

Information on the erasure concept

When do you have to delete?

In principle, you should delete data if it is no longer required for its original purpose. Data that is stored unlawfully must always be deleted. If an additional statutory retention obligation applies (e.g. under the German Commercial Code or tax law) or a claim has been asserted, the data does not have to be deleted.

Data subjects can also request the erasure of their data or object to the processing by withdrawing their consent. Even then, you must erase the personal data in accordance with Art. 17 GDPR.

The path to an erasure concept

The processing directory is a prerequisite for creating a deletion concept. In the processing directory, you record all processing of personal data in your organisation or company.

To create the erasure concept, you now go through the data processing operations individually and define the respective erasure rules.

In the erasure concept, you summarise these erasure rules so that it is defined for all personal data when and how they are erased.

Defining a deletion rule

Check when the processing ends or when the purpose for which the data was processed expires.

In the next step, check whether there are any additional legal regulations that provide for longer retention periods. If there are such regulations, check the associated retention periods. How long do you have to keep this data?

Based on this information, you can now define a deletion rule according to the following scheme:

Deletion rule = Triggering event + retention period

Examples of deletion rules:

- 6 months after completion of the application procedure
- 5 years after termination of the employment relationship
- 10 years after fulfilment of the contract
- 10 years after the end of the financial year