

Data Retention Policy

February 2019

HOW DO I KNOW IF I NEED TO RETAIN A RECORD?

Generally, it is desirable to dispose of unnecessary records as promptly as possible, unless required to be retained longer by this Retention Policy. If a retention period is not covered by the applicable retention schedules attached to this Retention Policy, follow the guiding principles of keeping fewer records and shorter retention periods (“Privacy by Default”). If you are not the person in charge of a record and you can answer “no” to all of these questions, then you should dispose of the record as soon as practicable after it has fulfilled your purpose:

- Does the record have real value as a basis for future decisions?
- Would it be difficult or expensive to reassemble the content of a still-needed document?
- Is the record evidence of a completed material business transaction?
- Does the record support legal action or provide additional information necessary to the complete understanding of a primary document?
- Is the record necessary for regulatory compliance, a threatened or pending government investigation or litigation or in order to comply with a legislative requirement?
- Is the record normally one requested by tax authorities? Does the document provide substantiation which could prevent the loss of tax deductions?
- Is the document necessary to comply with the requirements of government agencies or to conform to EU, Irish, and other requirements for reporting?
- Does the record or document provide important research data about ORPC and its products?
- Does the document have a historical value, such as providing a unique reflection of significant trends in the development of ORPC?

If the answer is “yes” to any of the above questions, make sure that the original record is safe before you dispose of your copy.

RECORD RETENTION GENERAL GUIDELINES

DO

- Keep records active only if the retention schedule requires it. Otherwise, inactive records should be archived for the required retention period.
- Review active files at least once a year for disposal of records, or for archiving, as appropriate.
- Post a destruction date on records (or file folders) to facilitate annual file review.
- At least once annually dispose of unneeded copies of magazines, trade journals, articles and other publications of general circulation.
- If you are not the person in charge of the record, dispose of your copy when you are finished using them, unless they are needed for further reference.
- Dispose of duplicate paper copies of records or duplicates retained on disks, USB keys,

- or other electronic or digital media.
- Maintain the privacy and security of records at all times.
 - Be sure to place records where they can be retrieved efficiently.
 - Consult the **Privacy Compliance Co-ordinator - Sybille Cyr** on the retention of any records that you believe may not be covered by the Retention Policy that you believe should be retained for special or unforeseen circumstances (for example, potential litigation, investigation or business needs). **ORPC** may update this Retention Policy to capture such previously uncaptured records in the policy.
 - When disposing of any records in accordance with the Retention Policy, be sure to dispose of such records properly, in a manner that will not allow the records to be retrieved and reviewed by unauthorised persons.
 - For records related to a continuous serial transaction or a continuous ongoing project, event or relationship, the applicable retention schedules for such records should be deemed to begin to run from the creation of the most recent such record created for such serial transaction or ongoing project, unless earlier related records no longer serve a business purpose. In any event, as with all records, each record created as part of a serial transaction or ongoing project should be retained for at least the period of time identified on the applicable retention schedule for that type of record.
 - **ORPC** may occasionally enter into confidentiality or other agreements with third parties that require **ORPC** to return or dispose of confidential information provided by the third parties.

DO NOT

- Do not destroy any records required to be held by applicable legislation or where legal proceedings are apprehended or threatened until the required period or the threat of litigation has expired.
- Do not fail to produce or disclose any records, including e-mails or other electronic data, when required to be disclosed by court subpoena or discovery proceedings, or by a data subject data access request under the GDPR.
- Do not alter or dispose of any records, including e-mails or other electronic data, which have been required to be disclosed by court subpoena or discovery proceedings, or by a data subject access request under the GDPR.
- Except when such records are subject to potential or pending litigation or investigation, do not retain drafts, handwritten notes, calendars, planners, telephone logs or historical files maintained for your own personal use any longer than is reasonably needed.
- Do not dispose of records other than in compliance with this Retention Policy.
- Do not remove records from **ORPC** locations for storage at home or any other non-company location.

Do not allow access to private or confidential records (specifically including health, financial or other personal data) except to those **ORPC** personnel and other authorized persons who you specifically know to have a right to such access.

RECORD CREATION GENERAL GUIDELINES

DO

- Make sure you are truthful and accurate in what you say
- Treat e-mails with the same level of care as other written records
- Follow **ORPC** policies in creating records
- Keep e-mail and voicemail messages short
- Make everything clear and unambiguous. A reader may not have a chance to ask for clarification
- Use concrete terms and facts objectively so that the reader will have a clearer idea of your meaning
- Consider the appropriateness of expressing information in person rather than in writing or by voicemail
- Proofread what you plan to send
- Be prepared to explain the implications of words used in e-mails and voicemails

DO NOT

- Do not include confidential information unless essential.
- Do not put something in a document that you would want to see printed on the front page of the newspaper, or have read in a courtroom.
- Do not be too informal or emotional - anything that you say in an e-mail or voicemail can easily be passed on to someone else
- Do not send a document when person-to-person communication serves your purposes better.
- Do not use insincere praise or make promises that cannot be honoured
- Do not act illegally or make statements that violate the law
- Do not overstate – a single overstatement can diminish your entire document
- Do not write false and malicious statements
- Do not create documents, especially e-mails, as a vehicle for “venting” about an issue.

GUIDELINES REGARDLING E-MAILS, INSTANT MESSAGING, TEXT MESSAGES AND OTHER ELECTRONIC RECORDS

“Records” include e-mails and other electronically and digitally stored information. This includes business-related information that may be stored in digital and electronic form. The below is a non-exhaustive list to illustrate the wide range of storage being discussed:

- Desktop personal computers
- CD’s, Flash Drives, Zip disks and other portable drives
- Network drives
- Cloud based services
- Home computers
- Laptop computers
- Internet backup files
- Smart phones and tablets
- E-mail services
- Program files
- Hard drives
- Voicemail
- Digital cameras

- Backup tapes
- Central processing units (CPUs)

Because it is one of the primary means of communication in business, e-mail has great value. E-mail messages, however, often sent too hastily, without the level of thought and consideration that typically accompanies formal letters or memoranda. **ORPC** employees should avoid using e-mail to communicate partial thoughts, incomplete ideas or messages that may be ambiguous and that may be misinterpreted by a reader. E-mail is not conversation, and often will be read by others in addition to the original addressees. Person-to-person communication is recommended for “brainstorming” or “thinking-out-loud” sessions.

When responding to e-mails, try to avoid the “Reply All” tool, instead limiting your reply to only those who really need to receive it. Otherwise, a single “Reply All” message may create numerous unnecessary non-custodial records. In addition, careless use of the Reply All function can send an email to recipients who really should not be privy to your reply.

Business records created, sent and received in electronic form (e-mails) should be printed and filed in the appropriate filing system just like any other business record and in accordance with the Retention Policy – this is particularly true of those in charge of original or primary records. Each employee has a responsibility to make sure that existing computer personal folders, whether in outlook and on your PC or file server, are reviewed and records deleted that have been superseded or are no longer required to be kept by the Retention Policy. Routine e-mails will be deleted 6 Months after they are last edited. This applies to e-mails in all folders within the mailbox, including, Outbox, Sent Items, Inbox and all sub-folders.

VOICEMAIL

All voicemail should be deleted after the message has been heard

Request to place a HOLD on documents

[Note – If sent via e-mail add the following header: ACKNOWLEDGE YOUR RECIEPT AND COMPLIANCE WITH THIS REQUEST BY RETURN

RE: **HOLD ON RECORDS**

In connection with_____.

UNTIL FURTHER NOTICE [OR UNTIL **INSERT TIME**], NORMAL OPERATION OF THE RETENTION POLICY IS SUSPENDED. PRESERVE ALL DOCUMENTS WHICH PERTAIN TO OUR DEALINGS WITH _____ AND CONCERNING _____ UNTIL _____

“Documents” means all records in whatever form, whether internal or with other parties, including e-mails, electronic documents on any devices at work and at home, financial records,

correspondence, notes, reports, drafts, telephone logs, calendars, presentations, and a wide range of other records, in whatever form, hardcopy or electronic, whether existing or yet to be created.

PRESERVE FROM AUTOMATIC DELETION AND TO NOT DELETE any e-mail or documents howsoever stored, that relate in any manner to the matter set out above until further notice from **Privacy Compliance Co-ordinator - Sybille Cyr**.

Please use the following checklist as a guide when searching for Documents subject to this Hold Request:

- Desktop/ Desk Drawers
- File cabinets
- Home Files
- Computer hard drive (desktop and/or laptop)
- Smart Phone, Tablets, or other devices
- Computer USBs, CDs, or DVDs or other media)
- Materials stored on ORPC servers or on the internet, including other email accounts
- Briefcase
- Notebooks/Appointment Books (including Outlook) *
- Voicemail, Tape or Video Recordings*
- Any other location that may contain responsive information

Please seek assistance if you have Documents in these unusual formats and require assistance in preserving them.