

BEE ACTIVE

Employment Records Retention Policy & Schedule

1. Introduction

1.1. This policy sets out how long employment-related information will normally be held by us and when that information will be confidentially destroyed.

2. Responsibility

- 2.1. Bobby Mills is responsible for implementing and monitoring compliance with this policy.
- 2.2. They will undertake an annual review of this policy to verify that it is in effective operation.

3. Our process

- 3.1. Information (hard copy and electronic) will be retained for at least the period specified in our Records retention schedule (sometimes known as a data retention schedule or guidelines) (see Appendix 1).
- 3.2. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.
- 3.3. Hard copy and electronically-held documents and information must be deleted at the end of the retention period.
- 3.4. Hard copy documents and information must be disposed of by shredding.

Records retention schedule

Introduction

This record retention schedule sets out the time periods that different types of (employment-related) business records must be retained for business and legal purposes. This is a relatively lengthy document listing the many types of employment-related records used by Learn and Move Limited and the applicable retention periods for each record type.

The retention periods are based on business needs and legal requirements. If you maintain any types of records that are not listed in this Schedule, and it is not clear from the existing record types in this Schedule what retention period should apply, please contact Bobby Mills for guidance.

Any deviation from the retention periods in this Schedule must be approved in advance by Bobby Mills.

1. Employment records

1.1. Personnel records

Record	Recommended retention period	Storage format	Reference
Rejected job applicant records, including: contact details application letters or forms CVs references certificates of good conduct interview notes assessment and psychological test results	Six months after applicant is notified of rejection Application forms should give applicants the opportunity to object to their details being retained	Paper or electronic	ICO Employment Practices Code para 1.7 Equality Act 2010, s 123

Record	Recommended retention period	Storage format	Reference
<p>Application records of successful candidates, including:</p> <ul style="list-style-type: none"> application letters or forms copies of academic and other training received references correspondence concerning employment CVs interview notes and evaluation forms 	<p>Seven years after employment ceases</p>	<p>Paper or electronic</p>	<p><u>Limitation Act 1980, s 5 (LA 1980)</u></p>
<p>Criminal records information:</p> <ul style="list-style-type: none"> criminal records requirement assessments for a particular post criminal records information forms the Disclosure and Barring Service (DBS) check forms DBS certificates 	<p>Criminal records requirement assessments for a particular post—12 months after the assessment was last used</p> <p>All other information in this category—as soon as practicable after the check has been completed and the outcome recorded (ie whether satisfactory or not) unless, in exceptional circumstances, Bobby Mills assesses that it is clearly relevant to the ongoing employment relationship, eg to allow for consideration and resolution of any disputes or complaints in which case, six months</p>	<p>Paper or electronic</p>	<p><u>DBS guidance for employers: Duration of criminal record check validity</u></p> <p><u>ICO Employment Practices Code Nov 2011, part 1.7.4</u></p>

Employment contracts, including: personnel and training records written particulars of employment changes to terms and conditions	Seven years after employment ceases, unless document executed as a deed, in which case 13 years after employment ceases	Paper or electronic	LA 1980, ss 5, 8
Redundancy records	Seven years from date of redundancy	Paper or electronic	LA 1980, s 5
Annual leave records	Seven years after the end of each tax year	Paper or electronic	LA 1980, s 5
Parental leave records	Seven years after the end of each tax year	Paper or electronic	LA 1980, s 5
Sickness records	Seven years after the end of each tax year	Paper or electronic	LA 1980, s 5
Records of return to work meetings following sickness, maternity etc	Seven years the end of each tax year	Paper or electronic	LA 1980, s 5

2. Payroll and salary records

Record	Recommended retention period	Storage format	Reference
Records for the purposes of tax returns including wage or salary records, records of overtime, bonuses and expenses	Seven years	Paper or electronic	Taxes Management Act 1970, s 12B Finance Act 1998, Schedule 18, para 21
Pay As You Earn (PAYE) records, including: wage sheets deductions working sheets calculations of the PAYE income of employees and relevant payments to them, the deduction of tax from, or accounting for tax in respect of, such payments all documents relating to any information which an employer is required to provide to HMRC under Form P11D (benefits in kind)	Three years after the end of the tax year to which they relate	Paper or electronic	Income Tax (Pay As You Earn) Regulations 2003, SI 2003/2682, reg 97
Records demonstrating compliance with national minimum wage requirements, including hours worked	Three years beginning with the day upon which the pay reference period immediately following that to which they relate ends	Paper or electronic	National Minimum Wage Act 1998, s 9 National Minimum Wage Regulations 2015, SI 2015/621, reg 59
Employee income tax and national insurance returns and associated HMRC correspondence	Three years from end of tax year to which they relate	Paper or electronic	Income Tax (Pay as You Earn) Regulations 2003, SI 2003/2682, reg 97

Record	Recommended retention period	Storage format	Reference
Statutory sick pay (SSP) records	Three years after the end of the tax year to which they relate	Paper or electronic	<p>The requirement to maintain SSP records for three years after the end of the tax year to which they relate was revoked in 2014, but an employer may still be required by HMRC to produce such records as are in his possession or power which contain, or may contain, information relevant to satisfy HMRC that statutory sick pay has been and is being paid.</p> <p>The Statutory Sick Pay (General) Regulations 1982, SI 1982/894, reg 13(A)</p>
Wage or salary records (including overtime, bonuses and expenses) and payments to consultants and independent contractors	Seven years	Paper or electronic	Taxes Management Act 1970, s 43
Statutory maternity, paternity and shared parental pay records, calculations, certificates or other evidence	Three years after the end of the tax year in which the period of statutory pay ends	Paper or electronic	Statutory Maternity Pay (General) Regulations 1986, SI 1986/1960, reg 26 (and other corresponding legislation)

Record	Recommended retention period	Storage format	Reference
Records of reportable injuries, diseases or dangerous occurrences reportable incidents reportable diagnoses injury arising out of accident at work (including accident book)	Three years from date of the entry	Paper or electronic	<u>The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013), SI 2013/1471, reg 12</u>