



Best Practices for Building & Enforcing Global Retention Schedules

Wednesday, 13 March

08:00-09:00 PST

11:00-12:00 EST

17:00-18:00 CET

Welcome!



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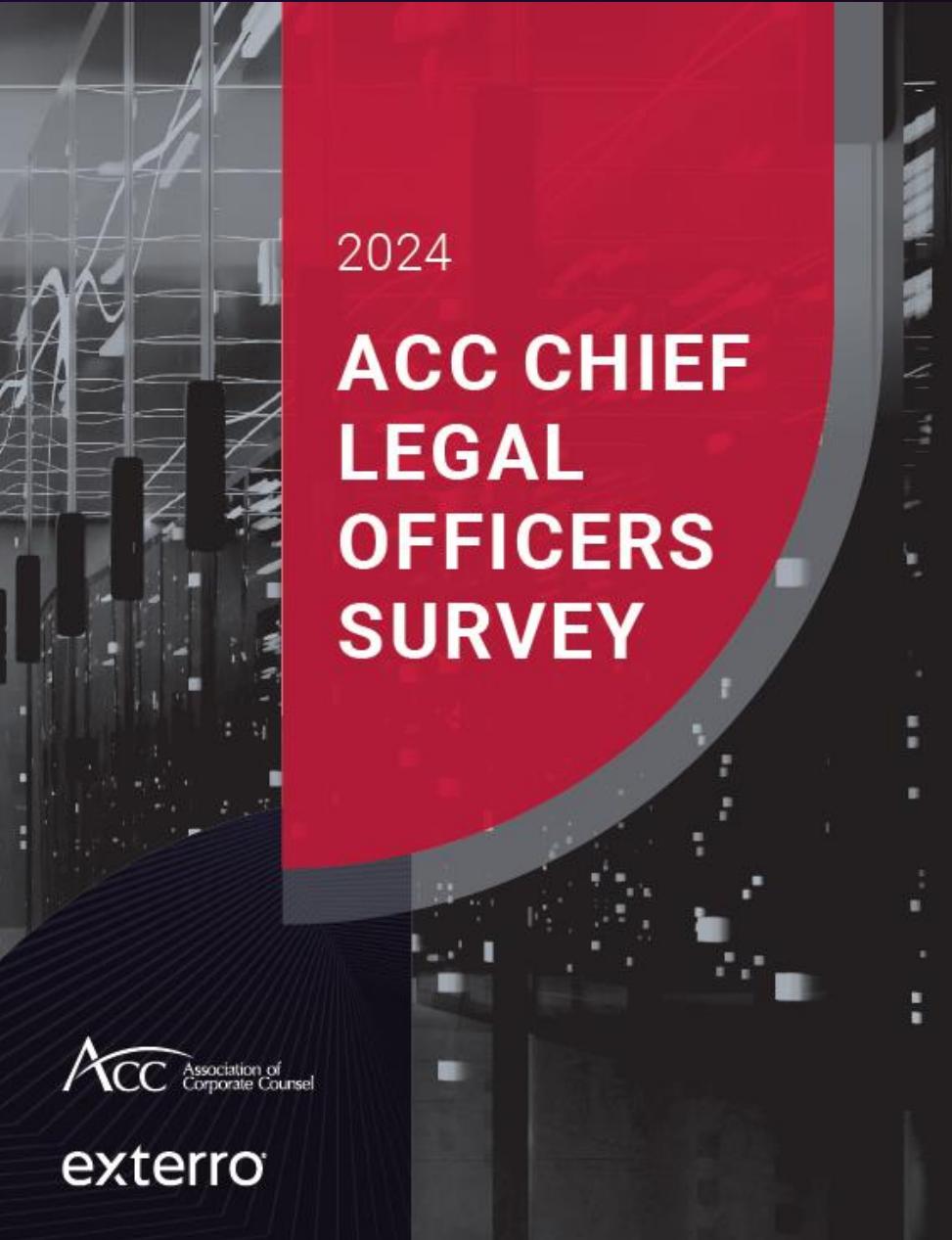


Today's Agenda

1. Importance of Tackling the Over-Retention of Data
(Key Findings from the 2024 ACC Chief Legal Officers Report)
2. 4 Keys to Building an Actionable Global Retention & Deletion Strategy
3. Deliver Value Across Your Organization



The Importance of Developing Actionable Global Retention Schedules



2024

ACC CHIEF LEGAL OFFICERS SURVEY

ACC
Association of
Corporate Counsel

exterro

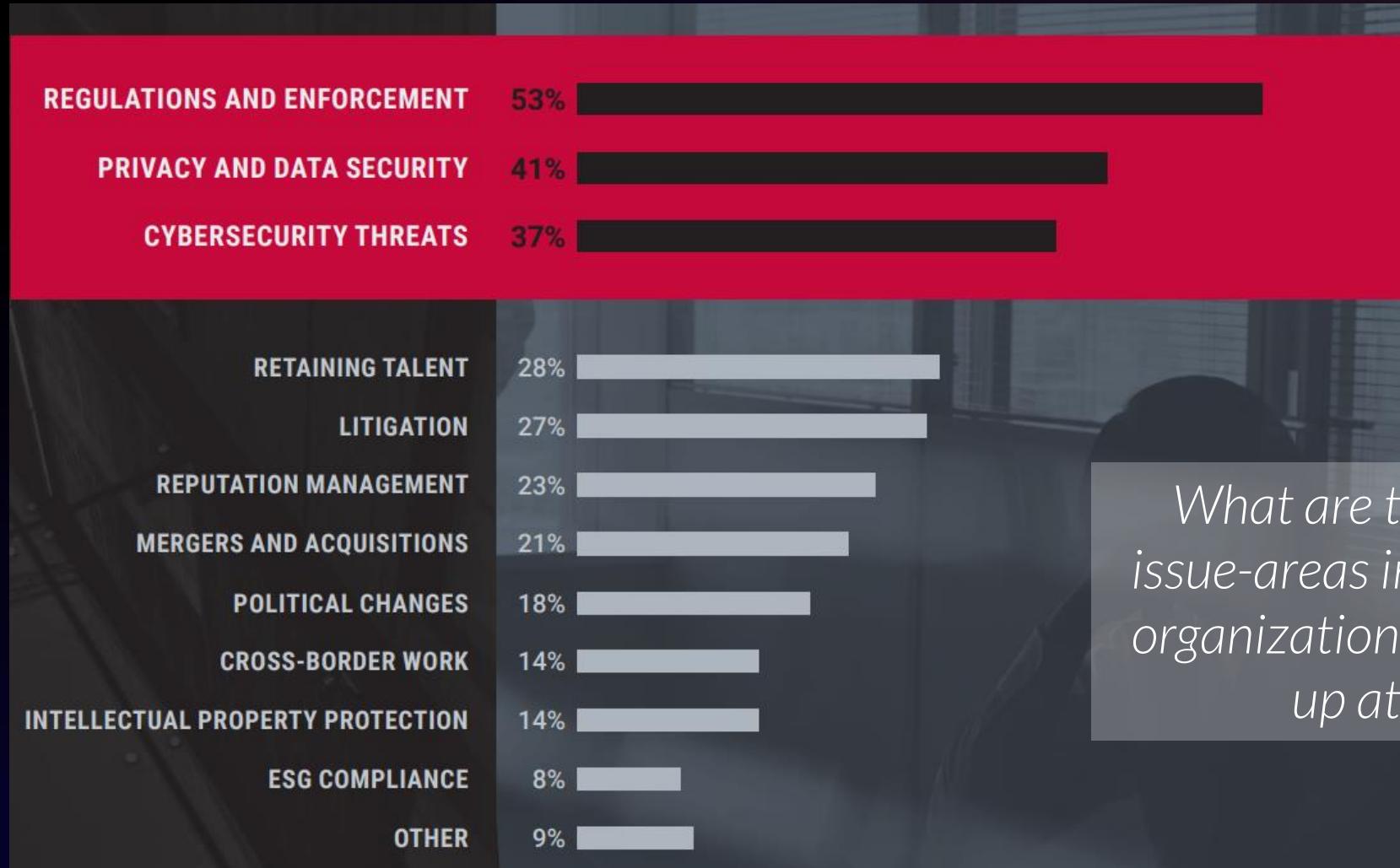
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669 Chief Legal Officers/General Counsel

Across 20 Industries

31 Countries

Most Important Issues to CLOs Revolve Around Data Risks

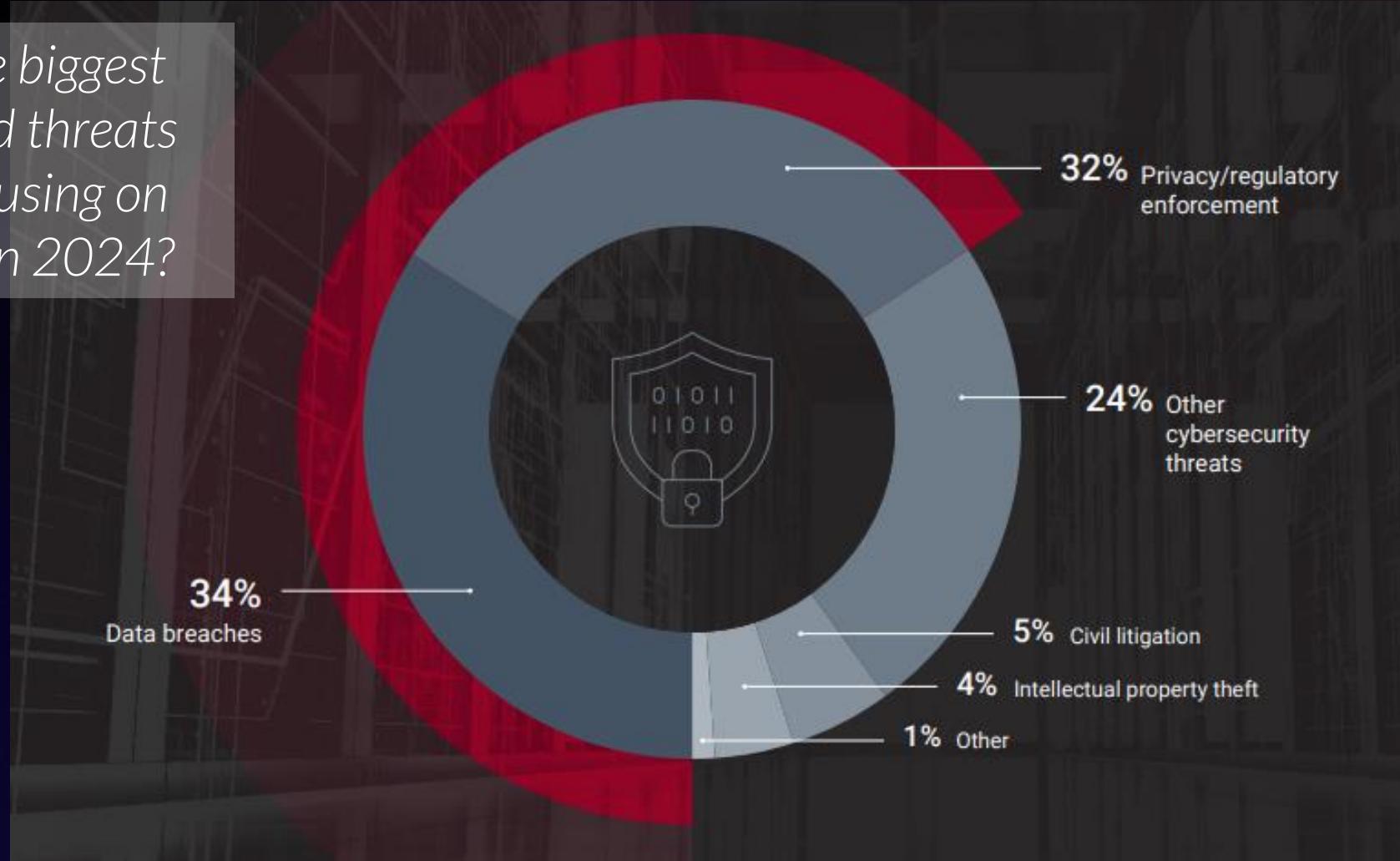


What are the top three issue-areas impacting your organization that keep you up at night?



CLOs Focused on Mitigating Breaches & Privacy Enforcement Actions

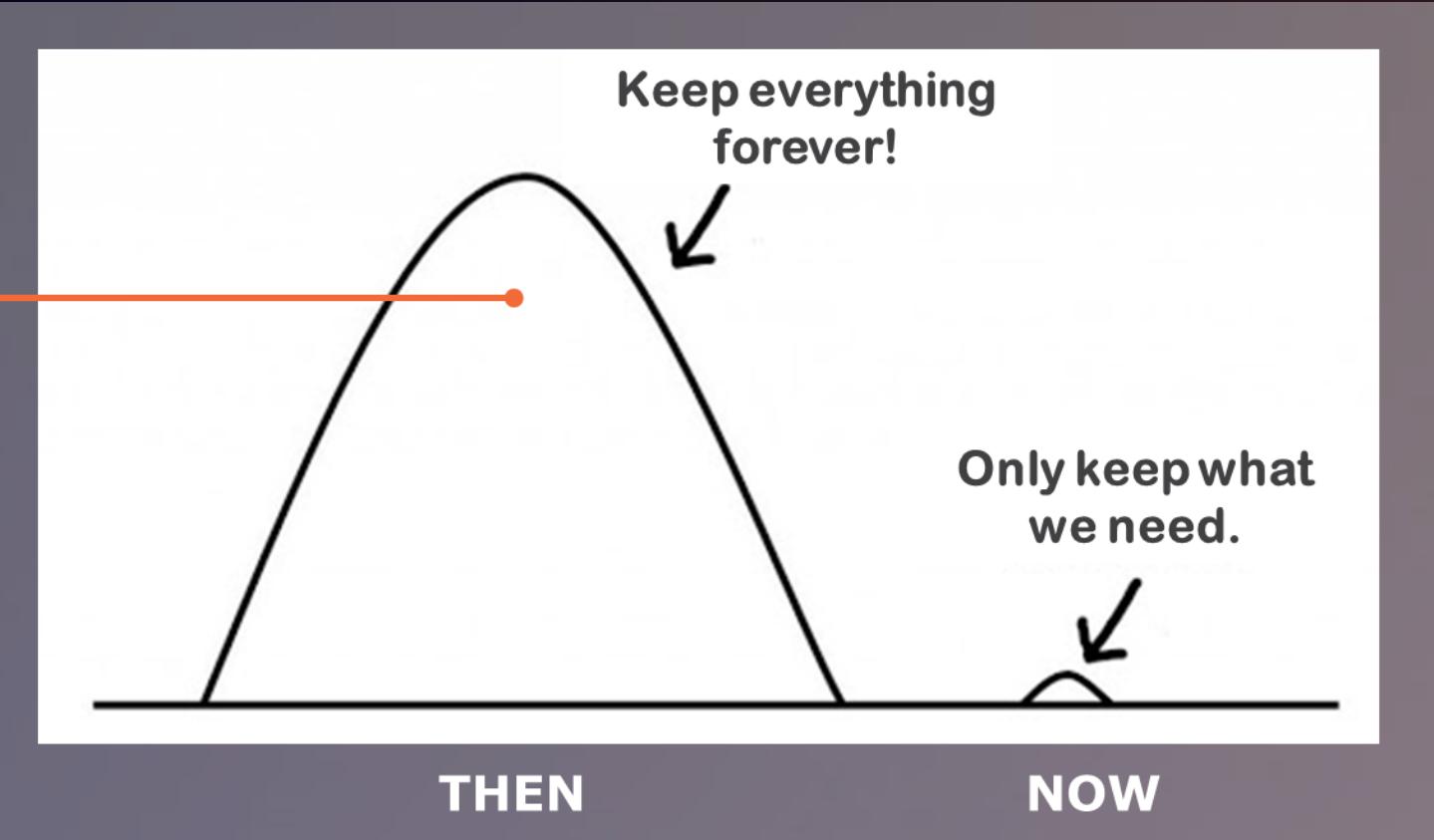
What is the biggest data-related threats you are focusing on mitigating in 2024?



Over-Retaining Personal Data is a Liability!

KEY RISKS:

- Data Breach
- Ransomware Attack
- Enforcement Action
- Litigation
- Class Action
- Consumer Requests



Data Retention Obligations Under Privacy Regulations



- Transparency / Notice
- Data Minimization
- Purpose Limitation
- Storage Limitation



Common Data Minimization Principles

General Data Protection Regulation (GDPR)

GDPR Article 5(1)(e) – “Personal data shall be kept in a form which permits identification of data subjects **for no longer than is necessary** for the purposes for which the personal data are processed”

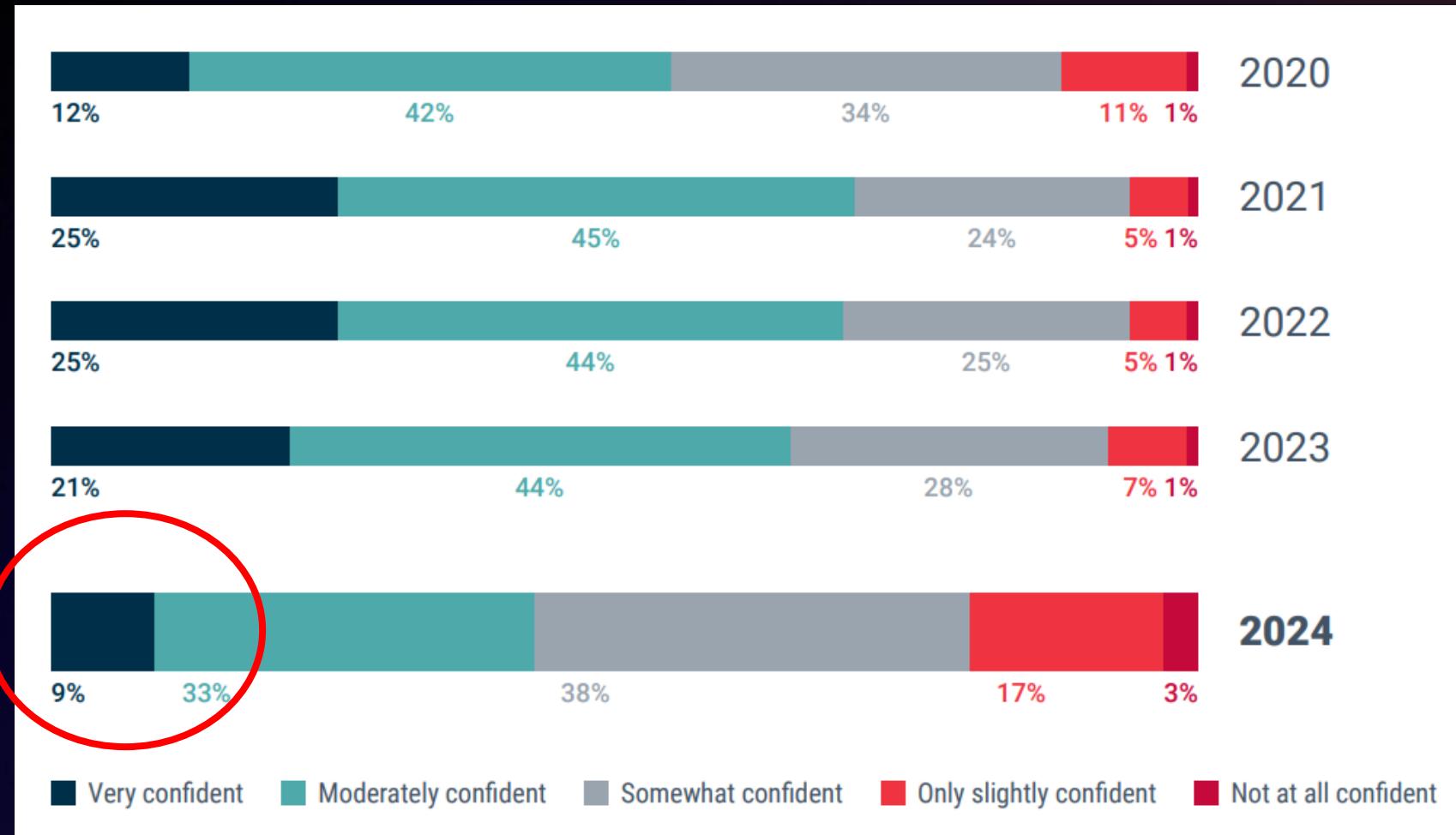
GDPR Article 13(2)(a) – requires disclosure of “...**the period** for which the personal data will be stored, or if that is not possible, **the criteria** used to determine that period”

California Consumer Privacy Act (CCPA)

CCPA § 1798.100(c) – “...collection, use, retention, and sharing of a consumer’s personal information **shall be reasonably necessary and proportionate** to achieve the purposes for which the personal information was collected or processed....”

CCPA § 1798.100(a) – At or before the point of collection, businesses must inform consumers either: (A) **the length of time** the business intends to retain each category of personal information; or (B) **the criteria** used to determine the retention period

Fewer CLOs are Confident in their Ability to Mitigate Emerging Data Risks



Best Practices for Building, Implementing & Enforcing a Robust Global Retention Schedule

STEP 1: DATA INVENTORY

The Five W's:

- What do we have?
- Where do we have it?
- Who has access to it?
- When must we dispose of it?
- Why do we have it?



Connect Retention Obligations to Your Data Inventory

PROCESSING ACTIVITY: HR - ONBOARDING

DATA SUBJECTS



Dependents/Beneficiaries | Employees – Current | Employees – Former | Prospects

APPLICABILITY



PERSONAL DATA

Social Security # | Drivers' License # | Biometric Identifier | Aptitudes | Bank Routing # | Military Status | Certifications

COLLECTION



APPLICATIONS



DEPARTMENTS



Employee Benefits | Employee Training | Facilities & Distribution | Plant Operations | Marketing | Payroll

LOCATIONS



THIRD PARTIES



RETENTION

Drug Screening Records
Employee Document Submissions
Payroll Records
Background Checks



PURPOSE

Provide Employee Benefits & Process Payroll

STEP 2: ACTIONABLE RETENTION SCHEDULE



- Global Retention Regulations
- Business & Legal Considerations
- Retention Risk Report
 - Gaps
 - Risks
 - Priorities



Evaluating Global Retention Considerations

Benefit Enrollment & Participation Records	Reported Retention	 AUT 7	 BEL 10	 BGR 50	 CHE 10	 CZE 10	 DEU 6	 DNK 10	 ESP 15	 EST -	 FIN 10	 FRA 5	 GBR 6	 HUN 5	 IRL 6
	 USA 6	 ISL 7	 ITA 10	 LIE 30	 LTU -	 LUX 30	 LVA -	 NLD 5	 NOR 10	 POL 10	 PRT 20	 ROU 10	 SVK 3	 SW 10	 UKR 6
Employee Medical Records	Reported Retention	 AUT 40	 BEL 15	 BGR 10	 CHE 30	 CZE 40	 DEU 10	 DNK 10	 EST 40	 EST -	 FIN 40	 FRA 50	 GBR 40	 HUN 10	 IRL 40
	 USA 5	 ISL 40	 ITA 40	 LIE 10	 LTU 40	 LUX 10	 LVA 40	 NLD 15	 NOR 60	 POL 20	 PRT 10	 ROU 40	 SVK 5	 SW 10	 UKR -
Employment Equality Compliance Records	Reported Retention	 AUT 25	 BEL 10	 BGR 5	 CHE 10	 CZE 3	 DEU 10	 DNK 10	 ESP 15	 EST 3	 FIN 10	 FRA 5	 GBR 6	 HUN 5	 IRL 6
	 USA 10	 ISL 4	 ITA 10	 LIE 30	 LTU 10	 LUX 30	 LVA 10	 NLD 5	 NOR 10	 POL 10	 PRT 20	 ROU 10	 SVK 3	 SW 3	 UKR 3

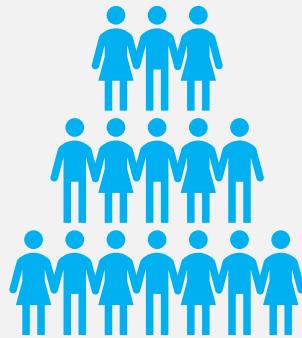
STEP 3: OPERATIONAL CAPACITY



- Harmonize with Legal Holds
- Integrate with Privacy Notices
- Develop Implementation Roadmap
- Focus on Priorities & Quick Wins
- Get Business Buy In / Training
- Leverage Automation

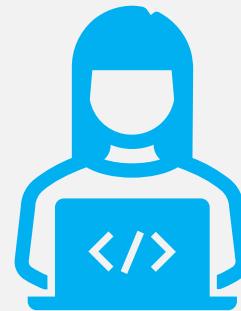
Approaches to Applying Retention Rules

Manual Approach



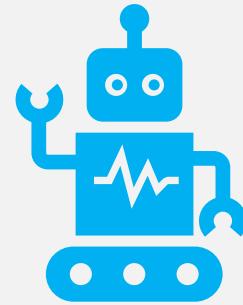
Departmental Employees

Traditional Key-Word Searching & Scanning



IG & IT Teams

AI Machine Learning



IG, Technology & Employees Working Together



Retention & Deletion Strategy

Retention Rules for Records

Retention Rules for ROT

Retention Rules for Data



discover



monitor



remediate



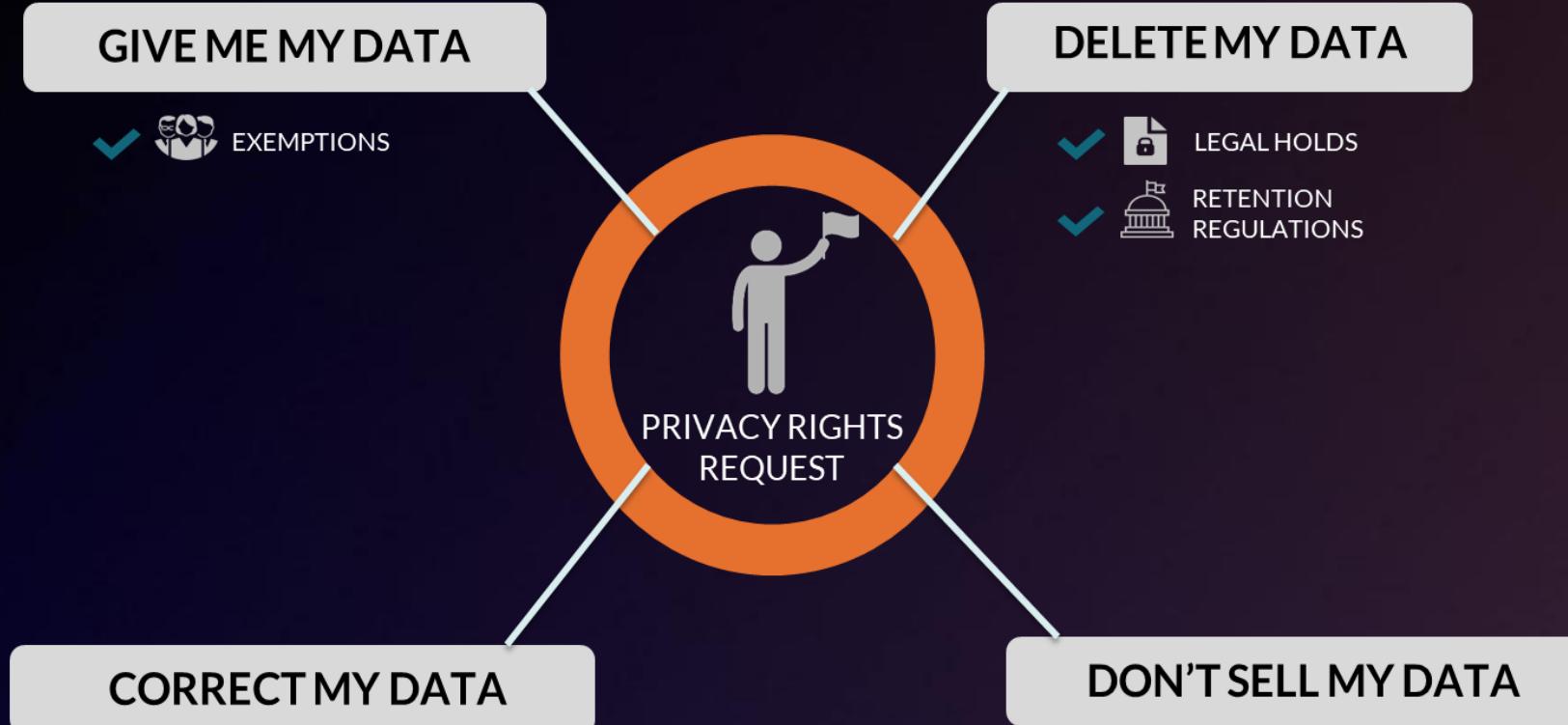
automate



Harmonize with Legal Holds



Harmonize with Consumer Rights Requests



Right to appeal or lodge a complaint.



STEP 4: ONGOING PROGRAM MANAGEMENT

- Executive Support
- Budget
- Program Automation
- KPIs & Objectives
- Data Inventory Updates
- Retention Schedule Updates





Deliver Value Across Your
Organization

Protect Your Company's Legal & Financial Interests



Reduce Risk of
Litigation and Fines



Reduce Impact & Cost
of a Data Breach



Free Up
Resources



Reduce Spend on
Law Firms & Consultants



Reduce
Storage Costs



Reduce Cyber
Insurance Premiums



Questions?



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