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Data Storage — Incorporating Retention and Disposition Programs into Document Management

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By Karen Unger

To delete or not to delete, that is the question. Along with its secondary question, "If you kill it, will it stay dead?"

The thought that shredding can bring down major organizations, send CEOs to jail and provide fodder for Jay Leno strikes fear into every executive's heart. Even non-management employees are afraid to destroy documents and data because it might somehow be wrong.

Add to this the feeling that somehow when office lights are turned off each night, the volume of documents seems to grow. The "paperless" office has spawned a generation of employees who print out emails and entire web sites in case they might need them. The term "document" now applies to much more than paper. Emails are documents; everything created on a computer is a document; voice mail records are documents; digital pictures are documents — even text messages and records contained on cell phones are considered "documents," and can be called into question if a matter becomes part of litigation. Furthermore, deleting an electronic document from a computer doesn't mean it's actually gone. A half-decent technology geek can restore these documents simply by running a program. How does an organization know what it's supposed to keep and for how long? Can anything be thrown away? There is good news and there's not-so-good news. The challenge of coping with the unending volume of paper and electronic documents does not have to be overwhelming. Managing a collection is a simple matter of planning and execution. That's the good news — as well as the bad. Just like product inventory or human resources, an organization's document/data collection must be **managed**. This requires a commitment on the part of senior management, an executable plan of action and training for personnel.

This situation *is* definable and logical, through basic rule sets for every industry and department. Those rules can be applied in a consistent fashion that's legally defensible, while at the same time, helps a business be more efficient. The official term for applying these rules is "Retention and Disposition Program." Each organization develops a plan that determines (a) what must be kept and for how long, (b) how records will be maintained, (c) how documents will be disposed of and (d) under what circumstances document destruction will cease.

The first question asked is, "What must be kept and for how long?" The reasons for keeping documents, as well as disposing of them, involve legal and business issues, preserving an organization's history, culture and productivity. Human resource

documents are required to be kept for a defined period of time, as are certain accounting records. Messages about the company softball team schedule may not be required, unless there's a discrimination or injury arising out of the team itself. The type of document and the industry, in which an organization is a part, plays a role in the length of time a record must be retained. Because documents come in paper and electronic form, the method of retention must take into account all iterations. Emails are created and stored within the email application, but may also be saved to one or more hard drives as well as printed out. Every recipient may have sent the email on to other people, and any of them might have "filed" it in a folder on their hard drive or in their desk file drawer. Document content also plays into retention policies, especially emails. Individuals make statements in emails that would never be put into writing or even spoken elsewhere. Email is considered by some people to be a social conversation, rather than an official record. Good policy will dictate and educate employees about what is appropriate in any form of communication.

Today, keeping track of what is where is much easier. The use of technology to track documents through electronic methodologies makes locating, deciding about and disposing of documents much more efficient. Online document repositories can be as simple as folders on a network server or can be complex, enterprise-wide electronic content management (ECM) applications. Implementing a policy of what can be stored, and the official location of specific documents, should be included in an organization's overall plan.

Centralized storage allows active documents to be accessed by more people (productivity enhancement), backed up by the IT team (security) and disposed of appropriately (retention/disposition).

Each retention plan will determine what type of documents can be destroyed in what time frame. If a retention period is seven years, at the end of that time those documents may be eliminated. Paper documents may be shredded or pulverized. "Destroying" electronic documents requires eradication procedures of wiping hard drives multiple times with specific applications designed to actually eliminate the document as well as its ghostly pointers that linger on after a "delete." These are legally defensible procedures when implemented within the scope of written records retention and disposition policies.

If and when an organization receives word that litigation is pending, or if they believe such a possibility might exist sometime in the future, a "hold" must be placed on documents to prevent their destruction. The hold includes back-up tapes that might be overwritten in the normal course of rotating the media. Involved employees must be notified to stop any destruction of documents regarding a specific topic or issue. How does any business, regardless of size or sophistication, get assistance in this matter? The Association of Records Managers and Administrators (ARMA) have wide resources, including white papers on developing records policies, industry specific retention policies, case studies, privacy guidelines and assessments. Of particular interest are guidelines for electronic and paper document management. Donald Skupsky, President of Information Requirements Clearinghouse (www.irch.com), provides a Web site filled with information, white papers and software to manage documents for retention purposes. The basic rules involve common sense combined with critical knowledge about the specific issue at hand, retaining and disposing of documents correctly.

1. Documents come in both paper and electronic formats.
2. Save important and historically valuable documents.
3. Know which documents must be kept for legal purposes, when they can be disposed of properly and what destruction methodologies really work.
4. Dispose of documents appropriately in a timely, regularly scheduled manner.
5. If litigation is expected, immediately stop destroying relevant documents — including electronic documents and email.
6. Use technology resources to manage the process. “Shredding” documents isn’t wrong and won’t get someone in trouble if the proper rules are followed regularly. Maintaining company records follows logical rules like any other good business process. It just takes organization and implementation. The rewards are staying out of jail and only being mentioned on late night television for something worthwhile.

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