

Breaking Down the Silos: A 21st Century Approach to Information Governance

May 2015

Introduction



With the spotlight on data breaches and privacy, organizations are increasing their focus on information governance

Unfortunately, most companies are still relying on a 20th century organizational structure to solve a 21st century problem

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Information Governance Failures and Missteps

Information is a critical asset to any organization and can pose a serious liability and risk if not adequately addressed.

Increasing recent events highlight public failures in the lack of a strong Information Governance framework. (Source: The Sedona Commentary on Information Governance, 2013)

- ***“Data privacy and security breaches, such as a global electronics company attributing \$171 million in out-of-pocket remediation costs to a data breach affecting 100 million persons estimated to exceed \$1 billion”;***
- ***“E-discovery sanctions, such as an award of \$8.5 million in monetary sanctions against patent holder for willfully failing to produce tens of thousands of discoverable documents”;***
- ***“Recordkeeping compliance penalties, such as a national clothing retailer fined over \$1 million by the U.S. Immigration and Customs Enforcement Agency for information compliance deficiencies in its I-9 employment verification system, and a retail pharmacy chain reaching an \$11 million settlement with the U.S. Government for record-keeping violations under the Controlled Substances Act.”***

Almost two-thirds of data breaches are caused by human or systems errors

- Malicious or criminal attacks average about \$160 per compromised record
- The recent data breach at America’s third largest retailer and six others affected 1 in 4 U.S. consumers

What is Information Governance?

Gartner:

*“**Information Governance** is the specification of decision rights and an accountability framework to encourage desirable behavior in the **valuation**, creation, storage, use, archival and deletion of information. It includes the processes, roles, standards and metrics that ensure the **effective and efficient use of information** in enabling an organization to achieve its goals”.*

What is Information Governance?

Wikipedia:

*“**Information governance**, or **IG**, is the set of **multi-disciplinary** structures, policies, procedures, processes and controls implemented to manage information at an enterprise level, supporting an organization's immediate and future **regulatory, legal, risk, environmental and operational requirements**.”*

What is Information Governance?

Sedona:

*“an organization’s coordinated, **inter-disciplinary** approach to satisfying information compliance requirements and managing information **risks** while optimizing information **value**. As such, Information Governance encompasses and reconciles the various legal and compliance requirements and risks addressed by different information-focused disciplines, such as **records and information management (“RIM”), data privacy, information security, and e-discovery**. Understanding the objectives of these disciplines allows **functional overlap to be leveraged** (if synergistic); coordinated (if operating in parallel); or reconciled (if in conflict)”*

What is Information Governance?

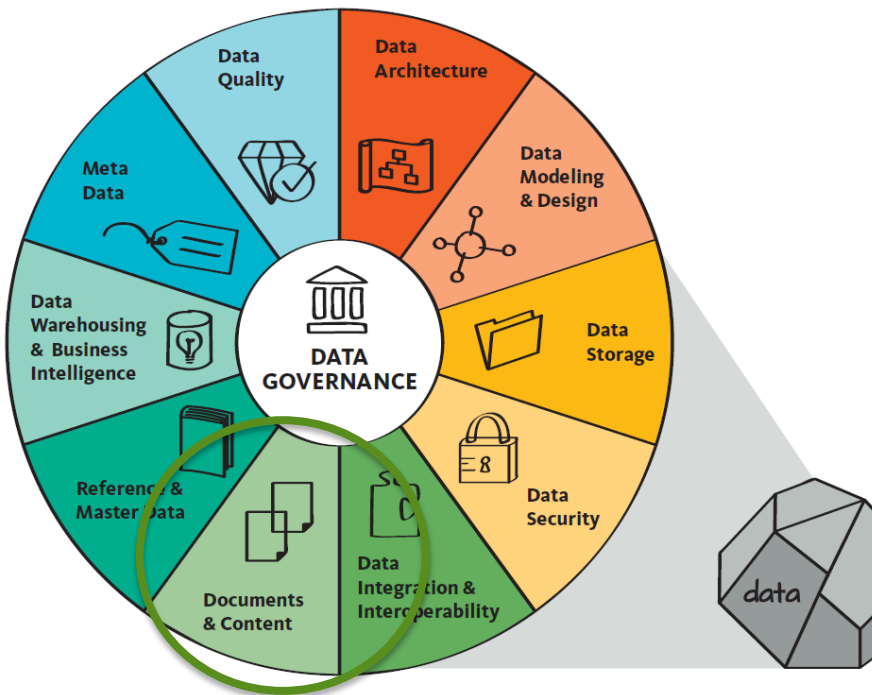
- The **coordinated, inter-disciplinary approach** to satisfying information compliance requirements, managing information risks and optimizing information value
- Encompasses and reconciles the various legal and compliance requirements and risks addressed by **different information-focused disciplines** such as records and information management, data privacy, information security, and e-discovery
- Involves a top-down, overarching framework, informed by the information **requirements of all information stakeholders** that enable an organization to make decisions about information for the good of the overall organization and consistent with senior management's strategy

Information Governance and Data Governance

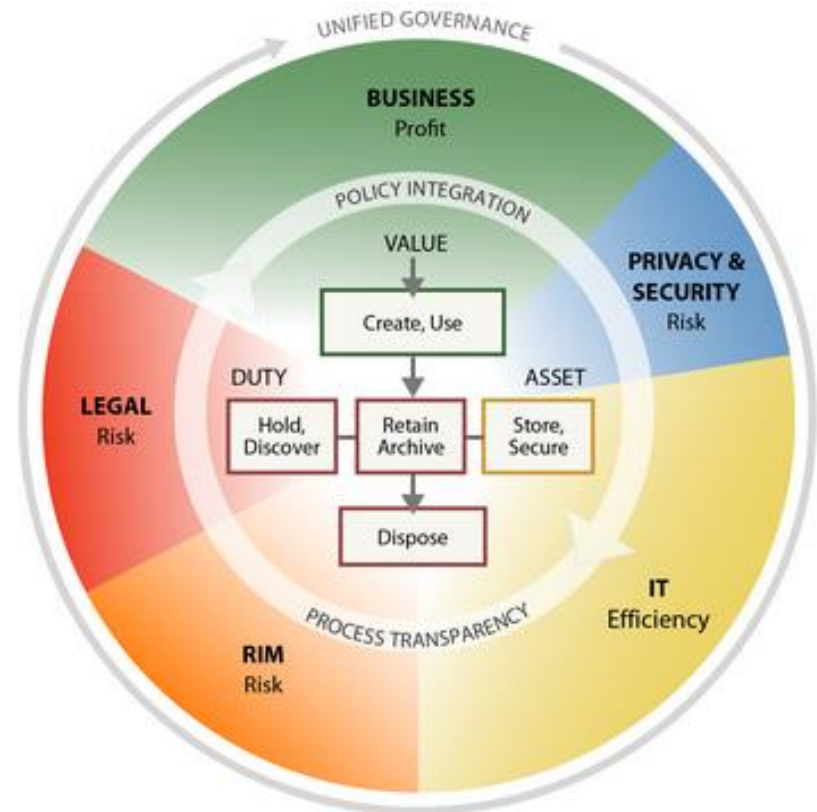
- Information Governance focuses on optimizing and leveraging information while keeping it secure and meeting legal and privacy obligations in alignment with business objectives
 - Includes information lifecycle management and ownership
 - Driven from the business and legal perspective
- Data Governance focuses on data quality, reliability, and uniqueness (deduplication), so that downstream uses in reports and databases are more trusted and accurate
 - Includes master data management (MDM)
 - Driven from the Information Technology perspective

Information Governance and Data Governance

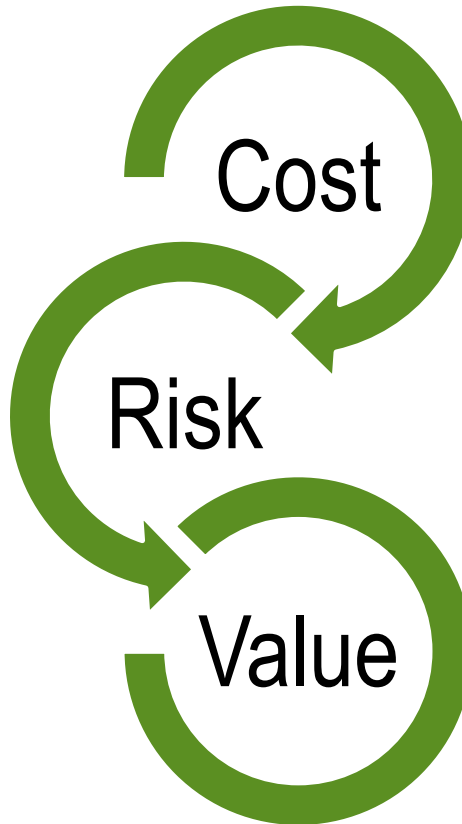
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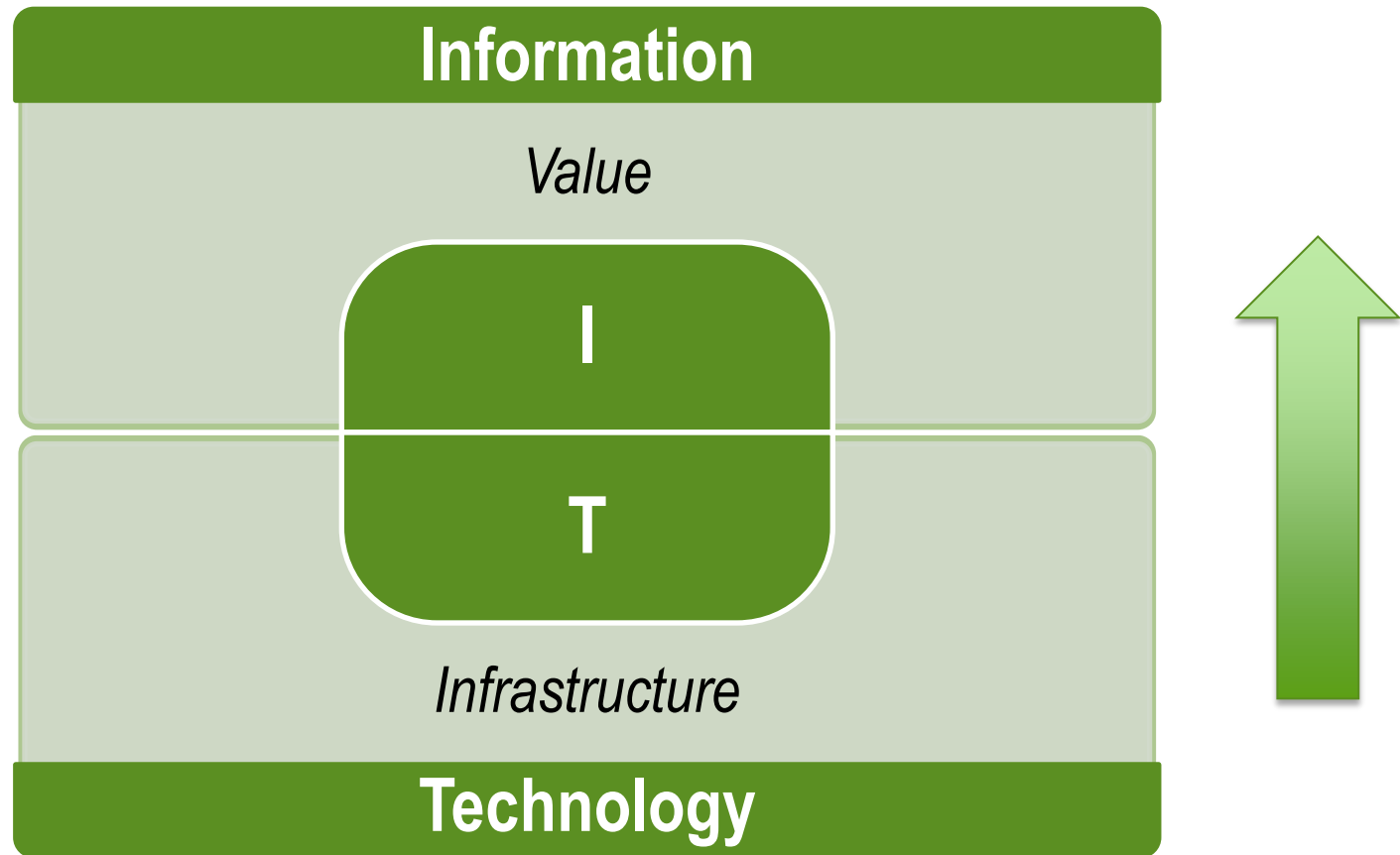
IGRM



Information as an Asset



Information as an Asset: Moving from T to I



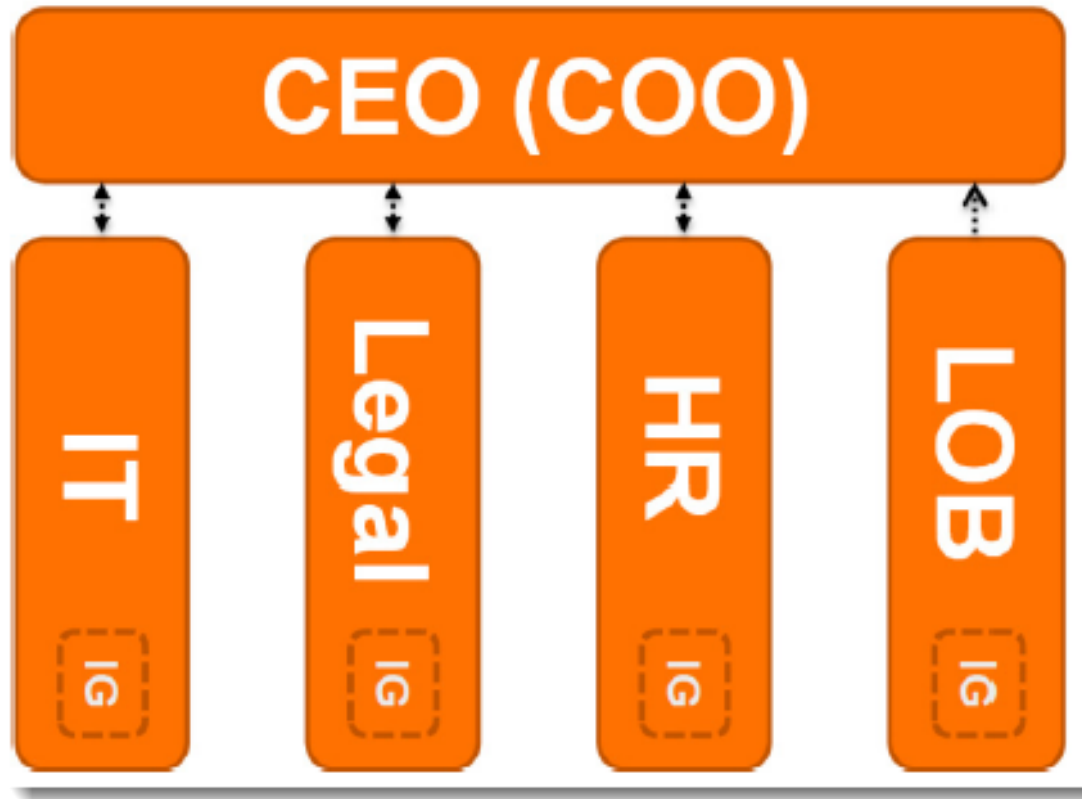
The Challenge



Information Governance Approaches

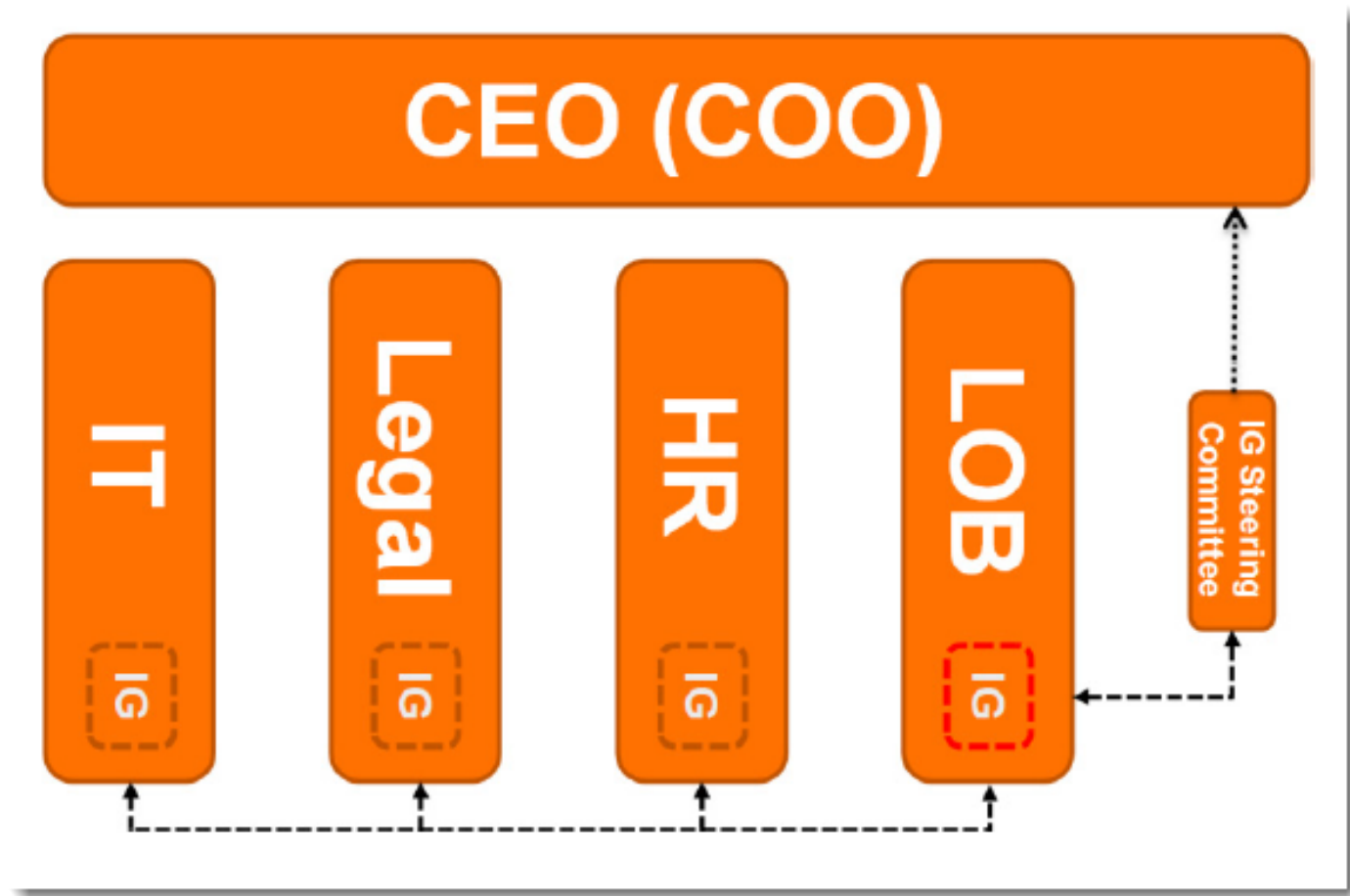
- Informal
- Information Governance Committee
- Information Governance Function

Informal Information Governance



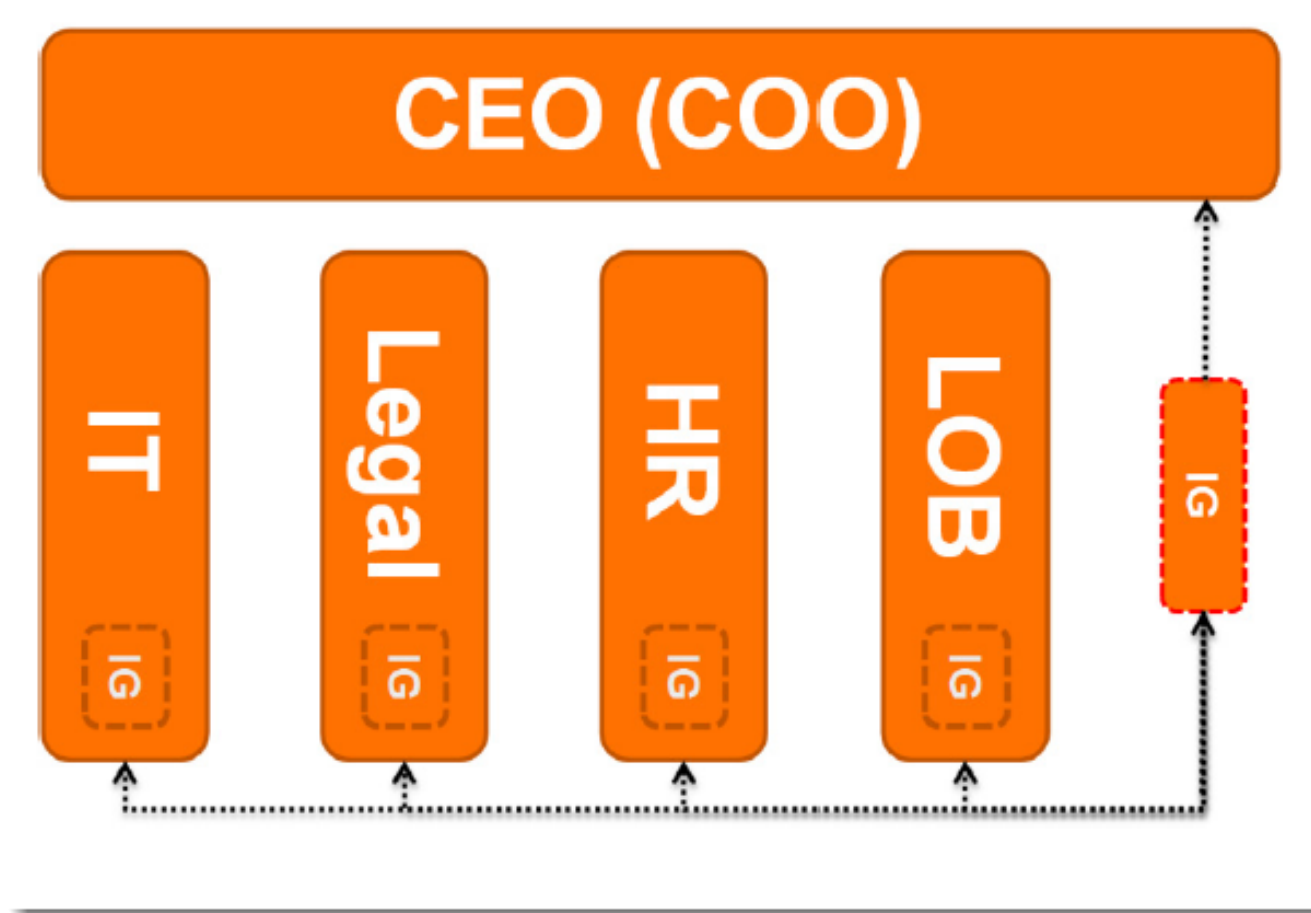
From: Sedona Conference Commentary on Information Governance

Information Governance Steering Committee



From: Sedona Conference Commentary on Information Governance

Information Governance Function



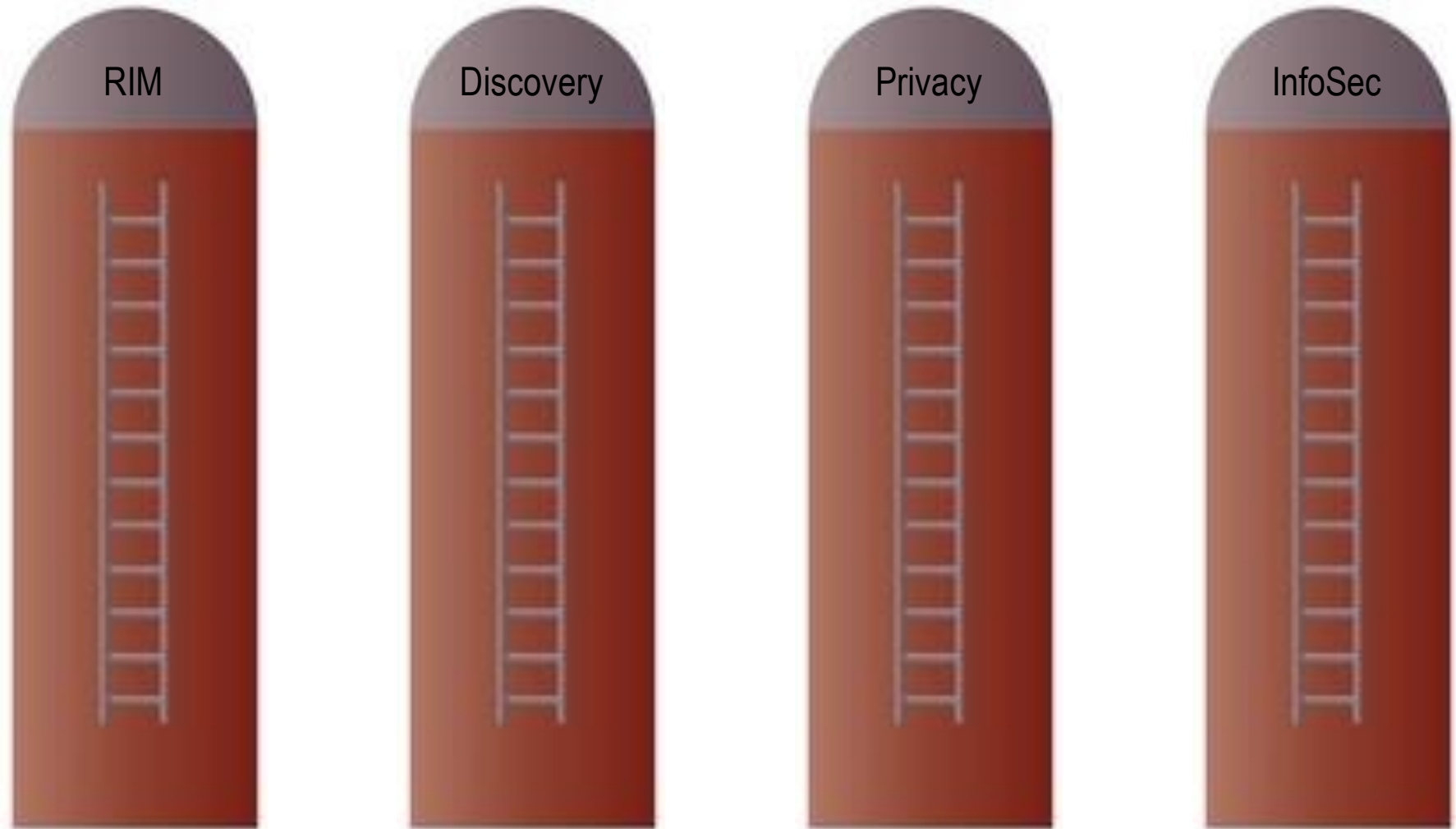
From: Sedona Conference Commentary on Information Governance

Why Form and Information Governance Committee or Function

- Aligns priorities and investments
- Identifies stakeholders
- Ensures the business is involved
- Increases independence

Current State Focus

New Problems, Same Old Structure



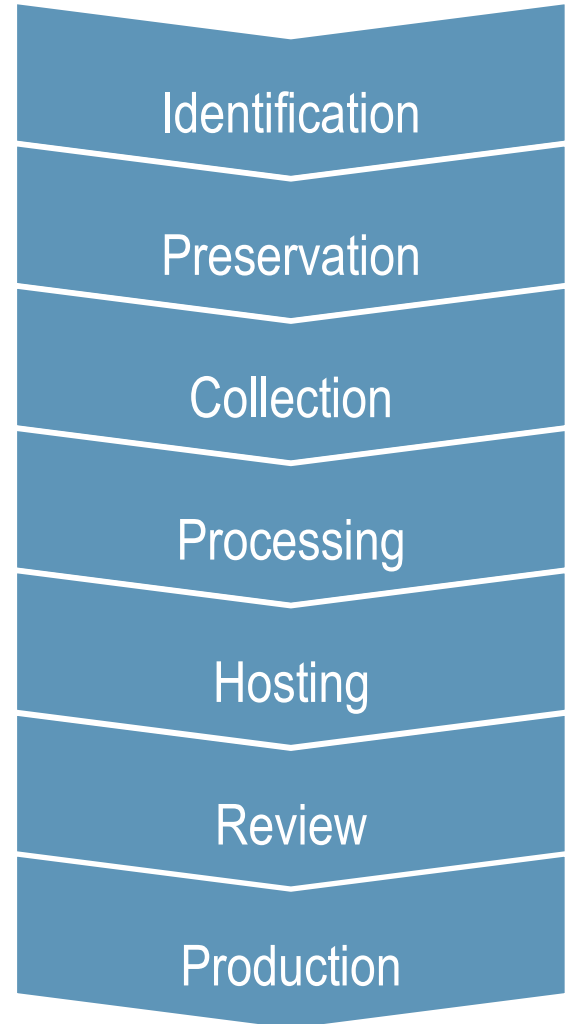
Current State: Records and Information Management

- Retention
- Organization and taxonomy
- Paper legacy



Current State: E-Discovery

- Often reactive
- Evidence v. business information
- Preservation v. retention



Current State: Privacy

- Increasing visibility
- Proactive v. reactive involvement
- Staffing challenges



Current State: Information and Cybersecurity

- Prevention and response
- Technology focused
- Requirements driven

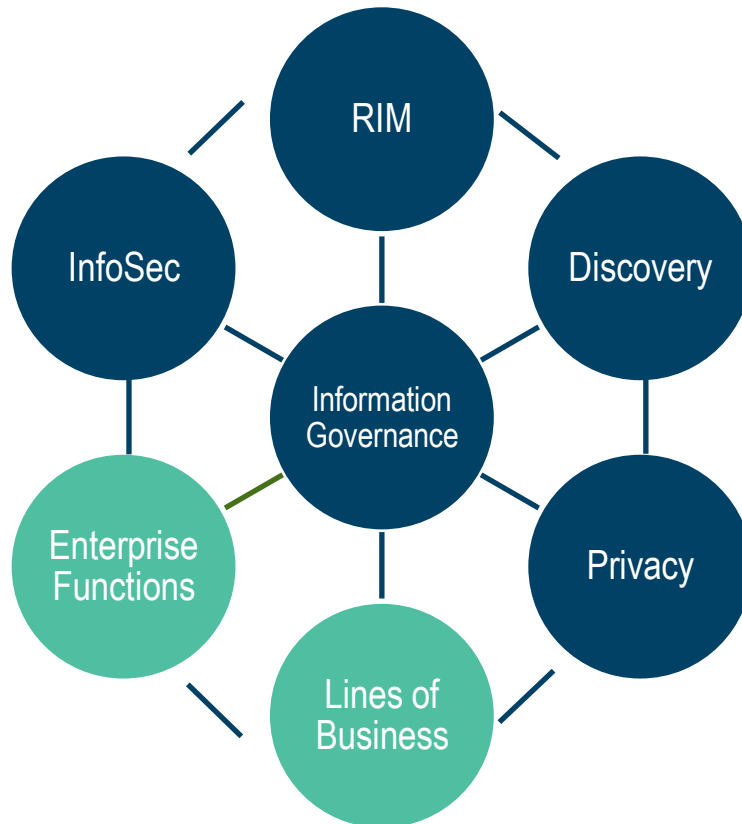


What do they have in common?

- Understanding **what** you have, **where** it is, and **how** it is managed
- Policies, Procedures, Standards, Guidelines
- Communications, Training, Monitoring, Reporting
- Technology Investments

Coordination is Good, But Collaboration is Better

Metcalf's Law: *The more people who use something, the more valuable it becomes.*



What about the business?

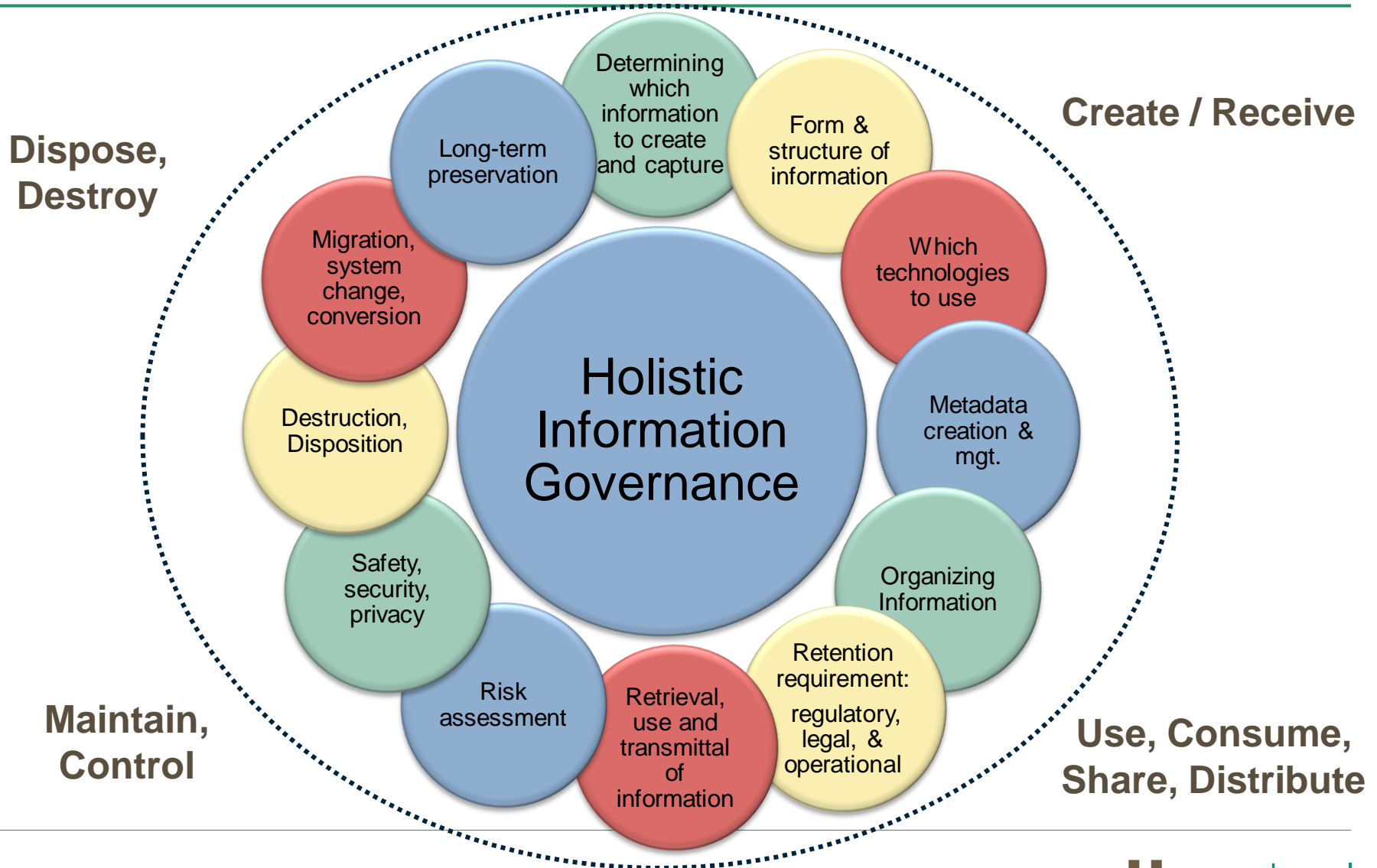
Enterprise Functions

Sales
Marketing
Finance
HR
Legal
Tax

Lines of Business

Engineering
Manufacturing
Professional Services
Product Management
Service Delivery

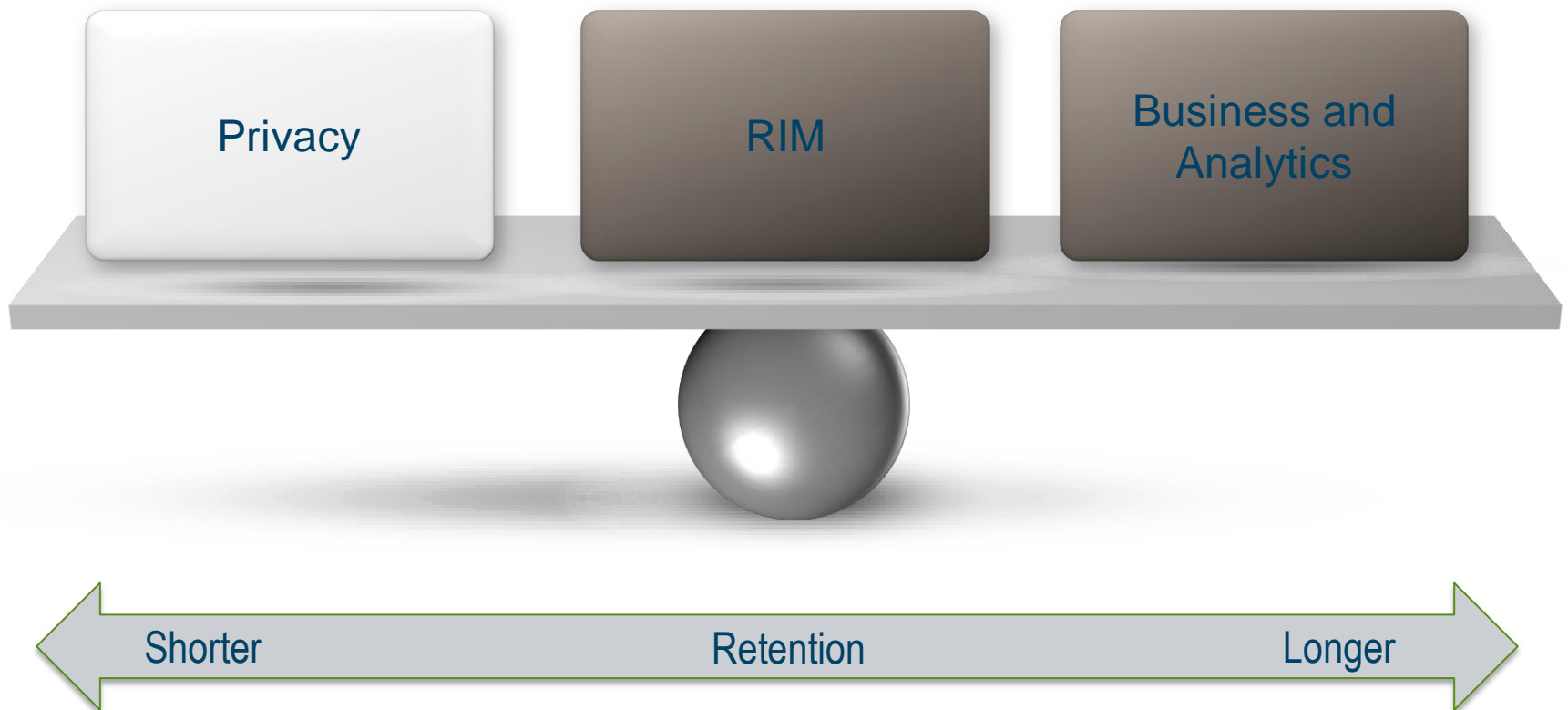
Comprehensive Information Governance Framework



Key Sedona Principles on Information Governance

- “**independence** from any particular department or division” (Principle 2)
- “All information **stakeholders** should **participate**” (Principle 3)
- “should be established with the structure, direction, resources, and accountability” to **meet program objectives** (Principle 5)
- “effective, timely, and consistent **disposal** of physical and electronic information that no longer needs to be retained” (Principle 6)
- Acting in good faith **to reconcile conflicting laws and obligations** should establish reasonableness (Principles 7 & 8)

The Retention / Minimization Balance



Tactical v. Strategic

- Information Governance is *strategic*
 - To be strategic, you need partners, sponsors, and a network

Tactical vs. Strategic Characteristics	
Tactical	Strategic
Top down	Up, down, and across
Silo'd accountability	Collective accountability
Difficult to value	Measurable

Building an Information Governance Committee

Get Organizational Buy-In and Commitment



Who Should Sponsor?

- CEO / COO
- CIO / Chief Information Officer
- CLO / Chief Legal Officer
- CCO / Chief Compliance
- Line of Business Executive

Information Governance Committee Model

Executive
Sponsorship

Information Governance Sponsors			
CIO	CLO	CCO	CFO

Champions

Information Governance Committee				
Legal / Discovery	Information Technology	Risk Management	Information Security	Enterprise Functions
BU and Regional	RIM	Compliance / Audit	Privacy	Lines of Business

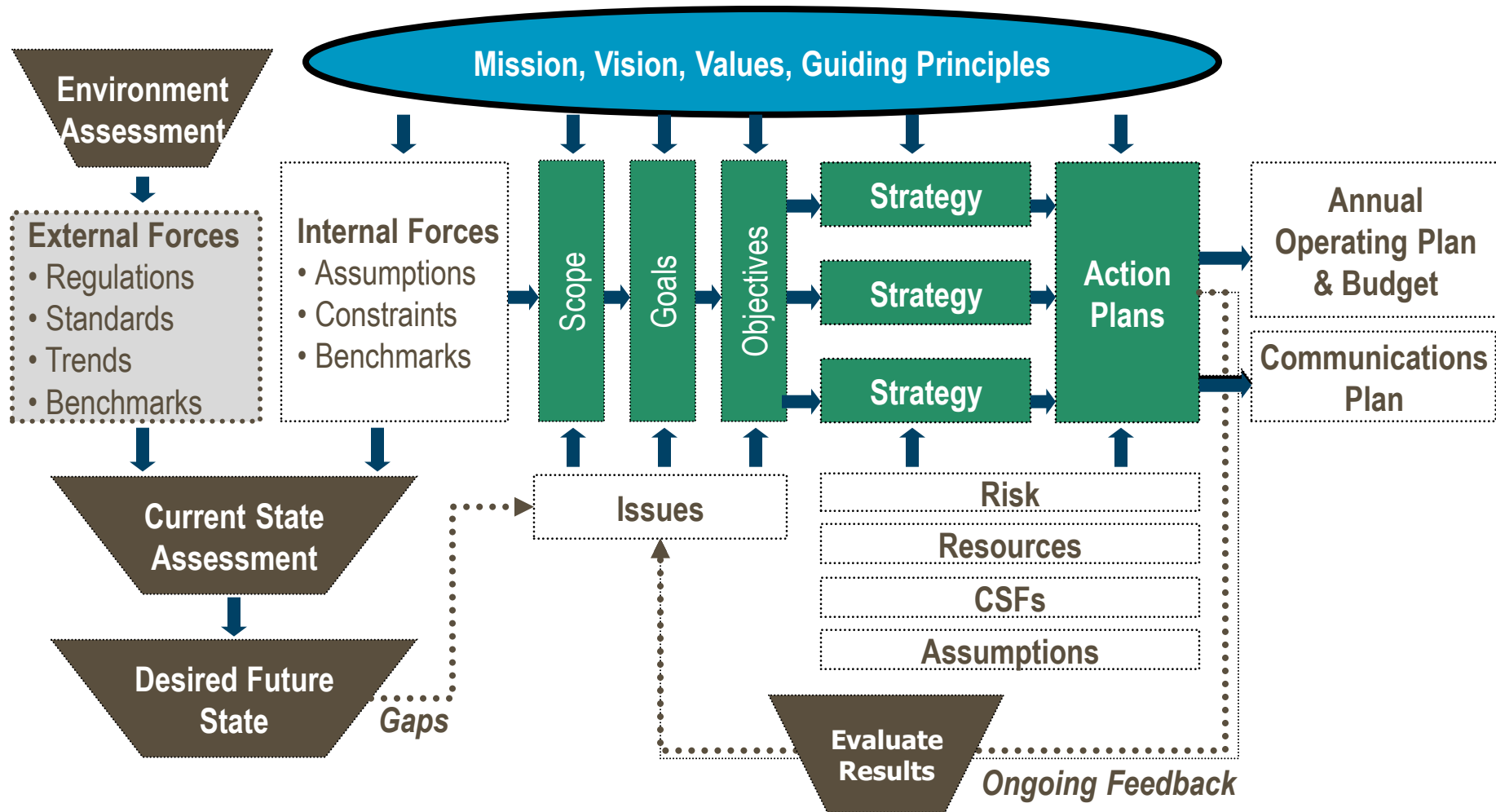
Strategic

Working Teams			
Policies and Procedures	Projects and Platforms	Incident Response	Change Management

Tactical

Projects			
ECM	Data Classification	Employee Training	Information Mapping

Information Governance Strategy Components



Develop a Charter

- Define roles and responsibilities
- Set objectives and mission
- Identify sponsor, chairperson, steering committee and working teams
- Establish structure for meetings, reporting and communication.

INFORMATION GOVERNANCE STEERING COMMITTEE CHARTER
Purpose This Charter defines the mission, composition, roles and responsibilities for a standing committee officially named the ABC Company <i>Information Governance (IG) Steering Committee</i> .
Mission The mission of the IG Steering Committee is to strategize and prioritize programs and initiatives for the accountable, transparent and consistent governance of ABC Company's information. This will reduce risk, optimize costs, improve efficiencies and foster collaboration among key stakeholders across the organization.
Objectives <ol style="list-style-type: none">1. Compliance with applicable legal, regulatory, and business retention requirements;2. Efficient and systematic retention, protection and access of electronic records and information;3. Effective management of electronic records and information throughout their lifecycle, from creation or receipt to disposition in accordance with record retention schedules;4. Effective and efficient management of electronically stored information, including reducing redundant information;5. Evolution of the corporate culture for positive adoption of change;6. Transparent and consistent policies, procedures and guidelines that facilitate the ability of ABC Company employees to understand their records and information management obligations;7. Timely and efficient suspension of disposition of electronic records and information in accordance with Legal or Tax Hold requirements.
Roles Sponsored by the General Counsel and CIO, the IG Steering Committee members "champions" from: <ul style="list-style-type: none">• Audit• Compliance• Finance• Information Technology• Legal• Marketing• Operations Support

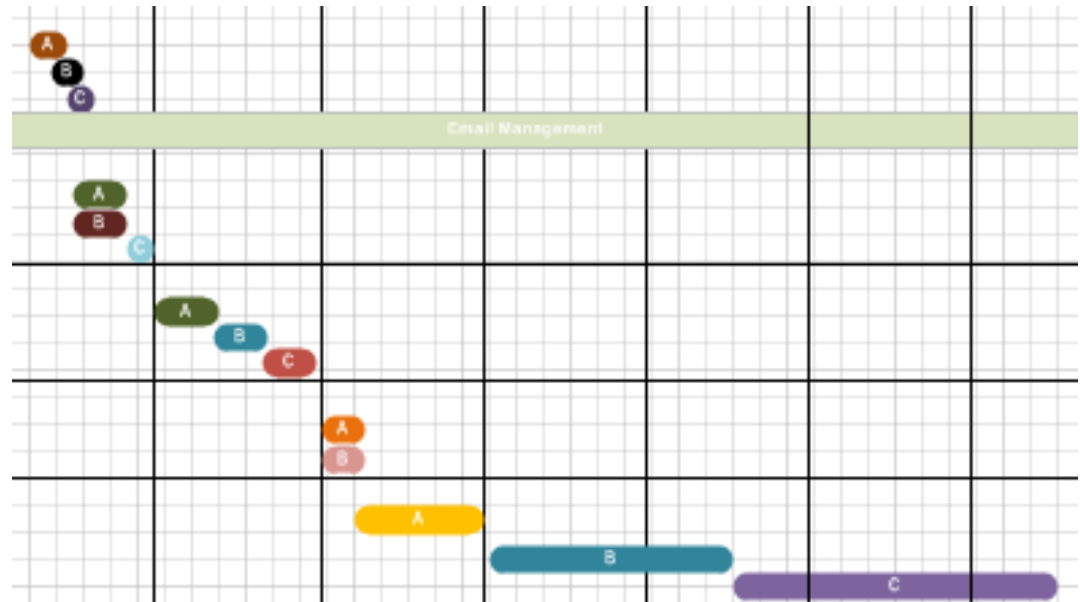
Assess and Identify

- Understand what you have
- Identify gaps and risks
- Measure cost, risk and value

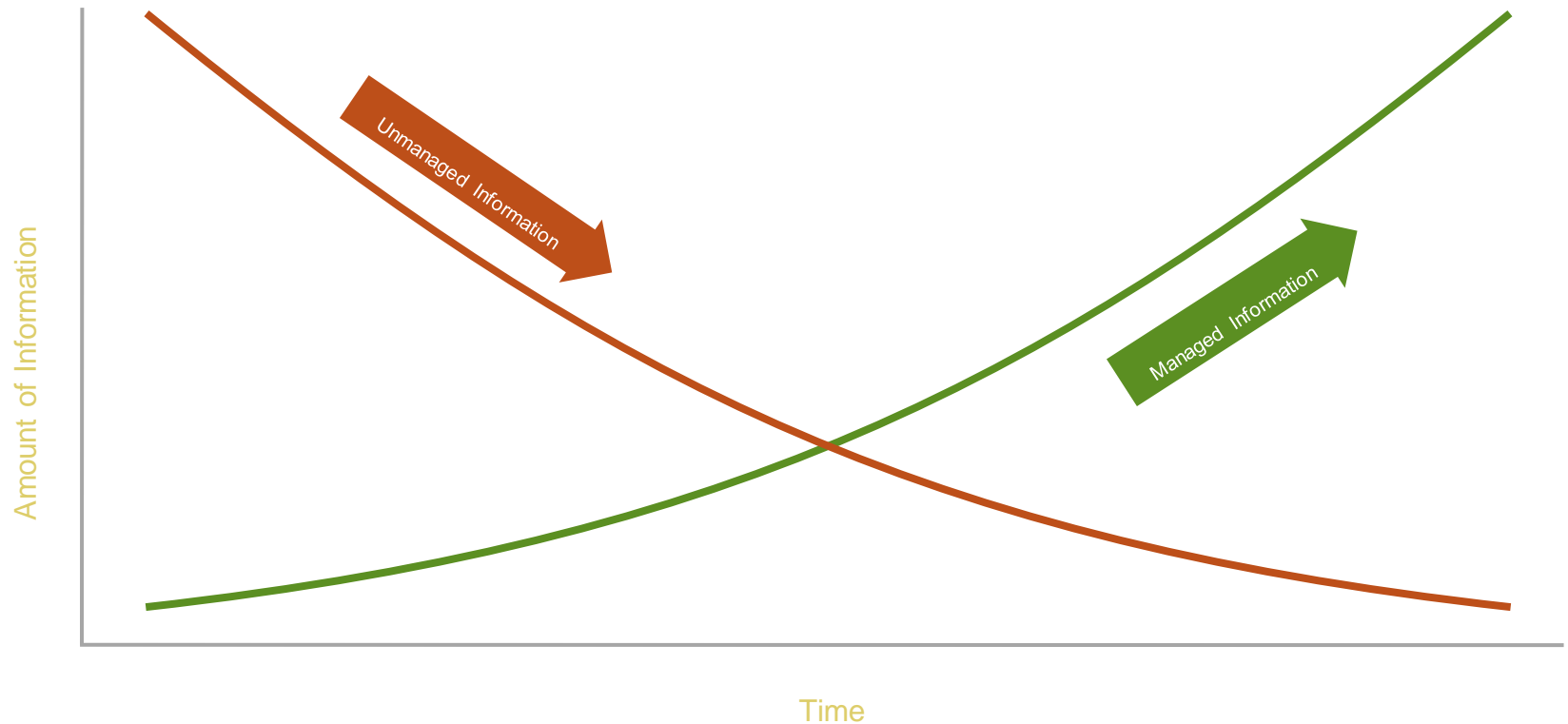


Build a Roadmap

- Agree on priorities
- Establish project and working teams

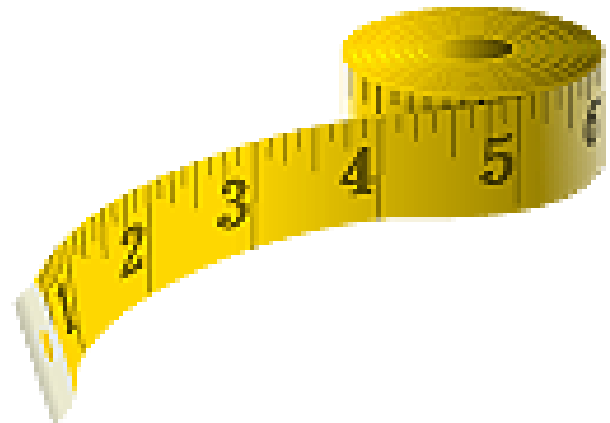


Execute and Extend



Measure and Optimize

- Determine metrics up front
- Report often
- Optimize and adjust the roadmap



Practical (and Political) Tips

- **Who** sometimes matters more than **where**
- Identify members and information ownership early
- Leverage organizational mission statement and values

Don't Forget the Orphans

- Digital Signatures
- Defensible Disposition
- Messaging Policies
- Cloud Strategy



Beyond the Steering Committee: Emerging Roles and Functions

- Dedicated IG Function
 - Provides greater independence
- New IG Roles
 - Chief Information Governance Officer
 - Chief Data Officer
 - Director of Information Governance
 - Information Governance Manager

What are the benefits of this approach?

- Alignment of enterprise goals and investments
- Decreased Costs
- Consolidated change management
- Increased access to and value of information
- Greater defensibility and consistency

Questions?

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See Things Differently.

HuronLegal