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SI 655
Management of Electronic Records

Week 11 – April 6, 2009

Records and Accountability Environments:

Corporate Sector

Final Session – Week 13: April 20

- Course summary
- Course Project discussion
  - Investigate environment for accountability
    - laws, rules, regulations, and/or policies that were broken or are alleged to have been broken.
  - Identify consequences of inadequate rk for
    - Principals directly involved in the case,
    - Victims of the failure of recordkeeping systems
    - Public at large
  - Identify potentiality for rk mitigation via
    - Policies
    - Technologies
    - Tools
    - Best practices

OUTLINE

- Problem Solving Exercise (due today)

- Recordkeeping and Accountability Environments:
  - Corporate Sector

Problem Solving Assignment 1...

- Scenario 1: Large local real estate agency
  - compliance of ER with RKR (legal, audit)
  - data mining for patterns and trends
  - address
    - legal, policy, technical issues
    - organizational stakeholders
    - models / best practices

- Scenario 2: University Library
  - long term preservation of an IR
  - address
    - organizational stakeholders
    - most important issues
    - models / standards / best practices
  - define scope and responsibility and process for plan

Problem Solving Assignment 2...

- Scenario 3: Large Hospital System
  - migration of electronic patient records to new system with anticipated lifespan of 10 years
  - develop retention plan
    - Identify most important requirements for RK and long term preservation (longer than 10 years)
    - Define issue, explain importance, provide recommendations / options

IT in the Corporate Environment

- Affordances?
- Advantages?
- Accountability Risks?

- Opportunities for ERK/ERM?
  – Connections to course project
  – Exploring the Enron email dataset http://www.cs.cmu.edu/~enron/

U.S. Legal and Political Context

- Goal: restore faith (trust) in financial markets
- Means: Act of Congress (easy to change / revoke)
- Methods: Record-based compliance

Sarbanes-Oxley Act (2002) 1...

- Expands
  - SEC filings
  - EDGAR System
  - Types of Transactions that have to be reported
  - Public Access to Filings
  - Penalties for records destruction
- RK implications
  - Capture / Retention / Preservation management
  - Chains of custody
  - NASD regulations (e-communications with clients)   (Lansing & Grgurich)

Sarbanes-Oxley Act (2002) 2...

- Changes
  - Composition of Oversight Boards
  - Paper to Electronic SEC Filings
  - Timeliness of Filings
- Responsibility
  - CEO and CFO cannot delegate responsibility for certification
  - Increased penalties for violation

(Lansing & Grgurich)

Compliance

- Internal **controls**
- Compliance generally consists of three activities:
  - persuasion,
  - monitoring and
  - enforcement   (Archives New Zealand 2001)

- Performance of policies, procedures, RK, technologies, training, audit
- Compliance Tools
  - performance reporting; incident reports; self-assessment; external audits; inspections
- Cohasset/AIIM/ARMA 2007 survey revisited

Ex: ISO 17799 (IT – code of practice for information security management)

- A.5   Asset classification and control
- A.8   Communications and operations management
- A.9   Access control
- A.10 Systems development and maintenance
- A.11 Business continuity management
- A.12 Compliance

Contributory to SOX compliance

Ex. Computer Forensics

- Critical resource for law enforcement, auditing, Fortune 100 companies
- Uses: assist investigations > computer evidence; discovery; intrusion detection; recovery of temporary and deleted files
- Tool:
  - Enterprise Response, Auditing, and Discovery (ERD)
    - Noninvasive disk imaging on any disk connected to network
    - Noninvasive KW search and retrieval across network
    - Noninvasive audit and compliance checking re: usage policies via KW search and retrieval

                                        (Patzakis)

Implications for Electronic Records

- Increased awareness of recordkeeping requirements in publicly traded companies

- Increased market for ERM systems

- Jobs for analysts, designers, auditors, and trainers for implementation

- Impact on corporate behavior remains to be seen

Context/Environments

- Context is important
  - Legal/Policy
  - Organizational
  - Functional
  - Technological

Organizational Environment

- Structural
  - Stable hierarchy
  - Laissez-faire
  - Distributed, collaborative, "emergent"
- Cultural
  - Rule-bound / compliant
  - Process / production oriented
  - Innovative, dynamic, re-configurable

Cultural Issues

- Jamaican Bank failures vs. US accounting scandals
- Jamaican Banking RK issues:
  - Missing, incomplete, untrustworthy and inaccurate records
    - damaged operational control (financial management, loan and deposit, risk, fraud)
- US Accounting RK issues
  - Incident reporting; improper destruction; mismanaged retention; falsification...
- Institutional vs. personal motivations
  - Many motivations for alternative / compliant RK reinforces need for control systems
  - Sociotechnical environment: usable........perfect records

(Lemieux)