DOCAUTHORITY

Data Retention In The Era Of Privacy Regulations

Problem Overview

The explosion in data is a huge problem for organizations globally. Now with the General Data Protection Regulations (GDPR) in place and other regulations such as the California Consumer Privacy Act, company data is now also a massive compliance risk. Specifically, GDPR requires you to delete any PII record that is not under a regulated retention schedule, has consent or legitimate interest. Per the sheer amount of data, automation and accuracy will ultimately determine the level of success of such an effort.

What To Do?

- Identify which data items are PII records

- Define retention policies for PII records:
    - Define which records have legitimate business interest and how long can they be kept
    - Identify which records rely on individual consent and should be deleted once the consent is revoked
    - Define which records are under government regulations and how long are required to be kept
    - Other policies (See below)
- Map policies to PII records

- Dispose of all PII records not under retention policies

What Is a Record?

A record is a document that memorializes and provides objective evidence of activities performed, events occurred, results achieved, or statements made. Records are created/received by an organization in a routine transaction of its business or in pursuance of its legal obligations. A record may consist of two or more documents.

Why Keep A Record?

Several reasons for retaining a record are:

- Government regulations – Labor laws, financial reporting and taxation, health regulations and others require you to keep records for different minimum periods.

- Contractual obligations – anything from the original contract to supporting docs and service/product data that needs to be preserved for the duration of the contract.

- Legal Hold - Connected with ongoing, threatened or anticipated legal action.

- Required for an audit of accounts

- Needed for the ongoing operation of the business
    - For customer/employee management – e.g. contact details, preferences – must have legitimate interests or consent

Why Delete A Record?

- Cost saving – reducing the data stored reduces storage costs as well as the IT resources that manage it.

- Litigations' risk reduction (commercial/data breach) – reduce the amount of toxic data that might be required by litigation or lost in a breach.

- GDPR – GDPR article 25 requires us to limit the storage time of regulated records.

Legitimate Interests

These are business interests that for the most part align with the best interests of the customer or employee. The farther the distance between the business interest and the customer interest the harder it is to justify such records' retention.

- Old prospects lists

- Customer data for further marketing - for example a list of senior officers vs a consumer list

- Old support tickets

- Employee IT data after they left the company

Mapping Policies To Records

Mapping policies to records is the biggest challenge. Retention regulations define guidelines, but not which type of records need to be kept and for how long. Furthermore, since there are a significant number of different records that need to be retained, matching the right records to the right policy must be automated for the most part in order to succeed.

Why Functional Taxonomy Is The Key?

Functional taxonomy is the grouping of data into business functional categories. This kind of mapping dramatically simplifies the process of mapping policies to records. For the most part, business functional categories can be clearly evaluated for relevant retention schedules as well as corporate lifecycle policies.

While there are many ways to build a taxonomy, only functional taxonomy categories are mutually exclusive. This means data can receive only one type of policy, and no collision is possible. The value of this approach is not limited to data retention only, but can support other governance tools such as DLP, access management, sensitivity classification and even data management improvements in productivity, data accessibility and quality.
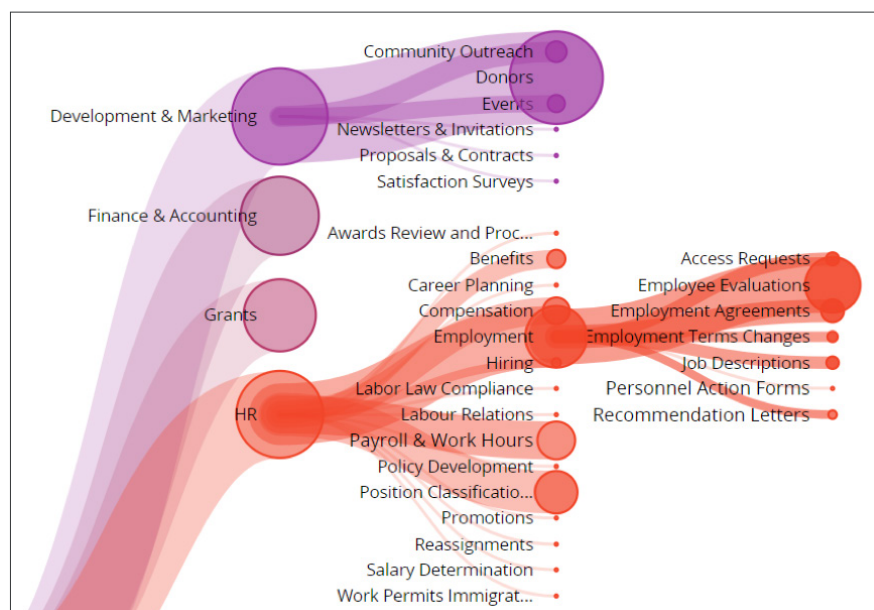
Example Of Records And Policies

Below are a few samples of records and their retention policies:

- Employment agreement – keep for 6 years after the employee has left (mandatory – UK labor law)

- Employee evaluations – keep last three years (consent – via employment agreement)

- CVs, recommendation letters, interviews – keep up to 12 months if candidate not hired (legitimate interest)

- Corporate tax records - 7 years (UK tax code)

Why Precision Matters?

When dealing with data deletion, there is no room for error. Incorrect deletion might violate retention regulations, significantly increase contract execution complexity, create legal risks and also impact business productivity and decision-making quality.

How To Implement This Methodology With Huge Amounts Of Data

Modern AI can significantly reduce the problem's magnitude and improve accuracy.
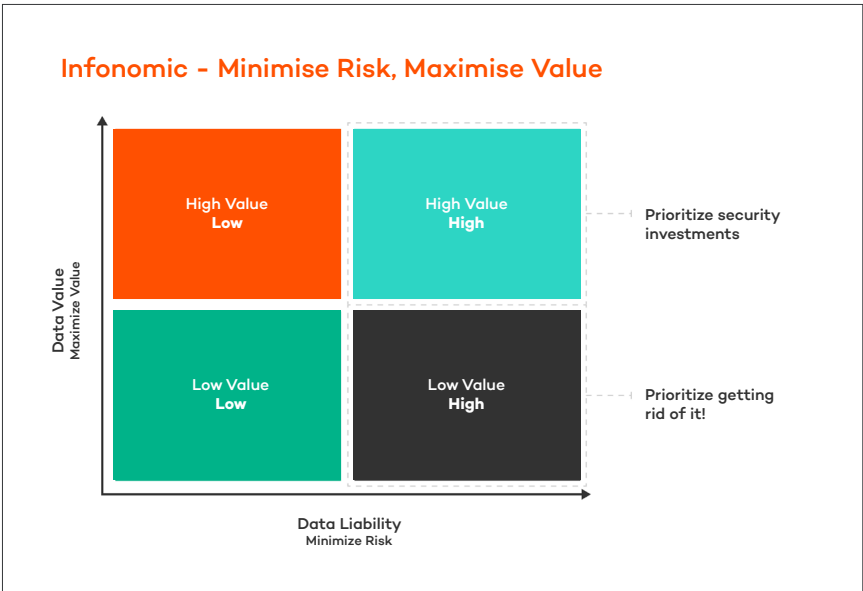
Until recently perceived as impossible, DocAuthority's BusinessID AI can not only handle this huge amount of data, but also categorize it into business functional groups with the accuracy of 1:10,000.

By doing so, DocAuthority eliminates the heavy lifting that prevented policy automation so far. Furthermore, it is now easy to communicate to management, business and auditors our data inventory, data taxonomy (Datamap) and how the policies are mapped to data.
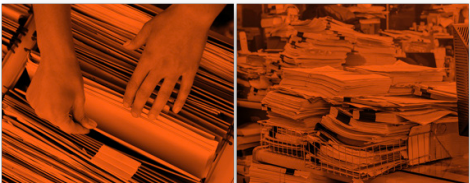
Disposition Prioritization

When prioritizing records disposition effort, it is important to initially focus on data with high liability. Apart from the reduction of storage and IT related costs, you will also significantly reduce the impact of data breaches, as most of the high-risk data is already obsolete and can be safely deleted.

Infonomic - Minimise Risk, Maximise Value

	High Value **Low**	High Value **High**	Prioritize security investments
Data Value *Maximize Value*	Low Value **Low**	Low Value **High**	Prioritize getting rid of it!
	Data Liability *Minimize Risk*		

As we can see in the chart below, data value depreciates over time. While depreciation pace is derived from the record's business function, most records will be ROT (redundant, obsolete or trivial) within 3 years.

Your Data What's It Worth And What's It Costing You?
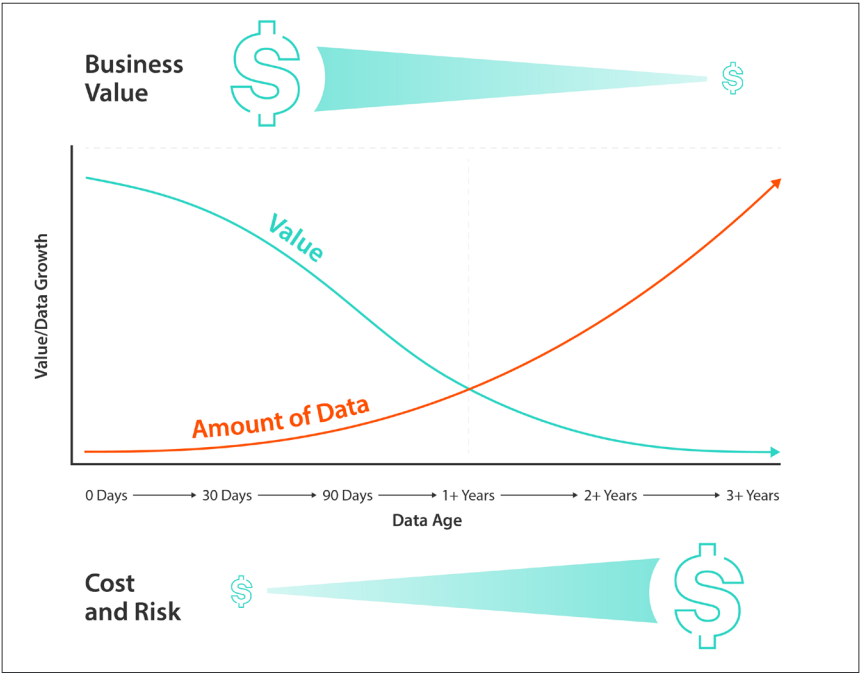
Conclusion

GDPR has brought a massive global compliance risk and requires the deletion of all regulated records that we can't justify keeping. Inaccuracy in deletion might impact compliance of other regulations, business commitments, legal risk and productivity. The sheer size of the data requires automation for discovery and categorization. Modern AI can provide both.

DocAuthority Can Help

DocAuthority is the sole provider of data identification technology. Using its revolutionary BusinessID™ technology, DocAuthority will automatically create your data inventory in business function categories, and dramatically simplify and reduce the costs of records management, enabling you to safely delete data you don't need.

Furthermore, DocAuthority will help you significantly improve all aspects of unstructured data management. DocAuthority's revolutionary and patented AI engine quickly, efficiently and accurately identifies and creates an inventory of all of your business data. With ease, you can now accurately identify both data's risk and its value, and automate its ongoing protection, retention while improving your data's productivity, accessibility and quality.

About Us

The explosion of data is a huge problem for organizations. Now with GDPR-like regulations coming into place, company data is now also a massive compliance risk. DocAuthority enables you to turn these compliance requirements into business opportunities and use them to dramatically improve all aspects of unstructured data usage, management and governance. DocAuthority's revolutionary and patented AI engine quickly and efficiently identifies and creates an inventory of all of your business data with the precision of 99.99%. With ease, you can now accurately identify both data's risk and its value and automate its ongoing classification, protection and retention while improving accessibility and quality.

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