irrelevant data – including redundant, obsolete, or trivial material -- has the potential to reduce this figure by up to half!

- In large organizations, this can mean annual savings in the tens or hundreds of millions of dollars

Lower IT Costs

Managing gigabytes, terabytes, or petabytes of irrelevant information carries significant IT costs, including:

- Storage and hardware costs

- Cloud service subscription costs, which are often tied directly to information volume

- Data retrieval costs to meet consumer data privacy rights and eDiscovery

- Staffing and IT administrative costs

- Energy costs, a brand-buster in an age of green awareness

"In the process of letting go you will lose many things from the past, but you will find yourself."

Deepak Chopra

"Don't let yesterday use up too much of today."

Cherokee Proverb

Thank You!

- Questions from our audience
- Wrap-up

ABOUT MC BERNSTEIN DATA

Our goal is to help companies meet and maintain

their Information Governance objectives.

You can see more detail on the Objectives and what

we offer on <u>our website</u>

Join Our Next Webinar:
May 7, 2020 – 1pm EST
" Data Privacy is for Everyone -

Including Employees "

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