

DATA RETENTION POLICY

This data retention policy represents Syram's (The "company") guidelines regarding the retention, the archiving, destruction and disposal of paper records and electronic documents.

1. Aims and objectives

The purpose of this data retention policy is to ensure that necessary records and documents are adequately protected and maintained and to ensure that records that are no longer needed by the company or are of no value are discarded at the proper time in compliance with the provisions of the GDPR (*Regulation 2016/679 of the European parliament and the council of 27 April 2016 on the protection of natural persons with regards to the processing of the personal data and on the free movement of such data, and repealing the directive 95/46/EC, OJ L 119, 4.5.2016, p. 1-88*)

This data retention policy had also for the purpose to assist the employees to understand their obligations for the retention of electronic documents – including e-mails, web files, text files, sound and movie file, PDF documents and all formatted files – and paper documents and files.

2. Scope

The law requires the company to maintain documents, whether paper or electronic, usually for a specified period of time. Failure to retain those records for those minimum periods required by the law, could cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, or seriously disadvantage the company in litigation.

On the other hand, the GDPR requires that data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purpose for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organizational measures required by the GDPR in order to safeguard the rights and freedoms of the data subject ("storage limitation").

3. Retention

Retention is defined as the maintenance of documents in a production environment which can be accessed by an authorized user in the ordinary course of business.

These documents are to be retained during the active use of the file. When the file is terminated, it must be archived according to the wishes of the data owner.

4. Archiving

Archiving is defined as secured storage of the files and documents. The files and documents become inaccessible by users in the ordinary course of business but can be retrieved in case of need.

Paper record shall be archived in secured storage, clearly labelled in archive boxes naming the name of the file and the date to be destroyed.

Electronic records shall be archived in a format which is appropriate to secure the confidentiality, integrity and accessibility of the record and document.

After the archival period has expired, files and documents shall be destroyed.

5. Destruction

Destruction is defined as physical or technical destruction in order to render the documents irretrievable.

The person in charge of the data retention (the “Managing partner”) shall be responsible for the destruction of paper records. Paper documents shall be shredded with secured means.

IT team shall maintain an enforced destruction method for the electronic records archived.

6. Litigation or claims

In the event the company becomes aware of the commencement of any litigation, arbitration or external audit against or concerning the company, the Managing partner shall be informed.

The Managing partner shall issue a litigation hold request which requires that documents relating to potential or actual litigation, arbitration or other claims, disputes or regulatory action be retained or unpacked in accordance with instructions of the Managing partner.

7. Data subject rights

A data subject should have the right to have his or her personal data erased and no longer processed where the personal data are no longer necessary in relation to the purpose for which they are collected or otherwise processed, where a data subject has withdrawn his or her consent or objects to his or her personal data does not otherwise comply with the GDPR.

However, the further retention of the personal data should be lawful where it is necessary, for exercising the right of freedom of expression and information, for compliance with a legal obligation, or for the establishment, exercise or defense of legal claims.

8. Responsibilities

The managing partner is the officer in charge of the application of this data retention policy and the implementation of processes and procedures to ensure that the statutory limitation periods are applied. The Managing partner is also authorized to make modifications to the data retention periods from time to time to ensure that it is in compliance with the law and includes the appropriate documents and records categories for the company.

The Managing partner is also in charge to supervise the destruction of the documents.

9. Applicability

This data retention policy applies to all physical records generated in the course of the company’s business, including both original documents and reproductions. It also applies to the electronic documents described above.

Any breach to this data retention policy must be promptly and fully disclosed to the Managing partner.

Faouzi NAJI
Syram's Managing partner
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