

Implementing Information Governance

An integrated approach helps balance risks and rewards of the Information Age

Data is growing at 50–60% a year. Facebook now has over 800 million users. The explosion of information and the technologies that deliver and disseminate it has forced legal departments into a balancing act. On the one hand, employees are asking for mobile devices, social media and cloud-hosted services to work more productively. On the other hand, government regulations, eDiscovery rules and threats to data security from both internal and external sources require effective protection for the corporate information that is being rapidly dispersed by these emerging technologies.

What were distinct issues—information management, data security and eDiscovery—are rapidly coming together in a way that is important to legal departments. These issues are increasingly being addressed under the umbrella of information governance.

Information governance allows organizations to apply the appropriate policies to their information based on its business value so they can control their risks and costs and free their information and employees within the context of those boundaries. “It is there to help the company control information, but only as much control as necessary so employees are free to use information as productively as possible,” says Trevor Daughney, director of product marketing for Symantec.

“When I think of governance,” says Daughney, “I think of the Constitution of the United States, which lays out the form and norms of the U.S. government. But I also think of the Bill of Rights, specifically, the First Amendment and the freedom of expression it guarantees. Governance is about both the application of controls and the enablement of rights and freedoms. With the right controls in place, companies can feel confident about having their employees use social media, mobile devices and cloud services.”

To implement intelligent information governance, Daughney says a company needs policies and systems that enable it to:

- Classify information as critical, garbage or something in between
- Automatically identify the owners and users of information on its servers
- Control the access and distribution of information, no matter where it resides
- Automatically retain or delete information based on its importance
- Find and retrieve information quickly and efficiently for eDiscovery

Control vs Freedom

Driving the need to free information from overly tight controls is global competition, which requires the ability to access information quickly in order to make better, faster decisions, as well as a workforce that expects 24/7 connectivity and the ability to work from anywhere.

Driving the need for better information control is the ability of employees to share information outside the company on social media sites like Facebook and Twitter, or to simply walk out the door with valuable business information on a flash drive. Online collaboration and file sharing tools raise similar concerns about confidential business information and valuable intellectual property escaping the corporate walls. At the same time, companies are facing increasingly sophisticated security risks from targeted, malicious external attacks.

If that wasn't enough, a host of government regulations such as the Dodd-Frank Act, FINRA Rules and HIPAA Privacy Rules impose additional requirements for data retention and privacy. And the 2006 e-discovery amendments to the Federal Rules of Civil Procedure require companies to identify, retain and produce electronic information pertinent to litigation, a budget-breaking proposition. For many in-house counsel, the experience of tracking down that information has exposed serious gaps in the way the corporation manages information. And the problems all become more critical each year as the volume of data explodes.

Implementing information governance typically involves an informal committee comprised of representatives from the legal department and the information technology and information security teams. It may also include other departments, such as human resources and finance, that have a stake in improving information management.

“One reason information governance is important to legal is the direct impact a company's information management practices can have on eDiscovery,” Daughney says. He notes that the legal hold requirements of e-discovery demand the ability to identify and retain information appropriately.

“On the flip side, legal is interested in reducing risk to the company so there is not too much information retained,” he adds. “If IT can set up a system that systematically deletes information that is old, unused and not required to be held for compliance or legal reasons, it increases the likelihood of legal being successful in the matters they are managing.”

Legal benefits on both fronts if their company takes a proactive approach to information governance.

Integrated Approach

Symantec can categorize data based on usage, access rights, business sensitivity and compliance and legal hold requirements, Daughney says.

Information governance starts with classifying the information. For example, Symantec Data Insight could help an organization determine that 7 percent of the information on its file servers was critical, 13 percent was garbage, and the rest fell somewhere in between. Once the data is classified, the company can decide how much freedom it

should give employees to access and distribute it.

“Symantec Data Insight has the ability to classify information at a very granular level. It can identify who the top five users of a file are and identify by usage pattern who the owner is and who has access rights,” Daughney says. “This allows the company to take appropriate action if too many people have access to that file.” He adds that Symantec information governance products use existing indexes that applications already have in place and augment them with federated search and common classification technology. Information doesn't need to be re-indexed.

To protect data from internal threats, Symantec Data Loss Protection allows a company to control the access to and distribution of information, and identify suspicious access of sensitive files or leaks outside the company. If an employee using a tablet sends confidential information to his Facebook page, for example, it would automatically notify IT. In addition, Symantec Enterprise Vault can archive content from social media sites and record those conversations, allowing the company to review what information an employee is posting on LinkedIn, for example, and capture a screenshot of the conversation for possible use in future litigation.

In the e-discovery arena, Symantec's Clearwell eDiscovery Platform can substantially reduce costs with technology-assisted document review, which greatly reduces the need for expensive manual review. A major retailer's legal department estimated it saved \$411,000 in review costs on a single case. The Clearwell system culled out 95 percent of the 1.15 million documents as irrelevant, leaving just 57,500 for manual review.

In the vital area of insuring legal holds are managed effectively, the Clearwell eDiscovery Platform can be used to preserve information in the Enterprise Vault archive in place, without involving custodians. NetBackup Search technology can also be used to search the company's backup tapes and put that information on hold, as some courts are now requiring, and at a much more granular level than companies have been able to do to date.

“The bottom line is that the success of legal departments is now tied to how their company addresses what were distinct issues—information management, data security and eDiscovery,” Daughney says. “Information Governance is an integrated approach to address these converging issues. Symantec's integrated product suite can make information governance a reality by putting appropriate controls in place to reduce risk, while at the same allowing employees to work and play freely in the connected world.”



Symantec's Clearwell eDiscovery Platform is an enterprise-class solution that was purpose-built for eDiscovery. For more information please contact us at info@clearwellsystems.com