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| **CAL-HR-P-0021** |
| **Employee Data Retention** |
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| This document should be reviewed at least every 12 months to maintain its effectiveness.  Record the details of any changes made as a result of these reviews in the table below: | | | | | |
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###### Contents

[1.0 INTRODUCTION 1](#_Toc181035172)

[2.0 GENERAL PRINCIPLES ON RETENTION AND ERASURE 1](#_Toc181035173)

[3.0 RETENTION AND ERASURE OF RECRUITMENT DOCUMENTS 1](#_Toc181035174)

[4.0 RETENTION AND ERASURE OF EMPLOYMENT RECORDS 2](#_Toc181035175)

[5.0 TYPE OF RECORD 2](#_Toc181035176)

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# INTRODUCTION

1. These guidelines support the ’s Data Protection Policy.
2. will be referred to as ‘the company’ throughout.
3. The guidelines are intended to ensure that the Company processes (including deletion, erasure and destruction) personal data in the form of employment and client records in accordance with the personal data protection principles.
4. The Data Protection Officer (DPO) is responsible for overseeing these guidelines and any questions about the operation of the guidelines should be directed to them.

# GENERAL PRINCIPLES ON RETENTION AND ERASURE

1. The Company’s approach to retaining employment records is to ensure that it complies with the data protection principles referred to in these guidelines and is risk assessed, in particular to ensure that:
   1. Employment records are regularly reviewed to ensure that they remain adequate, relevant and limited to what is necessary to facilitate employees working for the Company.
   2. Employment records are kept secure and are protected against unauthorised or unlawful processing and against accidental loss, destruction or damage. Where appropriate the Company uses anonymization to prevent identification of individuals.
   3. When records are destroyed, whether held as paper records or in electronic format, the Company will ensure that they are safely and permanently erased.

# RETENTION AND ERASURE OF RECRUITMENT DOCUMENTS

1. The Company retains personal information following recruitment exercises to demonstrate, if required, that candidates have not been discriminated against on prohibited grounds and that recruitment exercises are conducted in a fair and transparent way.
2. The Company’s candidate privacy notice advises candidates how long the Company expects to keep their personal information for, once a recruitment decision has been communicated to them. This is likely to be for six months from the communication of the outcome of the recruitment exercise which takes account of both the time limit to bring claims and for claims to be received by The Company.
3. Information relating to successful candidates will be transferred to their employment record. This will be limited to that information necessary for the working relationship and, where applicable, that required by law.
4. Following a recruitment exercise, information in both paper and electronic form, will be held by the HR department. Destruction of that information will take place in accordance with these guidelines.

# RETENTION AND ERASURE OF EMPLOYMENT RECORDS

1. The Company has regard to recommended retention periods for particular employment records set out in legislation, referred to in the table below. However, it also has regard to legal risk and may keep records for up to six1 years (and in some instances longer) after employment or work with the Company has ended and there is a lawful reason to do so.

# TYPE OF RECORD

|  |  |
| --- | --- |
| RECRUITMENT | Retention period |
| These may include:  Completed online application forms or CVs.  Equal opportunities monitoring forms.  Assessment exercises or tests.  Notes from interviews and short-listing exercises.  Pre-employment verification of details provided by the successful candidate e.g. references. Criminal records checks. | Six months after notifying candidates of the outcome of the recruitment exercise. |
| **Immigration check** | Three years after the termination of employment. |
| EMPLOYMENT |  |
| Written particulars of employment.  Contracts of employment or other contracts.  Documented changes to terms and conditions. | While employment continues and for **six** years after the contract ends. |
| PAYROLL AND WAGE RECORDS |  |
| Payroll and wage records  Details on overtime.  Bonuses.  Expenses.  Benefits in kind. | These must be kept for at least **three years** after the end of the tax year to which they relate.2 |
| Current bank details | Bank details will be deleted **as soon after the end of employment as possible** once final payments have been made. |
| PAYE records | These must be kept for at least **three years** after the end of the tax year to which they relate.2 |
| Records in relation to hours worked and payments made to workers | These must be kept for **three years** beginning with the day on which the pay reference period immediately following that to which they relate ends.1 |
| Travel and subsistence. | While employment continues and for **six years** after employment ends. |
| Record of advances for season tickets and loans to employees | While employment continues and for **six years** after employment ends. |

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| PERSONNEL RECORDS |  |
| These include:  Qualifications/references.  Consents for the processing of special categories of personal data.  Annual leave records.  Annual assessment reports.  Disciplinary procedures.  Grievance procedures.  Death benefit nomination and revocation forms.  Resignation, termination and retirement. | During employment the records should be regularly reviewed and unnecessary data removed. On termination the file should be reviewed and unnecessary data removed and thereafter records maybe retained for **six years** after employment ends. |
| **Records in connection with working time** |  |
| Working time opt-out | **Three years** from the date on which they were entered into. |
| Records to show compliance, including:  Time sheets for opted-out workers.  Health assessment records for night workers. | **Three years** after the relevant period. |
| MATERNITY RECORDS |  |
| These include:  Maternity payments.  Dates of maternity leave.  Period without maternity payment.  Maternity certificates showing the expected week of confinement. | **Four years** after the end of the tax year in which the maternity pay period ends. |
| ACCIDENT RECORDS |  |
| These are created regarding any reportable accident, death or injury relating to work. | For at least **four years** from the date the report was made.2 |

*1. Consider if need to retain longer if you are aware there is a potential dispute.*

*2. Any personal injury claims would be time barred after 3 years so retaining for 4 years should ensure any claim would have been raised. Retaining records on the ‘off chance’ that a former employee would have a claim relating to a latent injury in the future would generally not be proportionate to the risk involved in retaining the records.*

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| M2 Safety Consultants Ltd |
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