

## Records Retention Schedule

This Record Retention Schedule sets out the time periods that different types of records must be retained for business and legal purposes.

The retention periods are based on business needs and legal requirements and should be read in accordance with the data protection policy.

Any deviance from the retention periods in this schedule must be approved in advance by a Director of the business.

The first section of this policy will address employment records, the second section will address work-seeker records.

### Internal employee/applicants for internal roles

Record	Retention Period	Storage Format	Lawful basis and reference
Rejected job applicant records, including: <ul style="list-style-type: none"> <li>Contact details</li> <li>CV/Applications</li> <li>References</li> <li>Test results</li> <li>Interview notes</li> </ul>	12 months after applicant is notified of rejection. The application forms should give applicants the opportunity to object to their details being retained	Paper or electronic	Legitimate business interest <ul style="list-style-type: none"> <li>To ensure that you do not accept multiple applications from the same rejected candidate</li> <li>To consider alternative roles for the candidate</li> <li>To demonstrate fair and non-discriminatory recruitment process</li> <li>Kept in line with the Equality Act 2010 (s.123)</li> </ul>
Application records of successful candidates, including: <ul style="list-style-type: none"> <li>CV/Applications</li> <li>References</li> <li>Training certificates</li> <li>Correspondence concerning employment</li> <li>Test result</li> <li>Interview notes</li> </ul>	Up to the end of 6 years after employment ceases	Paper or electronic	Legitimate business interest <ul style="list-style-type: none"> <li>To protect the business against any legal claims for breach of contract</li> <li>Kept in line with the Limitation Act 1980 (s.5)</li> <li>To demonstrate compliance with a fair and non-discriminatory recruitment process</li> </ul>
Employment contracts including: <ul style="list-style-type: none"> <li>Training records</li> <li>Written particulars of employment</li> <li>Changes to terms and conditions</li> </ul>	Up to the end of six years after employment ceases  if document executed as a deed- this should be 13 years after	Paper or electronic	Legitimate business interest <ul style="list-style-type: none"> <li>To protect the business against any legal claims for breach of contract</li> <li>Kept in line with the Limitation Act 1980 (s.5)</li> <li>Confirmation of rights and obligations owed and due by</li> </ul>

	employment ceases- s.8 Limitation Act 1980		employee- employer
Employee performance and conduct records: <ul style="list-style-type: none"> <li>• Probationary reviews</li> <li>• Review and appraisal notes</li> <li>• Promotions/demotions</li> </ul>	Up to seven years after employment ceases	Paper or electronic	Legitimate business interest <ul style="list-style-type: none"> <li>• To protect the business against any legal claims for breach of contract</li> <li>• Kept in line with the Limitation Act 1980 (s.5)</li> <li>• Confirmation of rights and obligations owed and due by employee- employer</li> </ul>
Other employment records <ul style="list-style-type: none"> <li>• Redundancy records</li> <li>• Annual leave records</li> <li>• Parental leave records</li> <li>• Sickness records</li> <li>• Return to work meetings</li> </ul>	Up to the end of six years after employment ceases	Paper or electronic	Legitimate business interest <ul style="list-style-type: none"> <li>• To protect the business against any legal claims for breach of contract</li> <li>• Kept in line with the Limitation Act 1980 (s.5)</li> <li>• Confirmation of rights and obligations owed and due by employee- employer</li> </ul>
Copies of identification documents/right to work	Kept for two years from date of termination of employment	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>• Kept in line with the Immigration (Restrictions on Employment) Order (Art 6(1)(b))</li> </ul>
Records relating to/demonstrating compliance with Working Time Regulations 1998: <ul style="list-style-type: none"> <li>• Registration of work and rest periods</li> <li>• Working time opt-out forms</li> </ul>	Kept for two years from the date on which the record was made	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>• Kept in line with the Working Time Regulations 1998 (Regulation 9)</li> </ul>
Criminal records information <ul style="list-style-type: none"> <li>• Information forms</li> <li>• DBS check forms</li> </ul>	6 months from end of last employment date	Paper or electronic	Legitimate business interest <ul style="list-style-type: none"> <li>• To demonstrate that safeguarding processes were followed</li> </ul>
Gender pay gap reporting information	Kept available for a period of at least three years beginning with the date of publication	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>• Kept in line with Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 (Regulation 15)</li> </ul>

## Payroll and salary records

Record	Retention Period	Storage Format	Lawful basis and reference
Payroll information	Kept for three years after the end of the tax year to which they relate	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>Kept in line with Income Tax (Pay As You Earn) Regulation 2003 (Regulation 97)</li> </ul>
Intermediary reporting information <ul style="list-style-type: none"> <li>HMRC have produced guidance on the different information required</li> </ul>	Kept for three years after the end of the tax year to which they relate	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>Kept in line with Income Tax (Earnings and Pensions Act 2003) (Section 716B) as well as The Income Tax (Pay As You Earn) (Amendment No.2) Regulations 2015</li> </ul>
VAT records <ul style="list-style-type: none"> <li>Keep records of sales and purchases</li> <li>Keep a separate summary of VAT called VAT account</li> <li>Issue correct VAT invoices</li> </ul>	Kept for six years or 10 years if using the VAT MOSS service	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>Please see government <a href="#">guidance</a></li> </ul>
Company accounts	Kept for six years from the end of the last company financial year they relate to  (there are circumstances that this would need to be kept shorter/ longer for- please see government <a href="#">guidance</a> for more information)	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>Please see government <a href="#">guidance</a></li> </ul>
National minimum wage records <ul style="list-style-type: none"> <li>Records demonstrating compliance with national minimum wage requirements including hours worked</li> </ul>	Kept for three years beginning with the day upon which the pay reference period immediately following that to which they relate ends	Paper or electronic	Legal obligation <ul style="list-style-type: none"> <li>Kept in line with National Minimum Wage Regulations 2015 (Regulation 59)</li> </ul>

Sickness records	Should not be kept for longer than three years	Paper or electronic	<p>Legitimate business interest</p> <ul style="list-style-type: none"> <li>To demonstrate that statutory sick pay has been paid/demonstrate why it was not paid in the event that HMRC investigate</li> </ul>
Statutory Maternity/paternity and adoption pay	Kept for three years after the end of the tax year in which the period of statutory pay ends	Paper or electronic	<p>Legal obligation</p> <ul style="list-style-type: none"> <li>Kept in line with Statutory Maternity Pay (General) Regulations 1986 (and other corresponding legislation) (Regulation 26)</li> </ul>
Pensions auto-enrolment	Kept for a minimum of six years, some records will need to be kept for a longer period	Paper or electronic	<p>Legal obligation</p> <ul style="list-style-type: none"> <li>Please consider Pensions regulator guidance</li> </ul>