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EXPERT FORUM

STANDARDS & CONTROLS: TAILORED INFORMATION GOVERNANCE POLICIES AND PROCEDURES



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Jack Fletcher is a consultant in FTI Consulting's information governance privacy and security practice in Europe, Middle East and Africa (EMEA). He brings a wealth of experience in providing compliance expertise to global companies from a range of industries, including leading financial services, pharmaceutical firms and social media companies. He has strong experience in helping clients to respond to new and complex regulatory challenges across multiple jurisdictions. He has played a pivotal role in a number of change management programmes and has a keen understanding of the challenges that an organisation can face when implementing large-scale initiatives.

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Nina Bryant is a senior director in FTI Consulting's information governance privacy and security practice in Europe, Middle East and Africa (EMEA). She is an experienced information lifecycle governance strategy leader and an expert in leading complex global regulatory, IT and business transformation programmes to deliver world-class information governance (IG) solutions. She specialises in combining IG knowledge across legal, compliance, privacy and risk with technology transformation experience: aligning stakeholders and building global business transformation programmes which drive changes in culture and behaviour underpinned by effective technology and user adoption.

CD: To what extent can a global organisation standardise information governance (IG) policies and controls across countries? In your experience, how challenging is this process?

Bryant: Organisations should strive to standardise policies at a high level across organisations to drive a consistent culture of compliance, and a strong baseline from which to operationalise processes and procedures. Standardisation of enterprise technology solutions also enables these processes to be consistent globally and will simplify compliance as well as improve efficiency and reduce costs. However, inevitably, there are likely to be some local variations required, and these may be due to either differing local legislation, variation in the scale of operation and resources or the availability of specific technology, such as intranets, collaboration or content management systems and HR systems. For example, while one country might have individual managers or teams for marketing, HR, website management, privacy, legal, risk and compliance, some smaller countries might only have one or two people fulfilling all these roles. Processes and related workflows, therefore, need to be developed flexibly with the ability to scale up and down depending on the size of local teams. However, if possible, these variations are best kept at a local process level, with minimum change to policies unless there is a

very specific legal justification. Standardisation is inevitably challenging as it requires us to change and adapt to someone else's view of the world. It is therefore essential to make the benefits of change clear, to demonstrate how new processes or solutions will save time, enable compliance, provide central storage locations or audit trails and ultimately reduce cost and risk.

Fletcher: It can be particularly challenging for global organisations in highly regulated industries to implement effective policies and controls. Many global organisations are faced with a patchwork of regulations covering areas from retention to data privacy that comes with different requirements depending on the country of operation. Organisations that can call upon strong organisational and project governance are more successful in implementing policies and controls across geographies.

CD: How can companies bridge the gap between IG policy and the reality of day-to-day business activities?

Bryant: This is one of the most challenging aspects of any information governance (IG) programme, to take the theory around policies or retention schedules and make this a reality within the organisation. There are several key factors which play into achieving this. One significant factor

is awareness and training. Critical to success is a strong communications strategy, defining how the objectives and key outcomes of the programme will be publicised and supported through role-based training. Another key factor is supporting the business to implement change through defining roles and responsibilities clearly, putting appropriate accountability and reporting in place and providing the necessary time and resources to commit to undertaking core activities. This can be through a centralised team or allocating local business resources or a combination of both. Senior sponsorship and involvement at the executive level and across lines of business are critical to success. One of the biggest barriers to implementation can be other urgent business priorities, such as M&A activity, large-scale technology or infrastructure projects or front office business pressures. One way to overcome these can be to focus on embedding IG practices within existing business processes, making it easy for people to do the right thing and reducing the impact of change.

Fletcher: To bridge the gap between IG policy and the reality of day-to-day business activities, a business should focus on what it is trying to achieve by implementing the policy. Is it trying to reduce the risks associated with the data it holds? Or is it prioritising cost savings or driving business value from the data? These questions are not mutually exclusive, but any organisation seeking to

successfully implement any IG policy should first ask what the purpose of this policy is. Once a business is clear as to what it wants to achieve, it is important to identify who will be impacted once the policy is effectuated. A good first step is to engage key stakeholders across the company, including legal, IT, privacy and line of business executives to ensure their perspective and requirements are factored into the process and the implementation plan and timeline. Developing a thoughtful communication plan considering different channels of communication to align with policy implementation maturity can help sustain change over time. On the ground, it is crucial that employees who will be impacted by the policy understand the aims of the policy and how it may affect their day-to-day role. Training sessions accompanied by communications and awareness materials can be an effective tool to distil the messages you want to get across.

CD: What steps can companies take to drive changes in their culture and behaviour to support the adoption of new IG policies and procedures?

Bryant: First and foremost, change needs to be driven from the top. Unless employees see senior leadership taking change seriously, endorsing and rewarding those who participate and calling out those who do not, then it will be impossible to drive change forward or implement new policies and

procedures effectively. To enable this, engage with senior leadership early, ensure they are included in videos, training or other key messaging supporting the programme and repeat this support at regular intervals. They also need to be seen to positively demonstrate and embody the behaviours they are endorsing, whether collaboration or knowledge sharing, or use of new technology or processes. Following on from this, ensure managers are fully engaged and empowered to reward and recognise excellence. Strong reporting and key performance indicators (KPIs) on all aspects of the programme are essential, from completion of training courses to usage statistics from new technology, audit trails of acknowledgement of new policies and statistics on completion of activities on an individual or team basis. Make use of existing awards or thank you type schemes to recognise contributions. More mature organisations may also embed core objectives and rewards into HR performance monitoring to recognise behaviours such as collaboration, knowledge sharing, development or use of best practices.

Fletcher: Many policies fail to achieve their desired aims because employees are either unaware of them or because they do not fully understand how the policies impact their day-to-day activities.

An organisation must make it clear to employees – through training and communications – how they can change their behaviours to comply with the policy. To go further, an organisation should look to frame the implementation of the policy in a positive way, for example showing how the policy makes an employee's day-to-day role easier or how it helps

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*Jack Fletcher,
FTI Consulting*

the overall success of the organisation. Ongoing support should be available to employees if they do not understand how to implement the policy. To achieve this, an organisation should look to leverage its governance structure and appoint a contact person with the appropriate subject matter expertise to help with queries and to oversee the smooth implementation of a new policy.

CD: How should companies go about developing effective controls to monitor compliance with IG policy?

Bryant: Development of controls is often the final element of change programmes, but in fact should be considered from the start, especially when implementing new processes or technology. This means that the factors required to enact controls can be built into the process early, rather than added at the end. Critical to developing controls is understanding the flow, from assessing organisational risk to policies and ultimately processes that mitigate these risks, and then considering which controls will effectively tell the story to senior leadership as to how well these risks are being managed on a day-to-day basis. In many instances, controls can be embedded within technology or workflow processes, but there will also be a role for KPIs and flags based on monitoring or statistical likelihoods, such as four eyes checks, emailing large files, blocking downloads or website usage. We often default to measure things that are easy to measure, such as the number of people using a particular system, rather than things that will actually tell us where we have risk, or how effective our programmes are, such as the percentage of documents transferred to a new

system, or the percentage of users no longer saving documents to hard drives or shared drives. However, statistics alone do not deliver controls – there must then be an accompanying action alongside these,

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to support changing behaviours through providing further guidance or training, or in some instances using HR processes.

Fletcher: Controls should be future-focused and consider the strategic priorities of the organisation and leverage best of breed technology which will scale as regulations and requirements evolve. Strong governance controls should be in place to help monitor compliance with the policy. It is critical to the success of a policy that each team involved in the policy understands its roles and responsibilities for monitoring compliance. Within this, there should be regular and effective communications between

teams to address risks and issues to ensure that activity is not siloed.

CD: To what extent is technology being used to support the process of embedding and monitoring new procedures? What considerations do companies need to make when deploying these solutions throughout their business?

Bryant: Technology plays a huge part in most IG projects for anything from remediating dark data, supporting collaboration and information sharing, managing retention and disposition and archiving data, to enabling strong data protection practices. In many instances, this technology will not only be critical to new working processes but can be used to embed controls and produce KPIs on progress in terms of reducing risk and progress on the adoption of new systems. Use of audit trail functionality, approval processes, task management, user access logs, storage logs and many other elements of system functionality can all be utilised to monitor the usage of new systems and processes, determine insights into changes in behaviour and track areas for further training. However, it is important to consider who has access to this type of data and how it is displayed and disseminated. Normally, data of this type should be aggregated for reporting purposes, for example by team, office or region, so as not to identify individual behaviours

but provide themes or trends. In some industries, such as financial services, or for some risks such as information security, there may be a requirement to track individual behaviours, but this should be limited to when necessary. Implementing new technology is always a challenge in any organisation no matter what sector or size. However, maximising the benefits through embedding monitoring, KPIs and controls wherever possible will help demonstrate the value of new systems, as well as track areas for improvement. One way to help manage adoption of new technology is through using a pilot group in one part of the organisation. This helps to test out new ideas, understand the business impact and where additional support or training is required. It also helps to demonstrate success in one area of the business, show how technology has improved processes and help drive interest in and lessons learned for the wider rollout.

Fletcher: One of the principal benefits of using technology to support employees to embed and monitor adoption of new procedures is the support it provides to employees. Technology has the potential to reduce the regulatory burden on employees, especially for those working in overstretched departments. Current and emerging technology not only enables legal and compliance teams to respond to issues faster, but also provides predictive intelligence to infer potential risks to take a more proactive approach to compliance. There are many

technology solutions to support IG programmes, and it can be daunting to know where to start and which vendor is best suited to the organisation. Before embarking on the procurement process, an organisation must develop a roadmap considering current and future risks and to prioritise critical capabilities to drive maturity or address high-priority risks and layering in capabilities over time.

CD: What advice would you offer to companies seeking to embed IG best practice into business-as-usual?

Bryant: First, make it easy for people. Embed strong IG principles into existing processes wherever possible rather than creating new add-on processes. Work closely with business teams to understand their current processes and help resolve existing challenges as part of developing new compliant processes. Utilise technology to streamline processes, introduce workflows and

approval processes where relevant, and automate activities such as application of retention schedules and metadata capture wherever possible, minimising the impact of good governance on the individual or business area. Second, demonstrate the value. Show how changing processes and behaviours will make day-to-day activities quicker and easier as well as reduce risk and cost to the business, freeing up time and resources for other important initiatives. Finally, lead by example. Ensure senior leaders and managers buy into the business changes, are vocal in their commitment and show the behaviours that will drive change and support new processes and systems

Fletcher: A business should look to firstly align IG best practice with wider business objectives and the culture of an organisation. Knowledge of the organisation's business objectives and culture is key. Distilling these into the drafting of policies and procedures can sustain change over time. **CD**