European Solar Manufacturing Council AISBL
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Data Retention Policy

Annex to the ESMC Privacy Policy – retention periods for personal data and member communication

1. Purpose and scope

This policy sets how long the European Solar Manufacturing Council (ESMC) AISBL keeps personal data and communication with members, partners and external contacts, and when it is deleted. It is an annex to the ESMC Privacy Policy and gives the retention periods referred to there.

It covers all records ESMC holds about natural persons, whatever the system: the contact database (CiviCRM), mailing lists and their archives, mailboxes, the document store (Nextcloud) and the invoice archive. It applies to the Secretariat, the Board and anyone processing data on ESMC's behalf. It does not cover corporate data without personal reference (e.g. anonymised statistics), which may be kept indefinitely.

2. Principles

Personal data is kept only as long as needed for the purpose it was collected for, or as long as the law requires (Art. 5(1)(e) GDPR).

- **Deletion or anonymisation.** When a period ends, the record is deleted. Where the content has lasting value for ESMC (minutes, statistics, position papers), personal references are removed instead and the anonymised document is kept.

- **Longest period wins.** Where a record falls under several categories, the longest applicable period applies.
- **Legal hold.** Where a record is needed for a pending or reasonably expected claim, audit or authority request, deletion is suspended until the matter is closed. The Secretary General decides on holds. In CiviCRM a hold is set with the tag "Legal hold": on a list contact it blocks deletion of that list's archive, on a person it blocks deletion of that person's messages. CiviCRM's change log records who set or removed the tag and when.
- **Backups.** Backups cannot delete single records; deleted data remains in a backup until that backup set expires. After any restore, the automated deletion run is executed before the system is returned to use.
- **Earlier deletion on request.** Objections and erasure requests under Art. 17 and 21 GDPR are honoured earlier than the periods below unless a legal retention duty applies. A minimal suppression record (name, e-mail) is kept to prevent the person from being re-added.
- **Deletion runs and logging.** In CiviCRM deletions run automatically every day. Each run that deletes something is logged with category, number of records and date, without content. The other systems are reviewed once a year, in January. The policy is reviewed every two years.

3. Retention schedule

Periods run from the trigger event; "end of year" means the end of the calendar year in which the trigger occurs.

Category	Examples	Retention period	Trigger	Basis
Accounting records	Membership fee invoices, reminders, payment correspondence, credit notes	7 years from end of year	Date of the invoice or payment	Belgian Code of Economic Law, Art. III.86

Category	Examples	Retention period	Trigger	Basis
Membership records	Application, admission, termination, representative and delegate names, voting rights	Membership + 10 years	End of membership	Belgian Civil Code, Art. 2262bis (contractual claims)
Governance records	General Assembly, Board and ExCo minutes, resolutions, attendance lists	Permanent	–	Statutory record of the association; personal data limited to participants and decisions
Mailing-list messages – active list	Messages and attachments archived in CiviCRM	Kept while the list is active	–	Art. 6(1)(f) GDPR, legitimate interest in traceable group work
Mailing-list messages – closed list	As above	3 years after the list is closed; the closure date is recorded	Closure of the list	Art. 6(1)(f) GDPR
Mailing-list messages – former members	Messages sent by a person who has left the list	2 years after leaving, even if the list continues; re-joining restarts the period; persons still on the list at closure fall under the 3-year rule	Unsubscribe or loss of group membership	Art. 6(1)(f) GDPR
List notifications	Welcome, leave and unsubscribe-confirmation messages	Permanent	–	Proof that the person was informed and of any objection (Art. 5(2), 21 GDPR)
Delivery failures	Bounce records	12 months	Date of the bounce	Art. 6(1)(f) GDPR, service operation
Working-group e-mail	Working-group e-mails and drafts outside the lists	3 years after the group is closed	Closure of the group	Art. 6(1)(f) GDPR
Operational e-mail	Scheduling, logistics, routine correspondence with members and partners	2 years from end of year	Date of the message	Art. 6(1)(f) GDPR
Contact data – active contacts	Name, organisation, role, e-mail, phone in CiviCRM	Duration of the relationship	Last substantive contact	Art. 6(1)(b)/(f) GDPR
Contact data – former members and lapsed contacts	As above	2 years after last substantive contact	Last substantive contact	Art. 6(1)(f) GDPR, unless a longer period applies

Category	Examples	Retention period	Trigger	Basis
Newsletter and press distribution lists	Subscription data, opening statistics	Until withdrawal; contacts without opening for 2 years are re-confirmed or removed	Withdrawal / last opening	Consent, Art. 6(1)(a) GDPR
Suppression list	Name and e-mail of persons who objected or withdrew	Permanent	Objection	Art. 21 and Art. 6(1)(c) GDPR
Event data	Registrations, attendance, badge data, photos with identifiable persons	Registrations 2 years after the event; photos as long as used for communication, reviewed every 2 years	End of the event	Art. 6(1)(b)/(f) GDPR
Recruitment and HR	Applications of non-hired candidates; staff files	Applications: 6 months after the decision; staff files: employment + 5 years (payroll and social security records 10 years)	Decision / end of employment	Belgian social and labour law
Website and system logs	Server logs, CRM access logs	12 months	Date of the log entry	Art. 6(1)(f) GDPR, security

The periods for accounting, HR and governance records are legal minimums for a Belgian AISBL and should be confirmed with ESMC's accountant or counsel before adoption. The other periods are ESMC's own decision based on operational need.

4. Implementation

The Secretary General is responsible for this policy. The Secretariat carries out the annual deletion run and documents what was deleted (category, count, date).

System	What is kept there	How the period is applied
CiviCRM (crm.esmc.solar)	Contacts, memberships, contributions, activities, mailing-list archive	A daily automated job deletes archived list messages and attachments by the rules above (closed list: 3 years after the recorded closure date; former member: 2 years after leaving) and flags contacts with no activity for 2 years and memberships ended more than 10 years ago for deletion after Secretariat review. Records tagged "Legal hold" and suppression entries are excluded. The mailing-list archive is accessible to the Secretariat only; list members do not have access. Welcome, leave and confirmation messages are kept. Every run that deletes something is logged (category, count, date).
Mailing lists (lists.esmc.solar, Mailman)	Subscriber lists only; Mailman keeps no messages	Subscribers are removed when membership or group participation ends. Leaving via the general "Leave this list" link takes effect once the person confirms the e-mail sent to their own address; the removal is immediate, the policy guarantees five working days. List members can request the current member list by e-mail ("who" command); non-members are refused. Bounce records are deleted after 12 months.
Mailboxes (esmc.solar)	Operational e-mail	Folders older than 2 years are archived or deleted in the January run; messages with lasting value are filed in Nextcloud first.
Nextcloud	Minutes, position papers, member documents, event files	Governance records kept permanently; event and project folders reviewed 2 years after closure.
Invoice archive (Paperless)	Invoices, credit notes, payment proofs	Deleted 7 years after the end of the year of the document.

Processors (e-mail provider, hosting) delete data on ESMC's instruction under the data processing agreements in place.

5. Adoption and review

This policy is published alongside the ESMC Privacy Policy and referenced in all mailing-list welcome messages and registration forms.

Next review: October 2028, or earlier if the law, ESMC's systems or its membership model change.