Generally Accepted Recordkeeping Principles

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Introductory Comments

- RIM standards from a historical perspective
- Professionalism
- Linking standards and criteria to organizational success
- Making change happen!

OPENING EXERCISE

Using 4x6 Cards
Each Table Create a Definition for:

1.   Standards
2.   Principles

Today's Agenda

- Defining GARP®

- How Principles are Used

- Explaining the Principles

- The Value of GARP® for You

- Applying the Principles

- Measuring for Maturity

What is GARP®?

Generally Accepted Recordkeeping Principles

Information management and governance of record creation, organization, security, maintenance and other activities used to effectively support recordkeeping of an organization.

ARMA International

What is GARP®?

GARP® is an Acronym for Generally Accepted Recordkeeping Principles

- Criteria of Acceptance
- Measurable
- Comprehensive for compliance
- Understood by management
- Built on Standards

Defining GARP®

- Industry-wide principles built on standards
- Defined by information professionals
- Spelled out in plain language
- Modeled after GAAP and Compliance Industry principles
- Address a "think tank" approach across industry verticals

What are Standards?

1. A level of quality or attainment.

2. A required or agreed level of quality or attainment.

Areas of Standards that affect RIM:

GARP®
Sedona
ANSI
ISO

Standards Map

Source	Legal Principle / Professional Standard (Text provided where available; summary provided otherwise)	Control Objective	Procedures	Source	Other Related Industry Guidance
The Sedona Guidelines, Second Edition: Best Practice Guidelines & Commentary for Managing Information & Records in the Electronic Age (The Sedona Conference® Working Group Series, 2007) **[hereinafter The Sedona Guidelines]**, Guideline 1, Comment 1.b.	"An organization should have reasonable policies and procedures for managing its information and records."	To achieve efficiency and legal/administrative defensibility of enterprise records management	An Information and Records Management[1] Policy shall be approved by management, published and communicated to all employees.	The Sedona Conference Publications	The U.S. Supreme Court noted that a reasonable records and information management policy should be considered in determining appropriate consequences for the destruction of evidence. The Sedona Principles, Second Edition: Best Practices, Recommendations & Principles for Addressing Electronic Document Production (The Sedona Conference® Working Group Series, 2007) **[hereinafter The Sedona Principles]**. Comment 1.b.; see also, The Sedona Principles, Comment 5.b.
The Sedona Guidelines, Guideline 2.	"An organization's information and records management policies and procedures should be realistic, practical and tailored to the circumstances of the organization."	To develop an enterprise records management system that is reasonable under all the circumstances, considering available guidance and the unique circumstances of the organization			
The Sedona Guidelines, Comment 2.b.	"Information and records management requires practical, flexible and scalable solutions that address the differences in an organization's business needs, operations, IT infrastructure and regulatory and legal responsibilities."	To assure that Information and Records Management Programs are flexible, practical and scalable	The Corporation should develop processes and procedures that meet the business and legal requirements.		Courts have held that parties responding to litigation discovery are best situated to evaluate the procedures, methodologies, and technologies appropriate for preserving and producing their own electronically stored information. See The Sedona Principles, Principle 6, with Comments and cases cited therein.
The Sedona Guidelines, Comment 2.c.	"An organization must assess its legal requirements for retention and destruction in developing an information and records management policy."	To prevent destruction of records that might lack business value but are otherwise subject to legal and regulatory preservation requirements	The Corporation should create a records retention schedule and procedures for implementing the retention schedule for complying with legal retention requirements.		
The Sedona Guidelines, Comment 2.d.	"An organization should assess the operational and strategic value of its information and records in developing an information and records management program."	To prevent over-retention of information that lacks value and is not otherwise subject to preservation	The Corporation should conduct and assessment of the value of its information in developing policy and procedures.		

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From Standards to Principles

- Standards – model criteria
- Principles – proven best practices

Application and use of Standards!

How Principles are Used?

By Regulators…

To protect the public by assuring access about the operations, policies and procedures of regulated companies

By RIM Professionals…

To measure the records and information management programs in a consistent and systematic manner

By Businesses…

To document to regulators and the public that information will be available from these companies if ever needed

How to Use GARP?

In Program Strategy…

To develop initiatives that ensure the organizations that all principles are covered

In Employee Training…

To include information and answers in your training that inform employees about the requirements, impact on the organization and consequences of failure

In Audits or Assessments…

To document your Program and organization maturity and success or where more resources need to be added

Principles Underlying GARP

Principle of Accountability

Principle of Transparency

Principle of Integrity

Principle of Protection

Principle of Compliance

Principle of Availability

Principle of Retention

Principle of Disposition

Principles Underlying GARP

Principle of Accountability

An organization shall assign a senior executive who will oversee a recordkeeping program and delegate program responsibility to appropriate individuals, adopt policies and procedures to guide personnel, and ensure program audit ability.

Principle of Accountability

- An organization will -
  - ☐ assign a senior executive to oversee recordkeeping program
  - ☐ delegate program responsibility to appropriate individuals
  - ☐ adopt governance documents to inform personnel of rules and requirements to ensure program auditability

Principles Underlying GARP

Principle of Transparency

The processes and activities of an organization's recordkeeping program shall be documented in an understandable manner and be available to all personnel and appropriate interested parties.

Principle of Transparency

- **An Organization's**
  - ☐ Recordkeeping program shall be documented
  - ☐ Documentation is made available at all times
  - ☐ Documentation is available to employees, customers, partners, inspectors and auditors
  - ☐ Documentation shall be standardized for each process

Principles Underlying GARP

Principle of Integrity

A RIM program shall be constructed so the records and information generated or managed by or for the organization have a reasonable and suitable guarantee of authenticity and reliability.

Integrity of Records

RIM Program should include the following:

- ❑ Correctness of and adherence to the policies and procedures of the organization
- ❑ Consistency of information management training
- ❑ Reliability of records created
- ❑ Acceptable audit trail
- ❑ Reliability of systems that control the recordkeeping

Principles Underlying GARP

Principle of Protection

A RIM program shall be constructed to ensure a reasonable level of protection to records and information that are private, confidential, privileged, secret, or essential to business continuity.

Protection of Records

- PII and PHI – know requirements
- Information sensitivity classification
- Access controls and rights
- Contractor issues

Principles Underlying GARP

Principle of Compliance

The RIM program shall be constructed to comply with applicable laws and other binding authorities, as well as the organization's policies.

Compliance Requirements

- Standardizing practices must include all of these compliance requirements
  - Regulations
  - Best practices for your industry
  - Company policy
  - Audits
  - Litigation

Principles Underlying GARP

Principle of Availability

An organization shall maintain records in a manner that ensures timely, efficient, and accurate retrieval of needed information.

Principle of Availability

– Organization must have the ability to identify, locate, and retrieve the records and information required to support its business activities

– Information must be described during the capture, maintenance, and storage processes to make retrieval effective and efficient

– Routinely back up electronic information (but not for retention)

– Manage availability of information assets at a reasonable cost from creation through disposition

Principles Underlying GARP

Principle of Retention

An organization shall maintain its records and information for an appropriate time, taking into account legal, regulatory, fiscal, operational,
and historical requirements.

Principle of Retention

Organization must maintain its records and information for an appropriate time, taking into account

- legal
- regulatory
- fiscal
- operational
- historical requirements

Principle of Retention

- Records retention program based on information - **life cycle – creation to disposition**

- Retention decisions based on content and purpose of records: periods determined by legal and regulatory, fiscal, operational and historical requirements

- Minimize risks and costs associated with records retention by immediately disposing of records after their retention period expires

- Audit to verify compliance

Principles Underlying GARP

Principle of Disposition

An organization shall provide secure and appropriate disposition for records that are no longer required to be maintained by applicable laws and the organization's policies.

Principle of Disposition

➤ Records must be assigned disposition

➤ Organization must make reasonable effort to ensure all versions of the records are included in disposition

➤ Disposition of records must be suspended for pending or ongoing litigation or audit

➤ Destruction of records must be performed in a secure manner

➤ Transfer of records to historical archives, library, or museum should be documented

The Value of GARP®

- Provide a common philosophy to regulatory and judicial bodies

- Demonstrates repeatability – this is normal business

- Adherence to industry norms

- Benchmark among peers

Exercise 2

Applying GARP®

1. Establish policies/practices to ensure transparency AND appropriate confidentiality

2. Develop records retention schedules – apply them routinely/consistently in compliance with laws and regulations

3. Align RIM practices with the code of Ethics

4. Audit and measure organizational recordkeeping practices

5. Make consistent and constant improvements
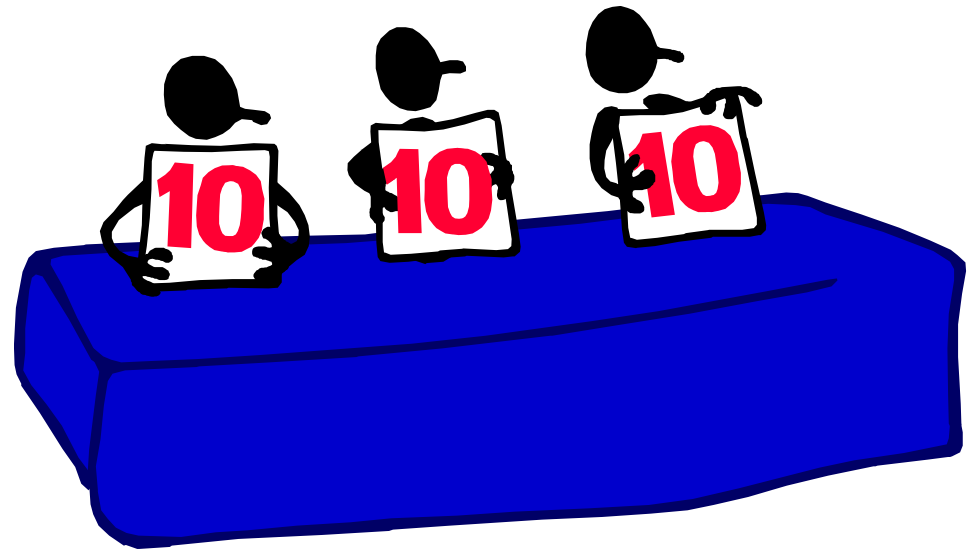
PERFECTION IS NOT REQUIRED

But take aim at improvements

Taking Aim

- Assess the current program, situations, environments
- Build a strategy for improvement
- Determine short and long-term goals
- Create initiatives and value propositions
- Draft the plan and the needed resources

PUZZLE EXERCISE

RIM Program Elements

- Policy
- Retention Requirements
- Standards/Procedures
- Training
- Monitoring
- Storage and Archiving
- Records Protection
- Classification and Accessibility
- Technology Solutions

RIM Program Policy

Principle

1. Accountability
2. Transparency
3. Integrity
4. Protection
5. Compliance
6. Availability
7. Retention
8. Disposition

Expectation

- Executive accountable
- Policy is understandable and staff know where to find it
- Addresses the honesty/completeness
- Complies with all laws and regulations
- Addresses the other program elements
- When revised/update dispositioned

EXERCISE 3

■ By Table – write answers to these questions.

1. What would you put in a policy to reflect integrity?

2. What would you put in a policy to reflect accountability?

3. What would you put in a policy to reflect compliance?

Program Procedures

Principle

1. Accountability
2. Transparency
3. Integrity
4. Protection
5. Compliance
6. Availability
7. Retention
8. Disposition

Expectation

- Ownership/responsibility
- Available and accessible
- Processes address protection, integrity, availability, retention and disposition
- Comply with the laws
- Monitored and updated as needed
- Specific to the work and are clear

Records Retention Schedule

Principle

1. Accountability
2. Transparency
3. Integrity
4. Protection
5. Compliance
6. Availability
7. Retention
8. Disposition

Expectation

- Ownership/responsibility
- Clear, concise and usable
- Applied and monitored
- Revised through change management as laws and regulations change
- Comply with requirements
- Identify and classify record categories
- Information dispositioned

EXERCISE 4

GARP®

MEASURING MATURITY!

What is a Maturity Model

- The Capability Maturity Model (CMM) was originally developed as a tool for objectively assessing the ability of government contractors' *processes to perform a contracted software project.**

- Used by
  - Government
  - Commerce
  - Industry and Associations
- GARP® modeled after Compliance and Ethics models

*http://en.wikipedia.org/wiki/Capability_Maturity_Model

GARP® Maturity Model

- A qualitative and quantitative measurement
  - By principle
  - Overall or average across all principles
- Rating of an organization's overall information governance of which records management is a component
- Systematic process guiding the evaluation of an organization's maturity with respect to recordkeeping activities

Maturity Model

GARP Maturity Level	Color Status
1 Sub-standard	RED
2 In Development	ORANGE
3 Essential	AMBER
4 Proactive	BLUE
5 Transformational	GREEN

- Rating less than 5 may be acceptable because of:
  - Organization risk tolerance
  - Comparable with industry peers or competitors
- Previous level not a prerequisite for next

Summary of what it means for GARP® Compliance

- Identification of all laws and regulations

- Systematic processes to capture and manage records through their life-cycle

- Continuous audit and improvements

- Recognition by board and C level officers of an organization

- The recordkeeping program shall be constructed to comply with applicable laws and other binding authorities, as well as the organization's policies.

Maturity Level 1

Level	Qualifications
1 Sub-standard	▪ There is no clear definition of the records that the organization is obligated to keep. ▪ Records and other business documentation are not systematically managed according records management principles. ▪ Various groups of the organization define this to the best of their ability based on their interpretation of rules and regulations. ▪ There is no central oversight and/or consistently defensible position.

Maturity Level 2

Level	Qualifications
2 In Development	- The organization has identified the rules and regulations that govern its business. - The organization has introduced some compliance policies and recordkeeping practices around them. - The policies may not be complete. - There is no apparent or well defined accountability for compliance.

Maturity Level 3

Level	Qualifications
3 Essential	- The organization has identified all relevant compliance laws and regulations. - Record creation and capture are systematically carried out and in accordance with record management principles. - The organization has a strong code of conduct and it is incorporated into recordkeeping activities. - Compliance and the records demonstrating compliance are highly valued and measurable.

Maturity Level 4

Level

Qualifications

4

Proactive

Exceeds Level 3 in these ways:

- There are systems in place that help capture and protect records.
- The records are linked with metadata used to demonstrate and measure compliance.
- Employees are trained appropriately.
- Audits are conducted regularly.
- Records of audits and training are available for review.
- Lack of compliance is remedied through specific action plans.

Maturity Level 5

Level	Qualifications
5 Transformational	Exceeds Level 4 in the following ways: ■ The importance of compliance and the records demonstrating it are recognized clearly at the organization's chief officer and board levels. ■ Auditing and continuous improvement processes are well established. ■ Information management and legal discovery process are integrated to minimize the time and cost of compliance. ■ Compliance goals are met.

Analytical Thinking

- Assume you are talking to an Information Management Professional who wants to determine the level of their program. I am that person.

- What questions would you ask me to determine my level – you are doing the assessment.

Using RIM Program Elements

Next few slides

- Breakdown three RIM Program Elements
  - ☐ Policy
  - ☐ Retention Schedule
  - ☐ Procedures

- Show what would each have by maturity level

Policy Example

- Program Policy

  ☐ Level 1 Does not exist, addresses only paper

  ☐ Level 2 Written, but is not complete, not known

  ☐ Level 3 Referenced, complete and relied upon

  ☐ Level 4 Complete, employees trained, audited

  ☐ Level 5 Recognized at the C-Level, integrated with eDiscovery, continuous improvement

Retention Schedule Example

- Retention Schedule

  ☐ Level 1 Non-existent, or limited

  ☐ Level 2 Complete, but not routinely followed

  ☐ Level 3 Routinely followed and applied to all media types

  ☐ Level 4 Audited, change management in place

  ☐ Level 5 C-Level, aides in defense of the company and eDiscovery

Procedures Example

- **Retention Schedule**

  - ☐ Level 1 Non-existent, or not complete
  - ☐ Level 2 Complete, but not routinely followed, cannot locate them
  - ☐ Level 3 Routinely followed but lacking for electronic systems/processes
  - ☐ Level 4 Audited, change management in place
  - ☐ Level 5 C-Level, staff are trained and routinely updated

GARP Compliance Summary

- Identification of all laws and regulations

- Systematic processes to capture and manage records through their life-cycle

- Continuous audit and improvements

- Recognition by board and C-level officers of an organization

- Adherence to GARP Principles results in ethical decisions by organizations and individuals

Pocket Points

- Start today wherever your program exists
- Make a plan – execute the plan
- Apply the program elements routinely
- Integrate requirements into technology
- Integrate requirements into compliance and eDiscovery
- Become known at the C-Level

Resources

- Articles in Information Management Journal March/April 2012
- Slides from ARMA International
- Certification Course thru ARMA International

Questions?

Thank You!

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