Records Management Risk and Program Placement on the UW-Madison Campus

Photo taken: P.Eusch 2011

UW MADISON ARCHIVES AND RECORDS MANAGEMENT

2016
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Introduction

The University's teaching, research, and outreach mission depends upon the effective and efficient management of information assets and resources which are increasingly digital and linked to information technologies. It is important for all employees to realize that, although records can and do exist in a wide variety of storage formats, state and federal laws still apply to how employees manage the records they create through their lifecycle and that they may constitute a public record. Getting this message out can be very difficult in a large decentralized environment such as UW-Madison. This in turn puts the university's information at risk administratively, technologically, and legally.

Current State of the Records Program

The University Records Officer has the responsibility of collaborating and working on a campus wide level with all staff from the executive level down and has the responsibility for the following:

a) Creating and building the university's records retention policies with stakeholders, which are then approved by the Wisconsin Public Records Board four times a year.

b) Consulting with all university stakeholders' campus wide in advising and recommending better ways to manage records and information in all formats through the information lifecycle.

c) Providing communication and training presentations and material for the campus through departmental training and materials on the UW-Madison Records Management website.

d) Creating and developing records management guidance for records management issues campus-wide through the University Records Management Advisory Group (URMAG).

e) Collaborating with campus wide partners on a strategical level, especially in Information Technology, Information Security and Legal Affairs. The Records Officer has standing monthly meetings with Legal Affairs and Information Security and serves on the Data Stewardship Council, IT Policy Planning Team, CCI Data Warehouse Aggregation, University Archives Committee, and chairs the University Records Management Advisory Group which is charged by the Provosts Office.

f) Maintaining and updating the records management database - *Versatile Retention Database*, for management of university records schedules and reporting.

Currently, the university records management program currently consists of one FTE which is the University Records Officer. This position reports to the Director of University Archives and puts the University Records Officer 5 levels deep in the reporting structure in the General Library System. (Appendix 1)

The UW-Madison Records Management Program was informally benchmarked by the University Records Officer in 2016 against ARMA International's *Generally Accepted*

Recordkeeping Principle's Information Governance Maturity Model. This is a high level framework for good record keeping practice using the 8 Principles of *Accountability, Transparency, Integrity, Protection, Compliance, Availability, Retention and Disposition*. There are 5 levels to benchmark against: Level 1 (Sub-standard); Level 2 (In Development); Level 3 (Essential); Level 4 (Proactive) and Level 5 (Transformational). The program scored a 36 of 66 points or a 55% compliance with an overall score at Level 3. Most of the *Principles'* benchmarked a scored at Level 3 (Essential). The lowest score was a Level 2 (In-development) for the Principle of Transparency and the highest score was a Level 5 for Principle of Retention. There is much work to be done in all areas of the program across the university campus with the support and collaboration of the campus community. Another standard which the records management program should be benchmarked against is ISO Standard 15489 for Records Management Programs. (Appendix 2)

Risks Associated with Management of University Records

To meet the challenges of delivering a campus wide records management program, strong record management practices should be widely deployed, and widely used, and address institutional records management challenges through a risk-based approach to determine the areas and level of records management risk to the university. According to ARMA *Int'l Guideline: Evaluating and Mitigating Information Risk*, the risks associated with university records can be divided out into 4 types. (Appendix 3)

1. **Record Legal and Regulatory Risk**:
    There are inherent risks in not meeting our obligations to maintain records in accordance with required laws (State and Federal) and for litigation readiness. An example would be where someone was suing the university. When there is the potential for litigation or ongoing litigation, the related records schedule should be suspended and the associated records held. This process should be completed through a records hold process to properly identify records related to the suit or request to prevent spoliation. Paper and electronic records should be organized and easily accessible or retrievable and demonstrate a chain of custody or the university could potentially lose the suit or damage the institutional reputation. Currently there are no formal systems in place to ensure that onsite disposition is occurring per the records retention schedules or a formal process for instituting a legal hold process or hold for public records request or audit.

2. **Record Technology Risk:**
    There are many technology risks which may impact the management of records to meet university obligations to ensure that records are accessible, retrievable and in a readable format. An example of this risk would be each time data it is handled when a system is decommissioned or data migration takes place to new software or with a software integration. There is always the risk of data loss or the loss of data integrity and retention schedules not being met. There is also risk to information in systems where records are stored long-term (more than 10 years), and the associated risks of not deleting records in the normal course of business which also ties back to legal risk to the university.

3. **Record Control Risk:**
    There is a potential risk of the loss of information when files are not properly classified and named. There are many repositories for records in both electronic and paper formats with little or no records management principles applied. This would tend to lead to an increased risk to the university in not being able identify, document or have systematic controls in place. There is also a very high risk of losing historically significant records which document the decision making on campus and should be transferred to the University Archives. This risk also ties back up into to the legal risk and not being able to produce records in a suit or litigation.

4. **Administrative Records Risk:**
    Administrative risk is posed though the inability to reach all campus communities to provide for regular and consistent institutional communication and training for employees on their responsibility for the records that they create, manage, store and dispose of. Because of the decentralized nature of the campus, departments/units should have accountability and transparency for the management of records documented through the use of a file plan. There is also administrative risk that departments/units have not adequately identified institutionally vital records for Disaster Recovery and Business Continuity in resuming business after a disaster. These records would be identified through a Records Management Analysis and incorporated into COOP Plans and retention schedules.

UW-Madison Records Management Placement

Due to these records management risks and the changing records landscape a discussion was begun by the University Records Management Advisory Group (URMAG) last spring to evaluate if there was a more appropriate campus placement for the Records Management Program. In 2014, the University Records Officer had sent out a 21 question survey to approximately 27 other University Records Management programs through the University and Colleges Networking Group. The results of Question #8 surveyed about reporting structure and demonstrated that although there are still many universities and colleges where the program is housed in the Archives, the trend is towards moving and assessing other functional areas to house Records Management Programs. (Appendix 2). The top functional areas were Archives, Legal Compliance, Business, CIO and Information Security. Based off this information and some other more recent informal surveys completed through email by the University and Colleges Records Management Networking Group, it was decided that discussions should take place to explore a potential more suitable place for the UW-Madison Records Management Program in order to:

1. Promote higher visibility of the RIM Program campus wide.

2. Evaluate for a better fit and the ability to carry out the mission of the program long term, with the question being, if the program were moved under another university office, would this inhibit or derail the work that needs to be done over the long term?

The functional areas that were discussed for the UW-Madison RIM Program with pros and cons were:

Office of the CIO – Information and Security Office reporting to the CISO
Pro:
- Compatibility of the Records Program with the Unit's missions of Access, Security and Protection
- Ability to integrate records management and the records schedules in with IT initiatives for electronic record systems and technologies
- A regulatory and compliance role at a campus wide level
- Resource for both technical and administrative support to the Records Management program

Con:
- Could lead to a IT spin on the program and less independence and support for other parts of records management and compliance

GLS – Director of Special Collections and Archives
Another option would be to change reporting structure from the Director of University Archives to the Director of Special Collections and Archives.
Pro:
- Still at the same reporting level instead of one more level down.

Con:
- The program would still encounter the same visibility campus wide.

Office of Legal Affairs – Office of Compliance reporting to the Director of Compliance
Pro:
- A new department covering Open Records, EEOC, HIPAA, and Athletic Compliance
- Public Records Custodian under the unit already
- A regulatory and compliance role at a campus wide level
- Close proximity to legal in working on record retention schedules

Con:
- Other compliance areas overtake and shadow the support for records management program

In September the Vice Provost of the Libraries approached the department on behalf of the University Records Management Program. The Office of Legal Affairs – Compliance is a new department and it has declined at this time to take the Records Management Program.

Conclusion

There are many facets to a records management program that bring information value and reduce risk to the UW-Madison campus through records management best practices. The program has limited visibility on the campus with its stakeholders and upper level management. The goal is to reach all areas of the campus community where an organized workplace is more conducive to creating new ideas and improved efficiencies. Finding the best fit and placement for the University Records Management Program will enhance the reach of the program, improve visibility and compliance. It will also provide increased support for the program long-term in addition to expanding its consulting, partnering, and training roles to meet the demands of new recordkeeping systems, while continuing to do its traditional work.

Appendix 1. UW-Madison Program
Appendix 2. Survey Question #8 and the Generally Accepted Recordkeeping Principles Informal Benchmark
Appendix 3. ARMA Int'l Guideline: Evaluating and Mitigating Information Risk. 2009

UW-Madison Records Management Program

2016

Provost's Office

General Library System Vice Provost for the Library (GLS)

Associate University Librarian for Collections and Research Services

Director of Special Collections & the Archives

Director of University Archives

Public Records Board

(University Retention Schedules)

WI **STAT: 16.61(4)**

Univesity Records Officer
UW-Madison Records Management Program

URMAG (University Rec. Mgt. Advisory Group) Campus RIM Strategy and Guidance and Best Practices

UW Board of Regents Policy 3-2 Public Records Management Program

Campus Partnership with CIO, CISO, CDO, Legal Affairs, Risk Mgt, Compliance other Campus Entities

Liaison

State Records Center-SRC
(Off-site Storage)

University of Wisconsin-Madison

8 Generally Accepted Recordkeeping Principles
Accountability, Transparency, Integrity, Protection, Compliance, Availability, Retention, Disposition
Endorsed by URMAG in 2010

The University Records Management Advisory Group - URMAG

The University Records Management Advisory Group (URMAG) is a broadly representative body tasked by the Provost's Office to provide direction and support for the University Records Management program.

The URMAG is comprised of UW-Madison employees from different divisions on campus, including Office of Legal Affairs, Records Management, University Archives, Graduate School, Enrollment Management, School of Medicine & Public Health (SMPH), CIO, Risk Management, GLS-Research Data Services and the Provost's Office.

The URMAG's role is to offer policy and guidance on records management issues for the UW-Madison campus.

In 2007, Provost Farrell approved the restructuring of the URMAG to include a diverse membership and expanded the mission to ensure a more collaborative and systematic approach to records management on campus. The Charge and Mission were also reaffirmed in 2010 with Provost DeLuca and in 2016 with Provost Sarah Mangelsdorf.

8 Principle's: **URMAG endorsed the Generally Accepted Recordkeeping Principles in 2010.**

"*The Principles*" **are a best practice in the creation, organization, security, maintenance and management used to effectively support the recordkeeping of the university.**

Records Management Program Goals

- Maintain effective and consistent recordkeeping practices in accordance with the 8 Generally Accepted Recordkeeping Principles Best Practices, ISO 15489-1: 2001 Standards and WI Records Laws.
- Reduce risk in management of university information assets in any format or media.
- Expedite Disposition through consistent use of the university's records retention schedules within the normal course of business.
- Connect and provide records management training to the campus community in a wide variety of formats.

Digital Records Technology Risks

- Long-term Preservation of Digital Assets in electronic systems for more than 10 years.
- New Software Applications & Lack of Retention
- Management of structured and unstructured information in Databases, Data Warehouses and Content Management Systems.
- Document Imaging and compliance with public records laws – Adm. Rule 12 Electronic Records
- Digital preservation and loss of UW-Madison history.

Records Management and Risk and Information Governance

Peg Eusch, CRM UW-Madison Records Officer

Records Risk – Administrative Risk

Information Governance:
- **Management Commitment** –
- **RIM Personnel**
- **Advisory Committee**
- **RIM Policies and Procedures**
- **Training –Employee Responsibilities**
- **Compliance monitoring/Data Analytics**

Change Management:
- **Communication and Training**

Emergency Management:
- **Disaster Prevention and Preparedness**
- **Vital Records**

Records Risk – Technology Risks

Information Security:
- **Information Loss/Protection Program**
- **Access Controls and Confidentiality Requirements**

Electronic Communications:
- **Approved E-Communications Methods**
- **Secure Transmissions**
- **Content Management:**
  - Software Applications
  - Software Integration
- **System Decommissioning:**
  - Application Decommissioning
  - Server Decommissioning
  - Non-functional requirements
  - Information Attributes

Records Risk - Record Control Risks

Records Classification:
- **Classification/ Taxonomies/ File Structures**- creation of good file structures to locate and identify records/data.
- **Metadata** – Creation of standard metadata to capture.
- **Naming Conventions**- Uniform naming to enhance access to information to avoid lost records/data

Records Retention and Disposition:
- **Record Retention Schedule**- Consistent and defensible disposition.
- **Management of retention in 3rd party Vendors** – conducting periodic audits of vendors to ensure that they are adhering to contract.

Archival/Historical: Losing historical records which demonstrate and embody the mission and history of the University.

Records Storage:
- **Media Evaluation**-Understanding the types of media/org records needs.
- **Media Migration**- how long does data need to be kept?
- **Disposal** – Disposal according to University Schedules

Records Risk – Legal and Regulatory Risk

Updating regulations: Constantly updating new laws and regulations which affect the management of records. IE: Wi Stat 16.61 & Wi Stat 19.32 and Wi Adm. Rule 12 and State and Fed regulations impacting all areas such as HR, Fiscal, FERPA, HIPAA, and Research related Laws.

Privacy Protection: Capture, Access, Retention, Location and impact on discovery.

Litigation Readiness:
- **Assessment**- Rec Policy, Hold Policy, Data Maps, Collection and organization, auditing and monitoring
- **Litigation Response Plan-** roles/responsibilities, RIM Policies/proc. Data Map and compliance auditing.

Appendix 1

8. What functional area does the "Records Manager" position report to?

#	Answer		Response	%
1	Archives		12	46%
2	Legal		2	8%
3	CIO- Chief Information Officer		1	4%
4	Information Security		1	4%
5	Business/Finance		7	27%
6	Risk Management		0	0%
7	Other: please specify		3	12%
	Total		26	100%

Informal Benchmark from the ARMA Generally Accepted Recordkeeping Principles Maturity model

Level 1: Sub-standard	Recordkeeping concerns are either not addressed at all, or are addressed in a very ad hoc manner. Organizations should be concerned that their programs will not meet legal or regulatory scrutiny.
Level 2: In Development	There is a developing recognition that recordkeeping has an impact on the organization, and that the organization may benefit from a more defined information governance program. However, in Level 2, the organization is still vulnerable to legal or regulatory scrutiny since practices are ill-defined and still largely ad hoc in nature.
Level 3: Essential	Essential or minimum requirements are being addressed in order to meet the organization's legal and regulatory requirements. Level 3 is characterized by defined policies and procedures, and more specific decisions taken to improve recordkeeping. However, organizations that identify primarily with Level 3 descriptions may still be missing significant opportunities for streamlining business and controlling costs.
Level 4: Proactive	Information governance program improvements are being initiated throughout the organization's business operations. Information governance issues and considerations are integrated into business decisions on a routine basis, and the organization easily meets its legal and regulatory requirements. Organizations that identify primarily with these descriptions should begin to consider the business benefits of information availability in transforming their organizations globally.
Level 5: Transformational	Information governance is integrated into its overall corporate infrastructure and business processes to such an extent that compliance with the program requirements is routine. These organizations have recognized that effective information governance plays a critical role in cost containment, competitive advantage, and client service.

Appendix 1

score is 36 of of 66 or 55% and compliance level is 3

Principles Thermometer
How is Your Health?
Find out here!

Outpatient at Last

Principles Report Card

Based on your answers to the quiz, here's how your organization rates for Principles compliance.

Your total Principles score is	36 of 66 or	55%	and this places you at compliance level	3
Your Accountability score is	5 of 11 or	45%	and this places you at compliance level	3
Your Integrity score is	3 of 5 or	60%	and this places you at compliance level	3
Your Protection score is	6 of 11 or	55%	and this places you at compliance level	3
Your Compliance score is	3 of 7 or	43%	and this places you at compliance level	3
Your Availability score is	6 of 10 or	60%	and this places you at compliance level	3
Your Retention score is	7 of 8 or	88%	and this places you at compliance level	5
Your Disposition score is	4 of 7 or	57%	and this places you at compliance level	3
Your Transparency score is	2 of 7 or	29%	and this places you at compliance level	2

About ARMA International and the Generally Accepted Recordkeeping Principles ®

ARMA International (www.arma.org) is a not-for-profit professional association and the authority on managing records and information. Formed in 1955, ARMA International is the oldest and largest association for the information management profession with a current international membership of more than 10,000. It provides education, publications, and information on the efficient maintenance, retrieval, and preservation of vital information created in public and private organizations in all sectors of the economy. It also publishes Information Management magazine, and the Generally Accepted Recordkeeping Principles ® (Principles). More information about the Principles can be found at www.arma.org/principles.