Applying Technology to Information Governance
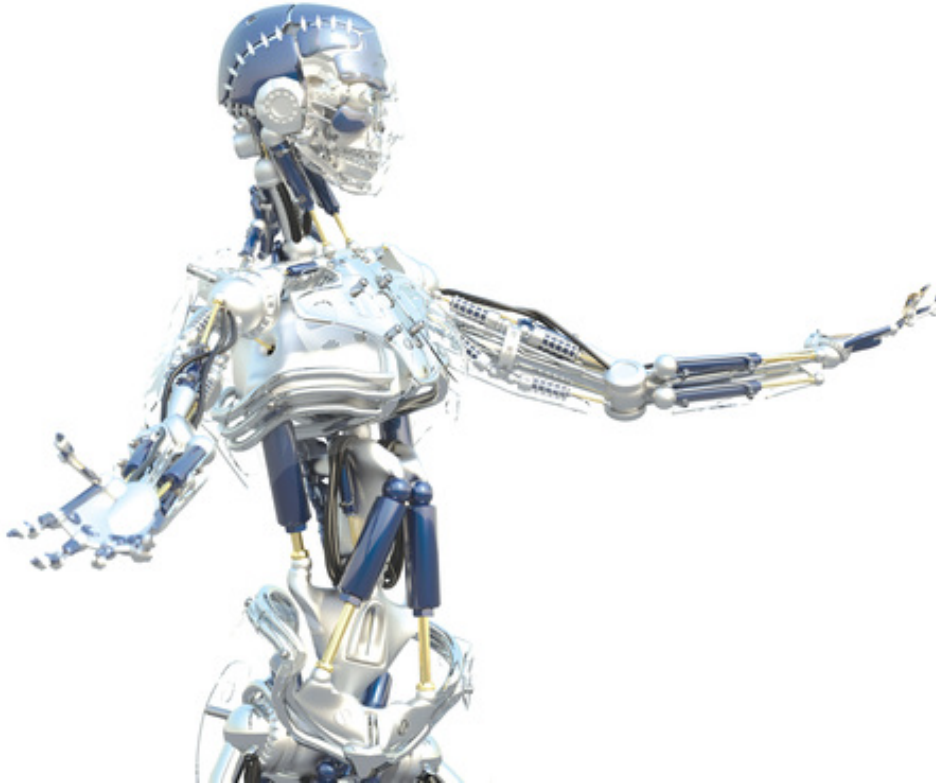
Eric Robinson, KrolLDiscovery

February 24, 2017

The Bots are Coming!

Or, are they????

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Overview

- What is Information Governance (IG)

- How to Develop IG Programs

- IG Projects Companies are Undertaking Today
  - Defensible Data Remediation
  - Intelligent Migration
  - Legal Hold
  - Ediscovery and Analytics for IG

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1 What is Information Governance?

Management v. Governance

Information Management

HOW information flows through an enterprise

Information Governance

WHY an organization has information in the first place

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Definition: Information Governance

Data derived from the Information Governance Initiative 2014 Annual Report.

More info at www.iginitiative.com

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Information Governance Reference Model (IGRM)

Linking Duty and Value to a Company's Information Assets

Information Governance allows companies to manage data assets consistent with their value in enhancing business performance or mitigating legal or regulatory risk.

Valuable data is better identified, protected, and analyzed, to support business optimization and risk mitigation objectives.

Valueless data (ROT) is better identified, and disposed of, to reduce IT complexity and costs.
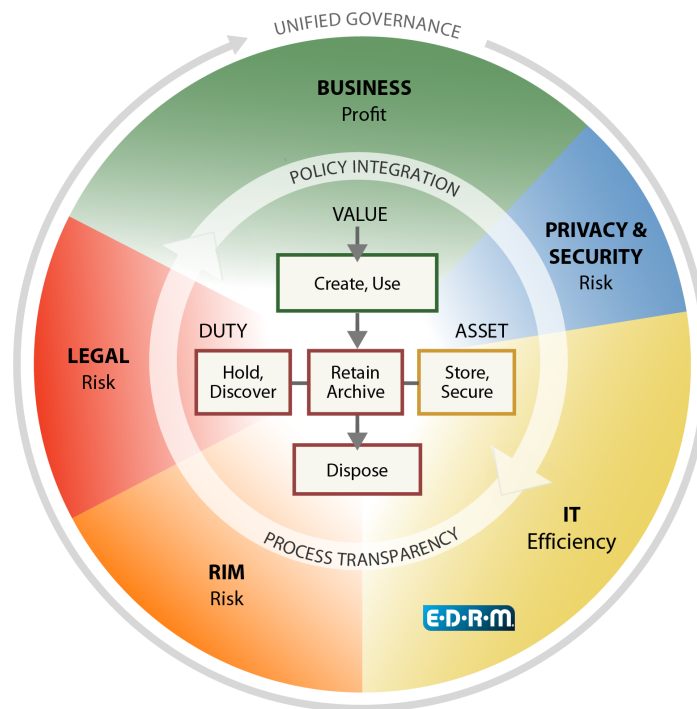
IGI Survey: Disciplines of Information Governance

A coordinating function between various disciplines

*Top-ranking disciplines for which IG serves as a **coordinating function**:*
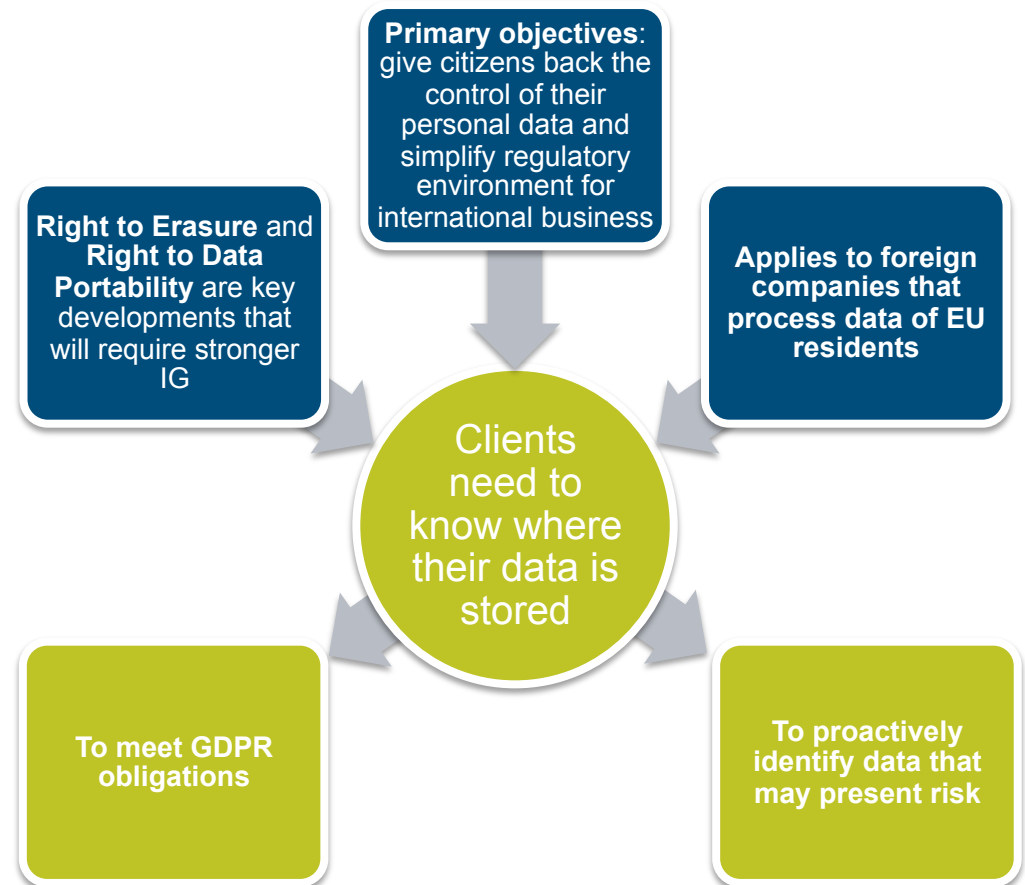
- *RIM*
- *InfoSec*
- *Compliance*
- *eDiscovery*
- *Data Governance*
- *Privacy*

IG helps companies identify, manage, and analyze data to reduce risks and costs associated with all of the above disciplines

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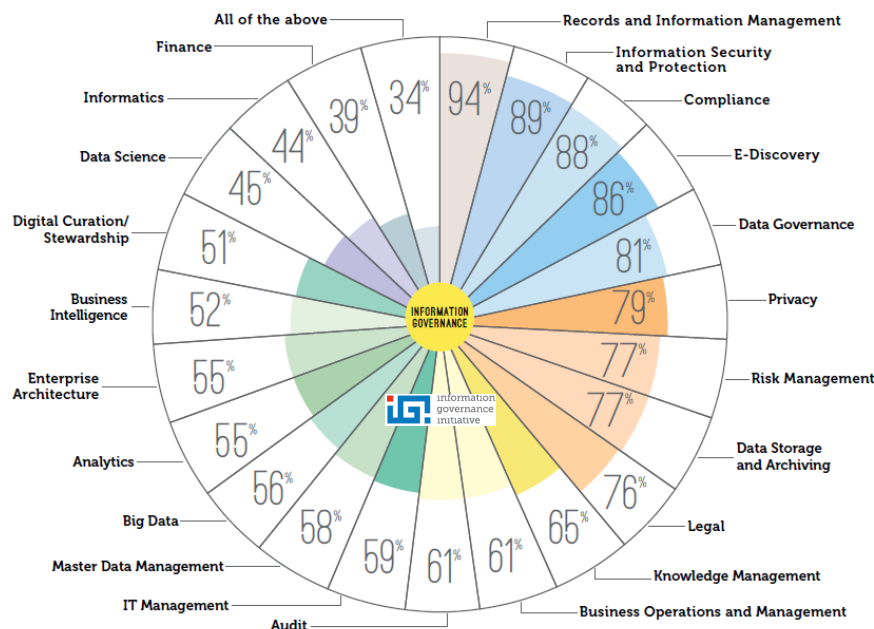
The International Case for Effective IG

- **Keeping an eye on the GDPR** (EU's General Data Protection Regulation)
  - Adopted April 2016, effective May 2018. Replaces EU's 1995 Data Protection Directive
  - **Primary objectives**: give citizens back the control of their personal data and simplify regulatory environment for international business
  - **Right to Erasure** and **Right to Data Portability** are key developments that will require stronger IG
  - **Applies to foreign companies that process data of EU residents**

Primary objectives: give citizens back the control of their personal data and simplify regulatory environment for international business

Right to Erasure and **Right to Data Portability** are key developments that will require stronger IG

Applies to foreign companies that process data of EU residents

Clients need to know where their data is stored

To meet GDPR obligations

To proactively identify data that may present risk

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2 How to Develop IG Programs?

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Build on These Key Tenets

Dispose of the information when it is no longer valuable

Ascertain the value of the information and when that value declines

Organize information in the way best suited to meet objectives (access, security, privacy)

Determine the information needed to achieve objectives

Define organizational objectives (business, legal, regulatory)

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Five Guiding Principals of Information Governance

An effective program controls costs, efficiencies, and legal risks

1. **Protect and enhance your company**: Mitigate risks and use valuable information

2. **Each company is unique:** Your solution needs to be customized to your company's objectives, aspirations, needs, budget, structure, and vulnerabilities

3. **Consider the impact:** Approach the project in an integrated manner, avoiding piecemeal or compartmentalized solutions

4. **Cooperation is critical**: Work with stakeholders throughout the organization (e.g., Legal, Sales, Research and Development, Human Resources, etc.) because information challenges often transcend departments

5. **Think global:** In a world where business, legal and technological issues are inherently cross-border in nature, a global approach to information management is essential.

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Achieving Success in Information Governance

Build a mature model around valuable data

Map & Assess

Find the data you are looking for.

Analyze & Classify

Understand the data that is there.

Manage, Preserve & Remediate

Eliminate the data noise.

Build Context & Monitor
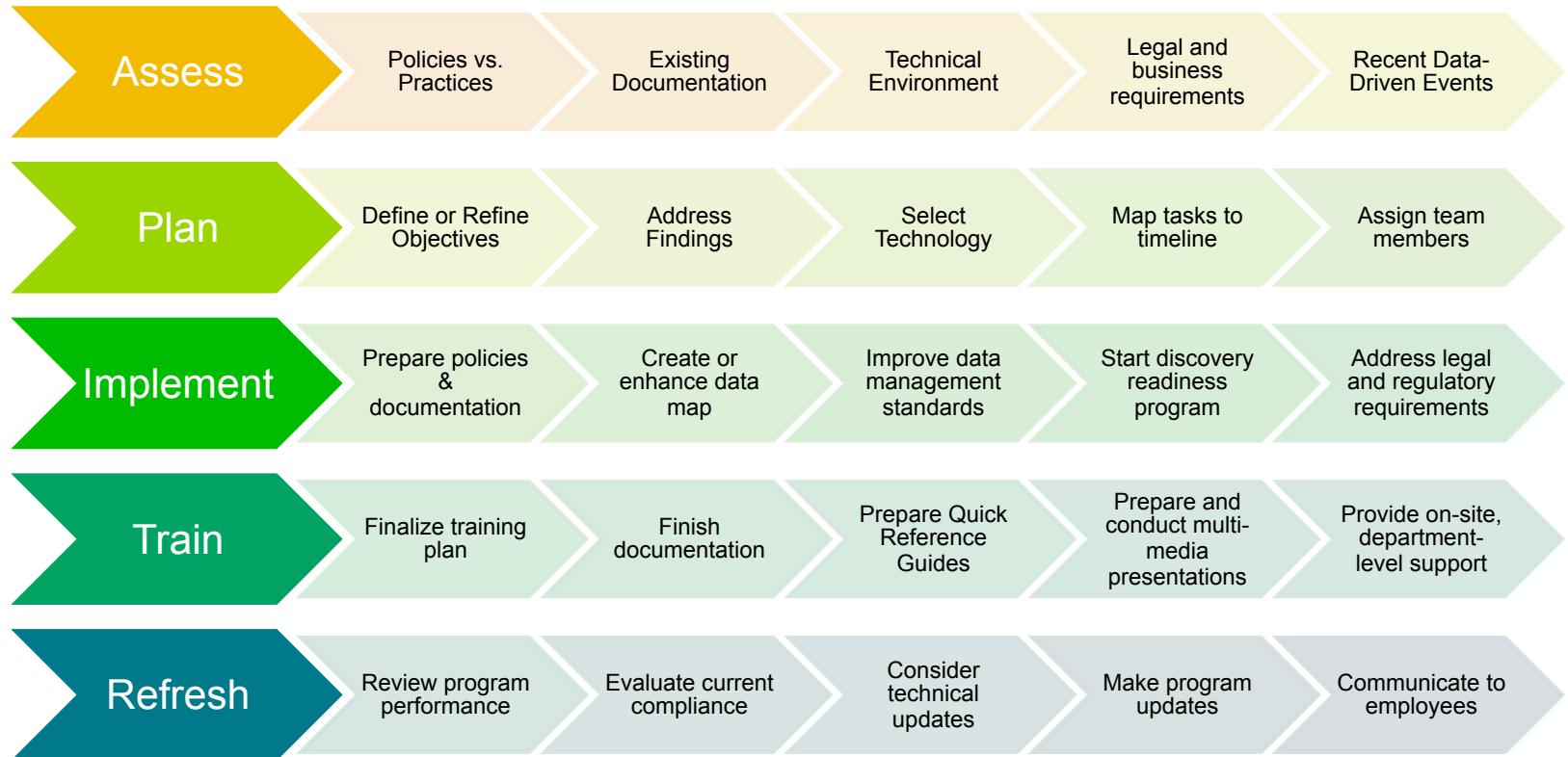
Know what your data is telling you.

Establish Enhanced Operating Model

Make your data practices repeatable.

Define, Implement, Integrate, Enhance & Enforce Policies & Practices

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A Foundation for Success in Information Governance

Breaking down a phased approach

Assess	Policies vs. Practices	Existing Documentation	Technical Environment	Legal and business requirements	Recent Data-Driven Events
Plan	Define or Refine Objectives	Address Findings	Select Technology	Map tasks to timeline	Assign team members
Implement	Prepare policies & documentation	Create or enhance data map	Improve data management standards	Start discovery readiness program	Address legal and regulatory requirements
Train	Finalize training plan	Finish documentation	Prepare Quick Reference Guides	Prepare and conduct multi-media presentations	Provide on-site, department-level support
Refresh	Review program performance	Evaluate current compliance	Consider technical updates	Make program updates	Communicate to employees

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# 3 IG Projects Companies are Undertaking Today

Transitioning from Reactive to Ready

Use your last event as a starting point

- Convene key stakeholders and institute Information Governance **Committee**
  - Basic, initial charter: Enhance litigation readiness

- **Debrief** your last eDiscovery event to identify key lessons learned, do's and don'ts

- Build a **Legal Data Map** for data sources from your last matter
  - Focus on business units likely to be subject to future eDiscovery

- Implement Discovery Management Program
  - **Legal Hold Process** and Technology
  - Assess, enhance and **expand Legal Data Map**
  - Establish **eDiscovery standards** for preservation, collection, processing, review and production

- Strategically Enhance Readiness
  - **Assess exposure of private information** in the event unstructured or semi-structured data sources are breached (impact study of employee, customer, and proprietary data)
  - Prioritize **data mapping for other business units** (subject to regulation; proprietary data; heavy data volumes)

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First Steps to Implementing IG Programs

- Repurpose skill sets of current employees to IG

- Update policies and procedures, including review, support and approval at all levels

- Identify "low-hanging fruit" to foster reasonable, easy to understand and defensible processes

- Clearly communicate IG initiatives at all levels

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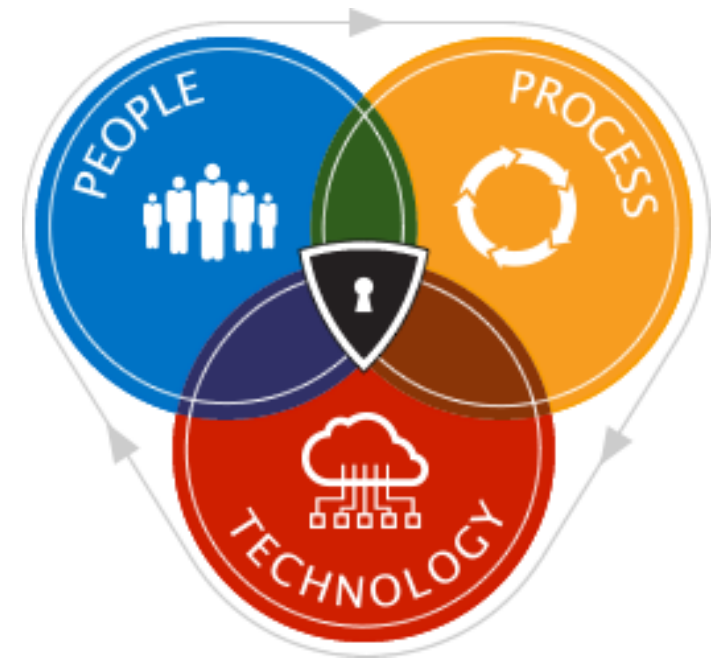
What are Companies Doing Today?

information governance initiative	PRACTITIONERS	PROVIDERS
UPDATING POLICIES AND PROCEDURES	73% [1*]	81% [1*]
DATA CONSOLIDATION AND CLEANUP	58% [2]	69% [2]
MIGRATION OF UNSTRUCTURED INFORMATION FROM ONE SYSTEM TO ANOTHER	51% [3]	64% [3]
IMPLEMENTATION OF A NEW CORPORATE GOVERNANCE FRAMEWORK FOR INFORMATION	45% [4]	54% [6]
SCANNING PAPER DOCUMENTS	43% [5]	47% [8]
DEFENSIBLE DELETION	42% [6]	61% [4]
DECOMMISSIONING AN ARCHIVE OR SYSTEM	38% [7]	55% [5]
IMPLEMENTING LEGAL HOLD TRACKING	26% [8]	48% [7]
BIG DATA ANALYTICS	14% [9]	21% [10]
CREATING A NEW SENIOR ROLE FOR IG AND FILLING THAT ROLE	10% [10]	32% [9]

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Defensible Data Remediation

WHAT IS IT?

- **Defensible Deletion involves securely removing and destroying data**

- **Increasingly important IG measure to manage data retention**

EXAMPLES:

» Removing old and unused legacy data systems

» Eliminating personally identifiable information within company archives

» Erasure verification services (EVS) – analysis of erased data to determine if any data exists after an erasure has been performed

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Intelligent Migration

WHAT IS IT?

- **Intelligent Migration helps organizations get smarter about the data they move or leave behind**

- **Another important IG measure that can help prioritize high-value files and current legal holds**

EXAMPLES:

» Processing data from legacy email archives

» Provides metadata in records management systems, making data more easily searchable

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Legal Hold

WHAT IS IT?

- **A Legal Hold preserves all forms of relevant information when litigation is reasonably anticipated**

- **An important factor of IG related to data retention**

EXAMPLES:

» Legal departments look for ways to dispose of unnecessary data to lower costs associated with review while ensuring compliance with the legal hold

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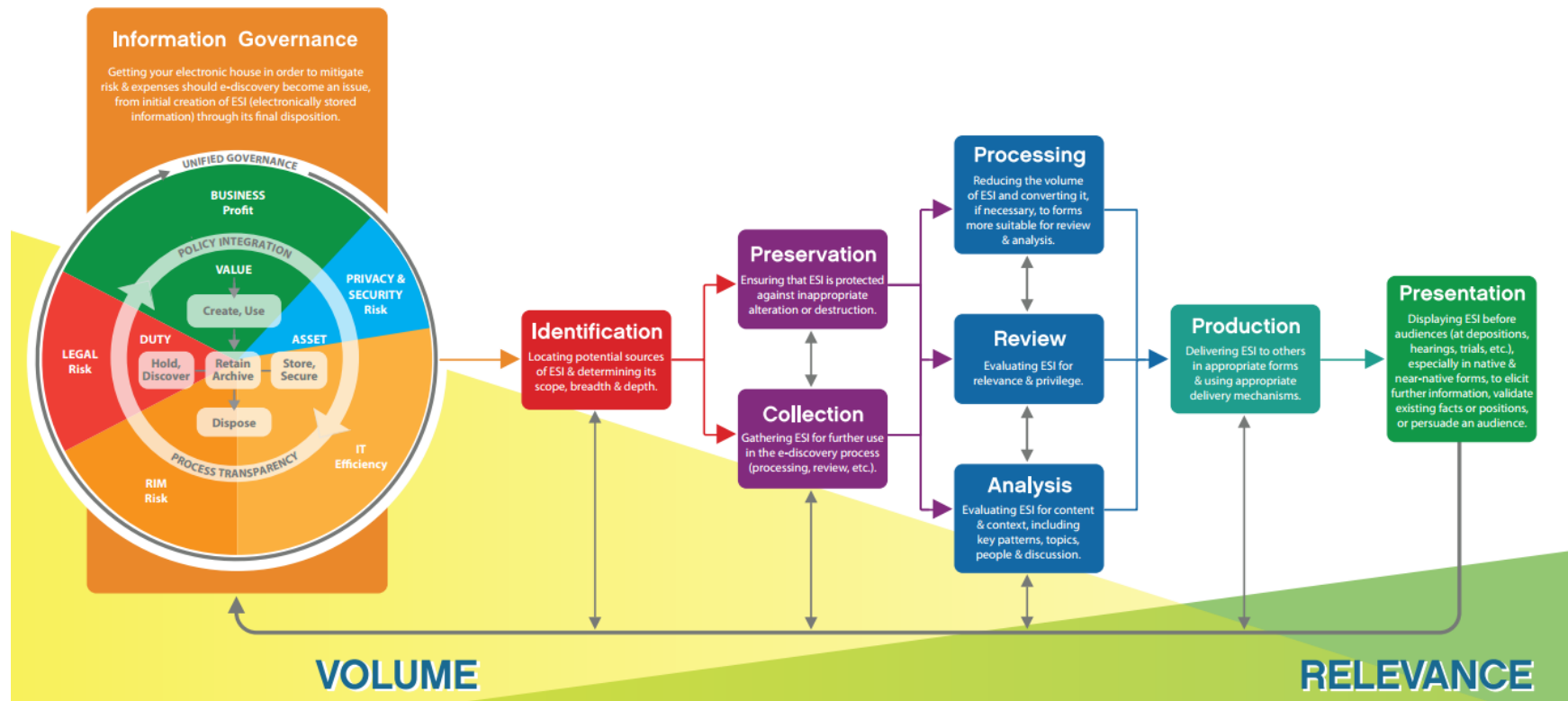
Ediscovery and Analytics for IG

WHAT IS IT?

- **Leveraging ediscovery and analytics technology to streamline the information governance process**

EXAMPLES:

» Use of predictive coding

» Auto-classification programs

» A more recent development in IG, ediscovery and analytics technology can reduce costs when applied to IG data while organizing that data for future use

» Can also help reduce the total volume of data across the IG program, as well as in legal matters

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Information Governance, eDiscovery, and Litigation Readiness

Summary

Why implement or enhance your information governance program?

Your most valuable assets are in your information

You can leverage our decades of experience recovering, uncovering, and discovering valuable data

You need to invest company assets in profitable endeavors

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Conclusion

- IG changes a reactive process to a proactive process by understanding what information assets are available and the value that each asset provides

- Ediscovery is just one driver of IG – other critical drivers: compliance, security, privacy

- In coming years, watch for increasing uptick of formal ownership of IG at the C-level (CIGO/CDO)

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Kroll**D**isc**o**very.

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Eric Robinson is a Solution Architect and Senior Consultant. He is charged with consulting and collaborating with clients to identify challenges, create solutions and to implement those solutions to enhance client efficiencies, defensibility of process, risk management and cost reductions. He is a core member of KrollDiscovery's Business Solutions, Information Governance and Discovery Readiness consulting teams engaging with clients on strategic and tactical projects.

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