WHITE
PAPER

Using Microsoft 365 to Automate the Management and Execution of Your Records Retention Schedule

Part Two

Abstract

Records management execution is a source of frustration for many companies. It is often difficult or even impossible to get employees to consistently follow records management requirements and procedures, especially for electronic information. One proven technology is a product that most companies already have—Microsoft's Microsoft 365 suite of productivity tools. Microsoft 365 can both drive higher compliance and make the entire records management process easier for everyone

This is Part Two of this two-paper series. Part One examined real-world challenges companies face in implementing records management for electronic information, discusses which approaches are less successful, and summarizes the capabilities of Microsoft 365. In Part 2, we review automating the management and publication of a records retention schedule with Microsoft 365, including automating records classification, disposition, and using Microsoft 365 to automatically propagate changes to a retention schedule.

Contoural Independence

Contoural is an independent provider of information governance services. We do not sell any products, provide any reactive eDiscovery services, or store any documents. We do not take any referral fees, including but not limited to products such as Microsoft 365. We generate our revenue from strategic consulting services, enabling us to develop and recommend strategies driven not by a product or eDiscovery agenda, but rather an approach based exclusively on the needs of our clients.

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Automating Your Records Retention Schedule Management with Microsoft 365

The first stop for the automation train is automating the publishing of and access to the records retention schedule itself. The purpose of a records policy and schedule is to communicate requirements and decisions. The easier it is for employees to access to this information, the more effective they will be. Traditional records programs create a schedule and publish it in either paper or PDF format, as an appendix to the records policy. Records managers may enjoy having a single consolidated view of records requirements; however, this appreciation is typically not shared by employees who must manually search through long schedules to find relevant records. If the process is too cumbersome, even well-intentioned employees will quickly abandon looking up information in the schedule.

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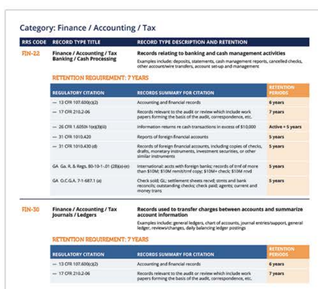
Entire Policy and Schedule Distributed as PDF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Online, Searchable Version of Records Retention Schedule

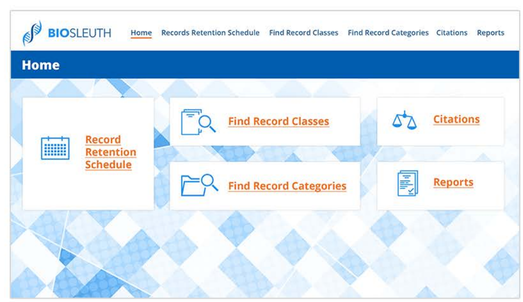


Figure 1. The traditional approach of distributing an entire schedule to employees and expecting them to manually search it to find records types is giving way to creating online and searchable schedules. The example above uses native Microsoft 365. Source: Contoural

A smarter approach is to publish the schedule online using the capabilities of systems already in house, making it web accessible and searchable. Employees can quickly login and search for a record type. This is especially useful if the schedule contains record type examples, so the employee can search for the relevant examples to identify the record category. Publishing online also ensures that employees are always accessing the latest and most current schedule.

Automatically Publishing Department or Role-Specific Views

Publishing a schedule online also provides the flexibility to publish department and function-specific views of the schedule. These views exclude record types that do not apply to the given function, showing only what's relevant to the user. Instead of having to look through an entire schedule, these narrower views allow employees to easily access their most relevant record types. All of this typically can be accomplished with technology that companies already have in-house.

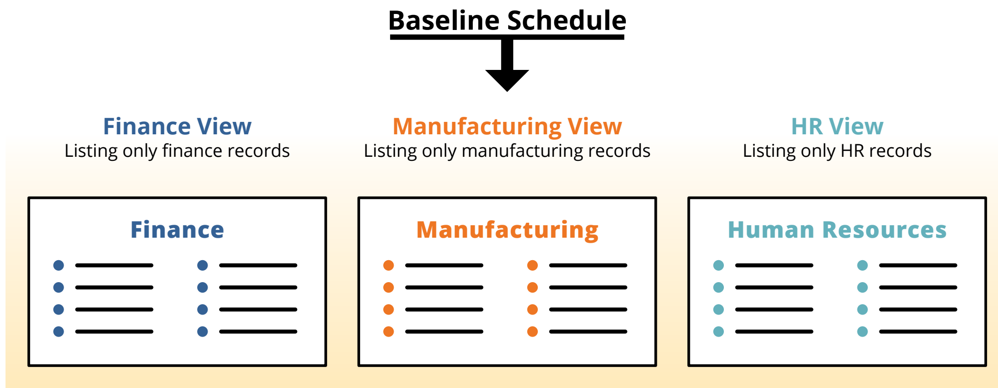


Figure 2. Provide each department with a view of the schedule containing only records relevant to their function. Source: Contoural, Inc.

It should be noted that creating a department- or function-specific view requires both a well-designed schedule as well as expertise to decide how to present the correct information for any given department. These views are very organization-dependent and need to be customized for each company.

Automating Records Classification

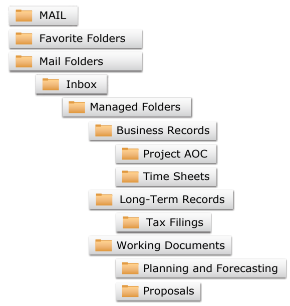
Technology can automate access to the schedule or a particular set of records within the schedule. Many companies provide automation at a more basic level through automated tagging of records based on where they are stored.

How "Drag and Drop" Auto Tagging Works

Most modern content management systems such as Microsoft 365, OpenText and others provide the ability to automatically apply metadata tagging (also referred to as labeling) based on where a record is stored. In other words, these systems allow a type of "drag and drop" tagging: when employees drag and drop a file or email into a properly configured folder or other specific location, the system automatically tags it. The system can automatically tag and track the document for multiple types of governance controls, including records retention requirement, data security classification, access control and even legal hold capability. These policy attributes are pre-configured into a given managed folder. When the user places a document into the folder the content management system automatically tags and applies these controls to the file. No action is required on the part of the user other than storing the document into the right folder; the system does the rest.

Finance Employee

Drags and drops email records from their Inbox into the appropriate folder or area of repository.



Microsoft 365

When email is placed in folder, system automatically tags email with retention, data classification, access and eDiscovery controls already configured for documents in that folder.

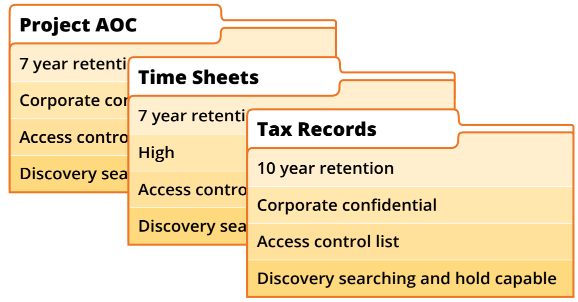


Figure 3. Microsoft 365 (described in this figure) and other content management systems have auto-tagging capabilities for automatically applying retention, data security classification, access control and eDiscovery requirements to emails, files and other documents stored within the system's folders. Source: Contoural, Inc.

Implementing Drag and Drop

This "drag and drop" classification strategy requires more upfront work. The Information Governance team must configure the managed folders or other repositories with, ideally, a complete Information Governance framework: records retention, data security and access rules. Translating the records retention schedule, data security classification and access control policies into specific system configurations can be tricky, and requires collaboration between the records, security and IT groups.

While the backend configurations can be complicated, the user view and experience should be simple and intuitive. Different employees will have different folders to store their information depending on their function, and there may be many different folders collectively across the repository. To be effective, any given employee should only see four or fewer folders. Recent innovations in these tools make it easier to consistently apply these rules while keeping it simple for employees.

Many companies have Microsoft 365 or other types of document management repositories with innovative Information Governance features, but they do not use these tools to their full capability. Why? It takes time and effort to correctly configure and apply retention rules. Unfortunately, many of these systems are deployed on tight schedules, and organizations often do not have the time or patience to properly configure them. In time, these on-premise or cloud-based repositories come to resemble the same type of digital landfill as the file shares and desktops they replaced.

The upfront investment is worth it. Those companies that do take the time and effort to configure their systems for proper Information Governance may suddenly find it much easier to classify records, personal information, and other governed content. Employees find the "drag and drop" approach easier. More information gets classified. And as discussed below, unneeded information gets compliantly deleted. Information no longer accumulates. Personal information is properly secured and managed. Employees are more productive. Syncing policies and processes with these technologies pays big information management dividends for many.

Using Microsoft 365 to Automate Records Disposition

There is no question that saving files, emails and other types of electronic content is the easy part of information management. The real test for an effective records program is how consistently and compliantly it can dispose of expired or unneeded low-value content. This is an area where automation can offer some of its biggest benefits.

Letting Systems Automatically Dispose Records

Traditional manual records retention processes that require employees to selectively choose what to delete (and when) are ineffective. Worse, they may create risk. First, it is difficult for employees to be faithful and consistent to the records retention schedule when manually deleting records. They tend to delete what they consider "bad stuff" – documents and other information they believe to be inculpatory -- and only save the "good stuff"—documents or files they believe will be helpful in the event of litigation or regulatory inquiry. Courts and regulators have been clear in stating defensible disposition should be a consistent, routine process based on policy.

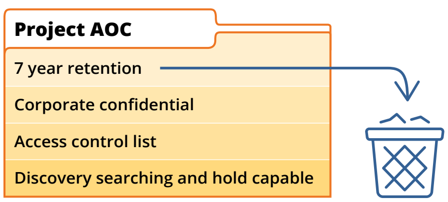


Figure 4. Repositories can be configured to automatically dispose of documents when their retention period expires. This deletion can be suspended for legal holds.

The other challenge is simply getting employees to actually spend the time to delete expired records. The root of this problem is not that they are bad employees, but rather that the sheer volume of electronic information the average employee receives is overwhelming. Even spending 30 seconds per document translates to hours per week. Employees will not do it. This inconsistency of employee deletion creates risk during eDiscovery or regulatory inquiry.

Event-based records are harder to manage and dispose of in a compliant manner. One approach has been to delete event-based records only after the longest possible event occurs (i.e., keep employee records after termination). This typically leads to the over retention of most records. A better approach is to develop an event-based trigger mechanism. Furthering the employee record example, as part of an employee's termination process their records would be identified and the post-event retention clock started. This entails developing the right business process triggers. Note that these event-based records are not easy. On the other hand, classifying a record as an event-based record and storing it in the appropriate repository makes creating these triggers much easier.

The other lesson here is that some types of records content are easier to manage than others. Files and emails can be managed easier than paper, which can be managed easier than database data. It is unlikely that content across all media can be managed in one single pass. Start with the easier media, then move onto the next and then work on remediating the last, harder pile. Even if you fall short on the last 20%, soon you will realize that the first 80% you did tackle greatly reduces risk and cost, and increases compliance. Don't let your inability to address everything prevent you from addressing most things. In other words, do not let perfect be the enemy of good.

Automating Legal Hold to Suspend Auto Deletion

Fear of spoliation—deleting information that an organization has a legal obligation to preserve—inhibits employees and entire companies from disposing of expired records or unneeded content. Fortunately, the same “drag and drop” classification strategies discussed above can also greatly limit the risk of spoliation. These repositories enable holds to be placed across emails, files and other documents. Even if a user deletes a document, the system still retains it until the hold is released or the retention period expires.

While these systems can provide strong legal hold capabilities, two things need to occur. First, documents need to reside in the repositories. If all your information lives in file shares and desktops, having Microsoft 365 will not help you. Second, as discussed above, the legal hold process needs to be integrated with these systems.

Auditing and Remediating Your Records Processes

Regularly examining user and system conformance and compliance with records retention policies is important not only for ensuring that the approach is working; it also provides program defensibility in the event a regulator challenges the adequacy of the company’s compliance. Results of ongoing audits drive regular re-examination and refresh of policies, processes, and procedures. Typical records program audit areas include:

- Records training
- Records compliance across various groups
- Proper classification of record types, ensuring correct retention period
- Defensible disposition processes
- Legal hold implementation

Any weaknesses identified during an audit should be remediated. Likewise, audits should be an ongoing process to ensure continued compliance.

Trust Your Processes

Perhaps the biggest barrier to automating records deletion processes is fear. Fear that employees will not put all the information in the right place, and that some of it will be misclassified or retention will not be properly applied. Fear that records under legal hold will be deleted. Fear that records will be deleted before their expiration date.

The good news is courts and regulators do not expect perfection. Rather, they expect reasonable, good-faith processes that employees follow. Companies that develop good policies and implement good classification and disposition processes should test and audit these practices. In doing so, they can relax. Defensibility comes from following your processes, checking them, and updating them.

Conclusion: The Real, Hidden Win of Automation

Many organizations update their records programs and add automation to drive better compliance, reduce costs and reduce risks. Somewhere along their journey they find that these strategies not only drive compliance, but also make useful information easier to access and for employees to collaborate. Good records programs are valued less for their compliance capabilities and more for increasing productivity. Employees spend less time searching through redundant, obsolete, and trivial information, and instead find relevant, higher value information more easily. They prefer using records management systems because it makes them more productive. Records automation makes life easier not only for Information Governance professionals, but also for employees, and that is perhaps the biggest win.

About Contoural

Contoural is the largest independent provider of strategic Information Governance consulting services. We work with more than 30 percent of the Fortune 500 and numerous mid-sized and small companies and provide services across the globe. We are subject matter experts in Information Governance, including traditional records and information management, litigation preparedness/regulatory inquiry, information privacy and the control of sensitive information, combining the understanding of business, legal and compliance objectives, along with operational and infrastructure thresholds, to develop and execute programs that are appropriately sized, practical and “real-world.”

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