Chapter 12
Navigating the Legal Landscape of Information Governance

Hemendra Singh

O.P. Jindal Global University, India

ABSTRACT

There has been a massive increase in information volume in the modern business environment. This means that it has become very important to understand the complex relationship between information governance and the legal framework. This chapter aims to explore the various dimensions that define this intersection. It provides a comprehensive examination of general data protection regulation as a global legal framework for information governance. It also examines sector specific regulations, legal implications of information management and real-world cases to see how organizations can proactively address the legal dimensions of information governance. By exploring different dimensions of this intersection, this chapter serves as a strategic guide for organizations that want to strengthen their information governance frameworks.

INTRODUCTION

Ensuring proper governance of information has become vital for an organization's success within an evolving commercial landscape. The abundance and intricacy of information have been continuously rising each day and corporations must manoeuvre an intricate legal structure influencing how they address and protect sensitive material. This chapter offers an exhaustive review of the delicate connection between information governance and the legal framework. This shall act as a useful manual for companies searching to develop their information governance structure in accordance with legal standards.

The development of information governance within legal frameworks has been a constantly changing process, shaped by technological advancements and regulatory initiatives. It has come a long way from its origins in paper-based records management to the present era of digitalization. Initially, laws and regulations provided fundamental guidance for record-keeping practices, but the rise of computers and the internet demanded more comprehensive frameworks to manage electronic data and privacy concerns. The creation of extensive data protection laws signifies a growing recognition of the importance

of safeguarding personal data in the digital age. As technology continues to evolve, legal frameworks for information governance will need to adapt to address emerging challenges and ensure compliance with evolving regulatory standards (Smallwood, 2019).

It is imperative for businesses globally to comprehend the legal framework not solely for regulatory necessities but as a strategic importance (Tanaka, 2019). One of the most substantial legislations regarding this is the General Data Protection Regulation (GDPR). It has substantially transformed the approach to information protection across the world. The initial segment of this chapter delves into the subtleties of GDPR including its principles, results and its profound effect on information governance practices. By having a clear comprehension of GDPR, organizations can guarantee consistency with the legal framework and practice responsible and moral information administration practices.

The next part of the chapter delves deeper and centres around how information governance connects to regulations particular to certain fields. Industries for example healthcare, financial services, technology, and communications work inside unique legal structures, each with their own set of obstacles and demands to comply with. By understanding these industry-specific regulations, companies can customize their information governance approaches to synchronize with sector benchmarks, decrease hazards, and guarantee a strong legal position.

Third portion of the chapter delves deeply into the intricate legal issues regarding information maintenance and storage, concentrating on e-discovery and legal holds. Since electronic information can considerably affect legal matters, it is extremely important for companies to understand the lawful consequences of managing information. This segment provides useful understandings to assist companies in navigating e-discovery procedures and legal holds, guaranteeing they satisfy their lawful duties.

To strengthen theoretical concepts with practical real-world situations, the final section of the chapter draws inspiration from genuine legal disputes. By studying high-profile cases such as Zubulake, Equifax, and Anthem Inc, we investigate the difficulties companies face in their information governance endeavours. These case studies function as warning signs and useful sources of insights gathered, assisting organizations in building sturdy information governance structures that can withstand legal examination.

Essentially, this chapter is a guide for organizations that want to stay ahead and take care of the legal aspects of managing their information. It looks at GDPR, specific rules for different sectors, the legal aspect of handling information, and examples from the real world. This will help businesses to not just meet but even stay ready for the changing legal requirements of our digital world. Existing literature often provides general overviews of information governance principles but lacks an in-depth exploration of specific legal issues that organizations face. This chapter aims to fill these gaps by providing a comprehensive analysis of the legal framework surrounding information governance.

LEGAL FRAMEWORK OF INFORMATION GOVERNANCE

The General Data Protection Regulation constitutes a pivotal framework devised to protect personal privacy in today's persistently transforming digital sphere. This regulation was presented by the European Union in 2018 and signifies a fundamental shift in how individual's information is dealt with. The GDPR responds to the complications posed by emerging technologies and strives to confirm that individuals' information is safeguarded.

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