

# DATA RETENTION POLICY

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This Data Retention Policy (this "**Policy**") is adopted as of **[EFFECTIVE DATE]** (the "**Effective Date**") by **[ORGANIZATION LEGAL NAME]**, a **[STATE] [ENTITY TYPE, e.g. limited liability company]** with its principal place of business at **[ORGANIZATION ADDRESS]** (the "**Organization**").

**Recitals.** The Organization creates, receives, and stores records and data in the course of its business. This Policy sets out how long the Organization keeps different categories of records and data, how it disposes of them, and who is responsible for the program, so that the Organization keeps what it needs for business and legal reasons and does not keep data longer than necessary. This Policy applies to the Organization's officers, employees, and contractors (each, a "**Workforce Member**"), and is intended to be read together with the Organization's privacy and information-security policies.

## 1. Purpose and Scope

**1.1 Purpose.** This Policy exists to (a) retain records the Organization is legally or operationally required to keep, (b) dispose of records and data that are no longer needed in a consistent and defensible way, and (c) reduce the risk and cost of holding unnecessary data.

**1.2 Scope.** This Policy applies to all records and data the Organization controls, in any format, including paper, electronic files, email, databases, backups, and data held by service providers on the Organization's behalf.

**1.3 Defined terms.** "**Record**" means information, in any form, created or received by the Organization that documents a business activity. "**Personal Data**" means information relating to an identified or identifiable individual. "**Retention Period**" means the length of time a category of Record is kept under the schedule in Section 4. "**Disposition**" means the deletion, destruction, or transfer of a Record at the end of its Retention Period.

## 2. Governing Principles

**2.1 Retain what is required.** The Organization will retain Records for at least as long as required by applicable law, regulation, contract, or legitimate business need.

**2.2 Minimize.** The Organization will not retain Personal Data longer than necessary for the purposes for which it was collected, except where a longer period is required or permitted by law.

**2.3 Consistency.** The Organization will apply the Retention Periods in the schedule consistently and will dispose of Records routinely at the end of their Retention Period, subject to any Legal Hold under Section 6.

**2.4 Defer to local law.** Retention and disposal requirements vary by jurisdiction and subject matter (for example, tax, employment, health, and financial records). Where local law sets a minimum retention period or a mandatory deletion requirement, that law controls over this Policy, and the Organization will adjust the schedule accordingly.

### 3. Roles and Responsibilities

**3.1 Policy owner.** The [ROLE, e.g. Data Protection Officer / Operations Lead] owns this Policy, maintains the retention schedule, and reviews this Policy at least [FREQUENCY, e.g. annually].

**3.2 Department responsibilities.** Each department head is responsible for applying this Policy to the Records their department controls and for identifying category-specific legal requirements.

**3.3 Workforce Members.** Each Workforce Member is responsible for handling Records in accordance with this Policy, including not deleting Records subject to a Legal Hold and not keeping unofficial copies beyond their Retention Period.

**3.4 Service providers.** The Organization will require service providers that hold Records on its behalf to retain and dispose of those Records consistently with this Policy and the applicable contract.

### 4. Retention Schedule

**4.1 Schedule.** The Organization will retain the categories below for the stated Retention Periods. Periods are minimums unless stated as maximums and are subject to Section 2.4 and any Legal Hold.

Record category	Examples	Retention Period
Corporate and governance	Formation documents, minutes, ownership records	[e.g. Life of entity + 7 years]
Tax and accounting	Returns, ledgers, invoices, receipts	[e.g. 7 years]
Employment / HR	Personnel files, payroll, benefits	[e.g. Duration of employment + statutory period]
Contracts	Signed agreements and amendments	[e.g. Term + 6 years after expiration]
Customer / account data	Account records, transaction history	[e.g. Duration of relationship + period]
Marketing / consent	Consent records, suppression lists	[e.g. As required to prove consent]
Security / logs	Access logs, audit trails	[e.g. 12 months]
Email / general correspondence	Routine business email	[e.g. 24 months unless a longer category applies]

**4.2 Customization.** The Organization will replace the placeholder periods above with periods determined with reference to applicable law and business need, and may add categories as needed.

## 5. Storage and Security

5.1 **Storage.** Records will be stored in approved systems with access limited to Workforce Members who need them. Personal Data and other sensitive Records will be protected by appropriate technical and organizational measures consistent with the Organization's information-security policy.

5.2 **Backups.** Backups are retained for [NUMBER, e.g. 35] days and then overwritten in the ordinary course. Records deleted from primary systems will be purged from backups in due course consistent with normal backup cycles, except where a Legal Hold requires preservation.

## 6. Legal Holds

6.1 **Suspension of disposal.** When litigation, an investigation, or an audit is reasonably anticipated or pending, the Organization will issue a "Legal Hold" that suspends the routine disposal of relevant Records, which must be preserved until the hold is lifted.

6.2 **Precedence.** A Legal Hold overrides the retention schedule. No Workforce Member may dispose of Records subject to a Legal Hold.

6.3 **Release.** The Policy owner will lift a Legal Hold in writing when it is no longer needed, after which the affected Records resume their normal Retention Period and Disposition.

## 7. Disposition and Disposal

7.1 **Routine disposition.** At the end of a Record's Retention Period, and absent a Legal Hold, the Organization will dispose of the Record in a manner appropriate to its sensitivity.

7.2 **Secure destruction.** Paper Records containing sensitive information will be shredded, and electronic Records will be deleted using methods designed to prevent recovery. Media that cannot be securely wiped will be physically destroyed.

7.3 **Documentation.** The Organization will keep a reasonable record of routine dispositions of significant Record categories sufficient to show that disposal followed this Policy.

## 8. Compliance, Review, and General Provisions

8.1 **Compliance.** Failure to follow this Policy may result in disciplinary action, up to and including termination, and may expose the Organization to legal risk. Workforce Members will report suspected non-compliance to the Policy owner.

8.2 **Review and amendment.** The Organization will review this Policy at least [FREQUENCY, e.g. annually] and after material changes in law, technology, or business operations, and may amend it in writing.

8.3 **No third-party rights.** This Policy is an internal governance document and does not create contractual or other rights for any third party.

8.4 **Governing law.** This Policy is interpreted under the laws of the State of [STATE], and where applicable law imposes different retention or disposal requirements, that law controls.

8.5 **Effective date.** This Policy takes effect on the Effective Date and supersedes any prior retention policy of the Organization on the same subject.

**ADOPTION.** The Organization has adopted this Policy as of the Effective Date.

**APPROVED FOR THE ORGANIZATION****POLICY OWNER (ACKNOWLEDGMENT)**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed name: **[NAME]**Printed name: **[NAME]**Title: **[TITLE]**Title: **[TITLE / N/A]**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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