

**Business Case #112****(50 Points)****Big Clog, Inc.****Main Topic: Comprehensive Records Management****Subtopics: Records Retention, Procedures, Technology, Compliance****ANSWER:****GENERAL GUIDANCE:****Please read the business case that was given to the candidate.**

The goal of this business case is to evaluate the candidate's proficiency in developing a business case. The candidate is asked to write a clear, well-organized business case using a narrative format appropriate for the designated audience. The business case may contain lists, as often used in presentations to management. However, if lists are used, the candidate must devote a paragraph to explain why the actions are appropriate. The answer may not consist only of lists. The business case should explain the underlying problems found and recommend solutions to these problems. The candidate has been told penalty points may be levied by graders for incorrect format, poor grammar, poor spelling, and/or poor organization of the answer.

The candidate MUST introduce the report with an Executive Summary. The Executive Summary should contain 2-3 paragraphs explaining the basic overall problem(s) identified, the key issues or factors to be resolved in order to achieve the final result, and a high level description of the recommended outcome. Following the Executive Summary, the business case analysis should describe the specific issues found and suggest recommendations.

The candidate is expected to state any facts that are assumed in developing the business case and should logically support the answer. Topics not specifically mentioned may be included in the business case and are acceptable so long as they are considered relevant and well explained.

**Specific Points:**

The candidate is instructed to introduce the business case with an Executive Summary, followed by the Analysis section consisting of several specific sections. Each of the following parts should be graded and weighted as follows:

**I. Executive Summary: 10 points maximum**

This section serves as the introduction to the business case. The candidate has been instructed to identify key issues or factors to be resolved in order to achieve

the final result, along with a high level description of the recommended outcome in no more than 2-3 paragraphs. Specific recommendations to resolve the problem should not be listed in this summary. No extra credit is awarded for this section. A sample Executive Summary for this Business Case would be:

Big Clog, Inc. inappropriately manages its informational assets. The company has operated without established proper RIM policies, procedures, and controls. Big Clog, Inc.'s employees lack awareness and understanding of RIM principles, resulting in information not being retained in accordance with retention requirements. Because of this, the Legal department is unable to appropriately respond to discovery requests, resulting in operational inefficiencies and increased financial and reputational risks.

**II. Analysis: 40 points maximum**

This section should deal with the specific problems and issues discovered during the review of the Findings. The proposal should include identification of the problems and recommendations.

**A. Identification of Problems 20 points maximum**

The candidate is to document an assessment of the current state of RIM at BCI. The assessment should identify RIM issues and why they are issues. The candidate may provide the following:

- Absence of technology to manage electronic content: Employees store electronic records and non-record content on file shares and C: Drives, but have not been provided guidance on best practices for creating effective folder structures and naming conventions, resulting in the inability to readily locate information or ensure it is appropriately backed-up.
- Absence of RIM documentation: BCI has no supporting RIM documentation such as policies, procedures, and records retention schedules, resulting in records being under and over-retained as well as a lack of record and information disposition. This leads to excessive costs related to offsite storage and filing equipment, regulatory fines, and unnecessary legal settlements.
- Use of multiple offsite storage vendors: BCI uses 21 different storage vendors across its national operations. This approach prevents BCI from leveraging its negotiating and purchasing capabilities based on each vendor having a small percentage of BCI's total offsite storage volume.
- Lack of RIM awareness and understanding: Employees do not have a concept or awareness of RIM, resulting in widespread inconsistencies in how records and information are managed. Records are being under and over-retained, resulting in information being under and over-retained, the

inability of the Legal department to appropriately respond to discovery requests, operational inefficiencies and increased financial and reputational risks.

- Lack of assigned metadata: Records stored with offsite vendors lack the necessary metadata to identify contents and content date ranges. Electronic records are difficult to locate because of the cryptic folder and file names, resulting in records and information being difficult to identify. This can lead to decreased productivity, increased costs related to physically identifying offsite storage box contents, diminished legal discovery and business decision-making capabilities, and increased regulatory risks.

## **B. Recommendations**

**20 points maximum**

In this section the candidate is to document a proposal for developing and implementing an enterprise RIM program. The proposal should include how to implement and sustain an enterprise RIM program in the absence of a dedicated RIM staff. The candidate may provide the following tasks:

- Determine a program implementation plan: An experienced RIM Manager and CRM is knowledgeable of the effort required to develop and implement an enterprise RIM program in a large, geographically dispersed organization without a dedicated RIM staff. The RIM Manager should conduct a pre-program assessment to understand the organizational leadership and operational structure.

Obtaining an understanding of these elements will assist the RIM Manager in determining the scope of the effort. Also, the RIM Manager should work with the Legal and Compliance departments to determine the company's priorities, concerns, and issues.

Determining this information will help the RIM Manager develop and prioritize a phased approach and overall timeframe for the implementation of the RIM program. For example, this may include a focus on corporate office implementation first, then regional offices.

- Records appraisal: Once the RIM Manager determines the scope and program priority, the RIM Manager should begin the process of conducting record appraisal meetings with the management team of each department as determined by the phased approach schedule. The nature of the meetings is to educate the management team on how to appraise their records; this includes awareness and education of the following:
  - The appraisal includes all media formats, including cloud-based records.
  - Based on the type of record retention schedule to be created, determine if records should be appraised at a record series or functional level.

- Tips on determining “What is a Record” and what is not a record.
  - Event-based records and determining the appropriate trigger events.
  - Determining appropriate operational-need retention periods.
  - How to determine “Office of Record”.
- Record retention schedule: Upon completion of the records appraisal, the RIM Manager should create the record retention schedule from the appraisal responses. Once created, the RIM Manager should submit the schedule to the Legal and Tax departments for review and approval.
- RIM policy: The RIM Manager should develop and publish BCI’s RIM policy. The policy should be simple, concise, relevant, specific and enforceable. Topics listed in the policy may include, but are not limited to the following:
  - Purpose
  - Scope
  - Glossary
  - Auditing
  - Vital records
  - Retention schedule
  - Legal holds
  - Record storage
  - Email
  - Information destruction
  - Contact information

The RIM Manager should submit a draft of the policy to the Internal Audit, Legal, IT, and Compliance departments for review and approval.

After the policy is approved, the RIM Manager should determine the most effective manner of distribution. Methods may include hardcopy, softcopy (email with attachment) or Intranet distribution.

- Records Management Coordinator Program: The RIM Manager should present a proposal to the General Counsel to assign Records Management Coordinators (RMCs) in each corporate department. In the absence of a RIM staff, the RIM Manager will rely heavily on the support of RMCs for the following:
  - Serve as an extension of the RIM department.
  - Communicate and assist with RIM initiatives.
  - Communicate RIM concerns to the RIM Manager.
  - Disseminate RIM communications (tips and training materials).

- Offsite records storage: The RIM Manager should obtain an inventory listing, a copy of the contract(s) and invoices from each of the 21 offsite records storage vendors. The RIM Manager should review the inventory listings to determine, based on the record retention schedule, what records are eligible to be destroyed.
- The RIM Manager should review the destruction eligibility report with the respective department heads, and the Legal and Tax departments. Once approved, the RIM Manager should initiate the destruction process with each vendor.

The RIM Manager should determine the minimal number of offsite record storage vendors needed to serve BCI. After the vendor (or vendors) have been identified, the RIM Manager, and if applicable, in conjunction with BCI's Procurement department should submit a Request for Proposal (RFP) or Request for Quotation (RFQ) to the vendor (or vendors).

Based on vendor responses, the RIM Manager, and if applicable, BCI's Procurement Department should select a vendor (or vendors). Once the selection is made the RIM Manager, and if applicable, BCI's Procurement department should negotiate the elements of the contract. BCI should ensure that the selected vendor (or vendors) agrees to reimburse BCI for all or a portion of the permanent withdrawal fees charged by the existing record storage vendors.

- RIM awareness and training: The RIM Manager should develop a RIM training curriculum to train BCI's employees on RIM fundamentals, which may include:
  - What constitutes a record and the difference between a record and non-record.
  - Understanding the record retention schedule.
  - A review of the RIM policy.
  - Appropriate methods for disposing of information.
  - Legal hold procedures
  - Active and inactive record storage.
  - Email management
  - Filing (physical and electronic)

It is important for the RIM Manager to determine the appropriate amount of training time needed and obtain senior management support. Since BCI is a geographically-dispersed organization, the RIM Manager needs to develop a training plan that identifies when employees will be trained, and which employees are a priority.

Upon completion of the training schedule, the RIM Manager should determine the most cost-effective manner in which to deliver the training.

This may include face-to-face training at the corporate office and webinars or Intranet training for regional and field offices.

- Destruction/Deletion schedule: The RIM Manager should develop a destruction/deletion schedule to ensure that BCI's records and information are disposed of on a regularly scheduled basis and in the normal course of business. The schedule may state that destruction/deletion takes place semi-annually at the corporate office and annually at the regional and field offices. The schedule should be reviewed and approved by the Legal and Tax departments.