

5 WAYS TO CHANGE YOUR COMPANY'S DOCUMENT RETENTION CULTURE

Regardless of a company's size and scope, the number of email, PDFs, Word documents and other electronic records stored on its corporate servers continues to grow at an astonishing rate. And it's only getting worse.

Companies continue to roll out new document retention policies, schedules and technologies in hopes of reducing the mountain of electronically stored data, especially email, and the legal risks associated with it.

Unfortunately, getting employees to embrace these efforts has proven to be difficult at best. What strategies can be implemented to get employees to drop their old habits, embrace new ones and allow management, especially inside counsel, to sleep better at night?

"You've got to change the culture. To do that you need to re-evaluate and invest in new policies, technology and training. You have to break down all the existing behaviors and chart precisely where you want to go," says Natausha Wilson, senior consultant for Contoural, who joined Greg Forest, Contoural's chief technical officer, and Gregory Kosinski, director of Product Marketing for EMC, for a recent EMC / *Inside Counsel* Web seminar on the topic.



Create an organization to succeed.

To overcome document retention issues, the first task is to establish an internal organization to drive the effort. That means hiring a dedicated, full-time corporate records manager.

"That's got to be your number one priority," Forest says. "You need a captain, someone who wakes up in the morning knowing records management is their number one priority."

Forest suggests having the manager report to a group directly impacted by document management issues, including the CFO and representatives from the legal, IT, compliance, internal audit and

risk management departments. He or she should then identify and enlist records management specialists within business units and individual departments to monitor and drive records management changes locally.

"This would be a part-time responsibility added to an existing employee's regular duties. These individuals already know the type and location of records in their area and can be trained to help fellow employees do a better job at records management," he says.

A steering committee comprised of corporate and business unit representatives to support new policy and budget decisions will also be needed. "If you don't have buy-in from all the business units, it won't work. Be sure to include business unit heads. They hold sway over how employees under them respond," Forest says.

Finally, he says, you need to enlist representatives from IT, legal, compliance and HR to help ensure that new measures are properly implemented and working.

Make record keeping simple.

Next, make the document retention process easier to understand and execute. Technology is an especially good fit here, Kosinski says.

Start by examining the type of documents your company retains and categorize them. EMC, for example, recently helped a Fortune 500 company reduce its business taxonomy from more than 10,000 folders to just 53. Then, using file metadata as a guide, it created a model of the company's documents and records.

"Using the file metadata we devised a scheme so that by answering three simple questions, three mouse clicks, users can decide on the appropriate metadata, enable an automatic classification of the document and automatically deposit the file into a retention repository. All the user has to think about is the metadata of the file they're looking to classify."

Contoural took a similar approach, dividing a client's document retention program into five general categories. This one is relatively simple: to maintain worker comfort levels, all emails and documents up to three years old are automatically saved in a "working document" folder, or "bucket."

There's also a short term folder for documents up to five years old; a long term folder for records up to ten years old; a permanent folder for IP records and other corporate assets; and an "indefinite" bucket for documents difficult to categorize. A button at the bottom of the screen makes it easy to move an email or file into each folder.

"Employees in legal, HR, accounting and internal audit know which documents to keep and typically employ the short or long term buckets. The permanent bucket is very





specialized and is rarely used. The indefinite folder holds documents difficult to categorize. For example, contracts must be kept seven years after they expire. But what if a contract is renewed? That document goes there.”

Communicate. Communicate. Communicate. It’s important, Wilson says, to maintain an active dialogue with all constituents throughout the change management process. Focus on internal communications, both in identifying current behaviors and introducing new processes and technologies later.

“We’re talking mainly about employees, but you need to assess document retention behavior at all levels to see what changes are needed company-wide,” she says.

Email, the Intranet, electronic or paper surveys, and break room fliers can be used to gather behavioral data and publicize upcoming initiatives. More expensive but more productive options include focus groups.

“Focus groups are more involved but the quality of the data is richer,” Wilson says. “You can select employees from different parts of the company, assess their current behavior and explore ways to redirect those actions.”

Once the new policy, procedures and or technology are in place, determine how and when they will be introduced.

“Will document retention be introduced during new employee orientation? Does it make sense to employ annual training company-wide, with monthly updates and/or quarterly reviews? Depending on your needs, you’ve got to address all that up-front,” Wilson says.

Move it or lose it.

Still, how do you push employees to move important documents into the appropriate folders?

One solution, Forest says, is to enact a “move it or lose it” strategy, particularly for email. Provide a working documents archive folder which allows employees to save email for a year or longer. Then set a specific timeline, perhaps 90 days, after which all emails not moved to the working documents folder are automatically destroyed. In doing so, he says, employees will have an option. It will also effectively force workers to regularly transfer emails or files to longer-term folders.

A legal hold, of course, will override the system until the hold is lifted.

“Since most employees want to save everything, sometimes you need something that deletes the

unnecessary emails and documents for them,” he says. “You can place a button at the bottom of the screen that allows the user to click and move an email or document to say, a working documents folder, leaving everything else to be deleted.”

Enforce the policy.

There are, of course, less Draconian ways to enforce your document retention policy.

“One of our clients has an ongoing, mandatory training program on records management. If an employee skips a session, they can’t log into the company server until they make it up,” Forest says.

Another client employed search and reporting tools to audit retention policy compliance among some 7000 workers. The audits were used to identify the top 150 employees who were either consuming exorbitant amounts of storage, or placing too many files in the wrong repository. The employees were then interviewed individually over a four-month period.

“We showed them how to reduce their data consumption and we let their managers know they were being watched,” Forest says. “What’s really interesting is that once word of the interviews got around, other employees started cutting back. Once everybody realized they were being watched, they changed their behavior too.”

“USING THE FILE METADATA WE DEvised A SCHEME SO THAT BY ANSWERING THREE SIMPLE QUESTIONS, THREE MOUSE CLICKS, USERS CAN DECIDE ON THE APPROPRIATE METADATA, ENABLE AN AUTOMATIC CLASSIFICATION OF THE DOCUMENT AND AUTOMATICALLY DEPOSIT THE FILE INTO A RETENTION REPOSITORY.”

