

INSIGHTS ON RECORDS MANAGEMENT CHALLENGES WHILE WORKING REMOTELY

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1 CONTEXT

The Covid-19 pandemic is a driver of changes in business processes as well as in records and information management processes. While working remotely is not a new thing, the pandemic has extended the need and implementation of this mode of working, putting on the table some considerations regarding records management practices.

Most impacted are the institutions and organizations that were stuck with paper-oriented, highly centralized processes. In these cases, some record processes could be difficult to maintain while working remotely. In the remote working environment, it is still possible to work according to paper-based processes but can be impractical and expensive.

Practical experience of doing business during Covid-19 pandemic has shown that although security and business risks of working remotely are real, they are not as severe as they were thought to be and can be mitigated. At the same time working remotely offers several opportunities that potentially offset the risks.

2 PURPOSE

The purpose of this White Paper is to provide insights on records management challenges (and ways to address them) that organizations are facing as business is increasingly conducted independent of time, place and device. It draws from standards and other products of TC46 SC 11 - Archives and Records Management to illustrate possible approaches to managing records and information as knowledge work becomes more decentralized to remote locations. The paper explores areas of concern and highlight issues such as distributed records and information in collaboration tools, security of records systems and documentation of online meetings.

3 NEW APPROACHES: WHAT CAN BE DONE?

Possible legal, organizational and technical means and approaches are numerous, and there are no “one size fits all” solutions. Select an approach and solution that suits the specific needs and obligations of the organization, and preferably fits in organizational modernization and digital transformation strategies is the only way to tackle the challenge.

Organizations that have implemented ISO management standards, as ISO 30301 Management System for records, can find support for this transformation in the implemented processes to fulfil the requirements of the continual improvement cycle, the risk approach, and the leadership commitment.

For all organizations in the process for implementing a new approach and solutions these recommendations from ISO TC 46/SC11 products are highlighted:

- Top management's Persistent commitment and support is needed (ISO 15489:2016-6, ISO 30301: 2019, and ISO 30302, 5)
- Collaboration-related risks, benefits and cost analysis of the current and possible future organizational context (ISO TR 18128);
- Collaboration goals and priorities, strategy, policies and procedures (both general and technology/activity specific) and the collaboration tools and the scope of their application, including responsibilities for records processes;
- Employees are trained and officially acknowledge their new or changed rights, obligations and responsibilities;
- Adequate documentation of compliance;
- Effectiveness and efficiency analysis.

4 RECORDS AND INFORMATION IN COLLABORATION TOOLS

In terms of collaboration, two key aspects of conducting business are:

- Internal collaboration between the organization's personnel, and
- Collaboration with external stakeholders.

When working remotely, the way information is exchanged as part of the collaboration process, can change. This can affect the records processes as they are described in ISO 15489-1. These processes include the following:

- creating records;
- capturing records;
- classification and indexing;
- access control;
- storing records;
- use and reuse;
- migration or conversion;
- disposition.

There are numerous technologies for cooperation and collective working, both free and commercial, open-source and proprietary, with various levels of assurance of security, reliability and business continuity, with and without centralized organizational control and oversight.

Most of the existing tools are quite user-friendly and convenient in supporting operative activities. These tools usually provide some support for documenting collaboration activities but can't enforce it. Documenting becomes a real challenge when different collaboration tools are used simultaneously by the same parties. Very few tools provide functionalities for classification, appraisal, proper retention and disposition or long-term preservation activities.

When working remotely, employees can be less motivated to create and maintain proper documentation of their activities, or to share it with their colleagues. In the absence of the continuous monitoring and oversight, the

employees could fail to create the records at all, or to retain and preserve them and make them accessible as a corporate resource.

In these cases, organizations need to reformulate records policies, processes and systems providing employees with clear instructions, advice, and support. When transition to working remotely is fast and extensive, provisional measures and instructions can be taken, but without forgetting the opportunity of improvement of records management practices accordingly.

ISO TC 46/SC 11 products provide organizations with tools to make the transition to working remotely. ISO 15489-1: 2016 and ISO ISO/TR 21946:2018, define appraisal as a recurrent “process to evaluate business activities to determine which records need to be created and captured and how long the records need to be kept. Appraisal should be repeated as the circumstances of the business activity and risk factors change”. The transition to working remotely and the generalized use of collaboration tools could be a driver to revisiting appraisal, starting with the most affected business processes.

In this appraisal process key points to consider includes:

- Responsibilities and liabilities of the employees,
- Responsibilities and liabilities of the organization for the employees’ actions, including those done in the context of collaboration with external parties or within the organization;
- Legal and regulatory compliance, including privacy and confidentiality protection, ensuring transparency and accountability of decision-making, ensuring convenient and timely access of the clients to services etc.
- Compliance with business, societal and other obligations,
- Respecting the corporate ownership of records.

5 SECURITY OF RECORDS SYSTEMS

Some of the key elements in the transition to working remotely are the records systems which support the record management practices. ISO 15489:2016 establishes that “records systems comprise a number of elements that are combined so that identified records requirements can be met within a given business environment”.

One of the characteristics of a record system is to be secure. The new environment can affect the vision on how to design and implement records systems in an efficient and secure way. Advice for requirements and implementation of records systems can be found in ISO 16175 parts 1 and 2.

From the organization point of view, factors to consider are:

- Records systems highly protected and inaccessible from outside of the organization network need to be redesigned to allow people to create, capture and access records needed in the regular course of business;
- The collaboration tools widely used in a completely remote working scenario need to be integrated as a source of records which need to be managed over time. The security measures implemented to guarantee identification of the persons in such collaboration platforms need to be linked with the records systems maintaining coherence and records confidentiality when needed;

- Records management embedded in business processes and systems.

Products of ISO TC 46/SC11 support this evolution specially when record systems could be business systems which include records (ISO 16175: 2020) or extend the concept of appraisal to the analysis to be done before the records creation (ISO 15489:2016 and ISO TR 21946: 2019)

Policies, procedures and guidelines taking into account the new environment, need to be developed, implemented or explained. Guidelines and instructions for the transition period are especially helpful when different practices are used at same time.

Regarding the security some of the basic questions to be addressed in these guidelines are:

- Identify the approved methods to working remotely (i.e. working on organization-supplied laptop computers, using a Virtual Private Network, electronic messaging work to and from the work site, collaboration tools, etc.).
- Reinforce the awareness of the importance of maintaining adequate security measures in a remote working environment.
- Prevent unauthorized, unwarranted by business needs or excessively long retention of records in personal computers, other personal devices or portable storage media reducing information security risks and avoiding multiple copies.
- Take care of filing information/records in secure environments where they can be retrieved when needed.
- Identify the accepted methods for electronic signatures.
- Identify, implement or communicate policies covering printing, retention and disposition of the convenience copies of the records at home; and ensure awareness and compliance of the remotely working personnel.

6 DOCUMENTATION OF ONLINE MEETINGS

The shift to virtual meetings for all organizations is a new phenomenon even if virtual meetings as such are not new. This creates new ways of documenting meetings.

There is an important difference between virtual meetings and face-to-face meetings, which is the possibility of comprehensively recording the meetings digitally. Most virtual meeting applications provide functionality for capturing the content (including chat, images, reactions etc.) of the meetings.

There are legal, regulatory and business requirements that require documentation of decision-making processes, including meetings. "To determine what, when and how records are created and captured for each business process, the organization should perform an analysis of business processes in a systematic way." (30302 8.2). Decisions on how to document the meetings are made by the appraisal process depending on, for example, the importance of the meeting. "Records requirements are context-dependent, meaning that similar or identical work processes may have different records requirements depending on the nature of the business they document. (15489, 7.4). The result of the appraisal is documented in approved policies or procedures.

The need for documentation of online meetings is the same as for face-to-face meetings. Generally there are at least agenda, minutes and decisions from the meeting. Minutes or recordings of the meeting provide all the necessary context and content e.g. time, date, place, identities of convenors and participants, existence of quorum, approval of the agenda, key discussion points, voting results and the decisions made etc. Making minutes

or recordings of the meeting is just a first step. In the decision-making processes, draft minutes are sometimes sent to the participants for their sign-off, then signed by the authorized person and captured in the records system along with the supporting material. As with face-to-face meetings, proper documentation of the meeting, depending on the context, could also include preliminary materials, invitations and confirmations of participation, the materials disseminated to the participants after the meeting, etc. It might be useful to create a case file covering all the aspects of the preparations, the meeting itself and possibly of some follow-up activities.

In some jurisdictions it could be necessary to keep a recording of the online meeting to avoid risk of litigation. Mandates on recording of face-to-face meetings, if they exist, are applicable also to recording of online meetings.

Organizational requirements related to the issues discussed, records management requirements and records requirements, including retention periods are part of the appraisal process. “Records requirements are based on an analysis of business activity and its context (see 7.3), and are derived from ...business needs, legal and regulatory requirements and community or societal expectations.” (15489 7.4). According to ISO/TR 21946 legal issues, such as privacy, are part of the appraisal process. Special attention is required when audio—visual recordings of the meetings are made. In some jurisdictions explicit consent is required for processing of personal data (e.g. photo, video or audio).

It can be tempting to avoid manual minute-taking and only use audio—visual recordings as an easier way to document the meeting. The recordings could complement and sometimes replace manually taken minutes. The organizations could also consider possibilities of the innovative technologies such as, automatic speech recognition and biometric identification to document the meeting.

There is also a possibility of independent recording of the meeting by the individual participants, and a risk of subsequent uncontrolled dissemination of the information in full or in part via various channels, including social networks. Where such self-documenting is allowed, the participants must be encouraged to respect confidentiality and privacy, to comply with the organizations retention periods and to dispose of the recorded material in a timely and secure manner.

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