

## HR DOCUMENT RETENTION POLICY

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### 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 The Data Protection Compliance Manager 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 below.

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 and destroyed at the end of the retention period.

3.4 Hard copy documents and information must be disposed of by placing in confidential waste bins.

### 4 Record Retention Schedule

4.1 Record retention schedule below accompanies and is incorporated into Devonshires' information security manual and policies. It 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 Devonshires and the applicable retention periods for each record type.

4.2 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 the Data Protection Compliance Manager for guidance.

4.3 Any deviation from the retention periods in this Schedule must be approved in advance by the Data Protection Compliance Manager.

### 5 Employment Records

5.1 Personnel records

Record	Recommended retention period	Storage format	Reference
Rejected job applicant records, including: <ul style="list-style-type: none"> <li>• contact details</li> <li>• application letters or forms</li> <li>• CVs</li> <li>• references</li> <li>• certificates of good conduct</li> <li>• interview notes</li> <li>• assessment and psychological test results</li> </ul>	Twelve months after applicant is notified of rejection	Paper or electronic	<a href="#">ICO Employment Practices Code para 1.7</a> Equality Act 2010, s 123

<b>Record</b>	<b>Recommended retention period</b>	<b>Storage format</b>	<b>Reference</b>
Application records of successful candidates, including: <ul style="list-style-type: none"> <li>• application letters or forms</li> <li>• copies of academic and other training received</li> <li>• references</li> <li>• correspondence concerning employment</li> <li>• CVs</li> <li>• interview notes and evaluation forms</li> <li>• assessment and psychological test papers and results</li> </ul>	Six years after employment ceases	Paper or electronic	Limitation Act 1980 (LA 1980), s 5
Employment contracts, including: <ul style="list-style-type: none"> <li>• personnel and training records</li> <li>• written particulars of employment</li> <li>• changes to terms and conditions</li> </ul>	Six years after employment ceases, unless document executed as a deed, in which case 12 years after employment ceases	Paper or electronic	LA 1980, ss 5, 8
Copies of identification documents (eg passports)	Not less than two years from date of termination of employment	Paper or electronic	Immigration (Restrictions on Employment) Order SI 2007/3290, Art 6(1)(b)
Identification documents of foreign nationals (including right to work)	Not less than two years from date of termination of employment	Paper or electronic	Immigration (Restrictions on Employment) Order SI 2007/3290, art 6(1)(b)
Records concerning a temporary worker	Six years after employment ceases	Paper or electronic	LA 1980, s 5
Employee performance and conduct records, including: <ul style="list-style-type: none"> <li>• probationary period reviews</li> <li>• review meeting and assessment interviews</li> <li>• appraisals and evaluations</li> <li>• promotions and demotions</li> </ul>	Six years after employment ceases	Paper or electronic	LA 1980, s 5 See Practice Note: Regulatory references under the SM&CR and SIMR
Redundancy records	Six years from date of redundancy	Paper or electronic	LA 1980, s 5
Annual leave records	Six years after employment	Paper or	LA 1980, s 5

<b>Record</b>	<b>Recommended retention period</b>	<b>Storage format</b>	<b>Reference</b>
	ceases	electronic	
Parental leave records	Six years after employment ceases	Paper or electronic	LA 1980, s 5
Sickness records	Six years after employment ceases	Paper or electronic	LA 1980, s 5
Records of return to work meetings following sickness, maternity etc	Six years after employment ceases	Paper or electronic	LA 1980, s 5

## 5.2 Payroll and salary records

<b>Record</b>	<b>Recommended retention period</b>	<b>Storage format</b>	<b>Reference</b>
Records for the purposes of tax returns including wage or salary records, records of overtime, bonuses and expenses	Six years after employment ceases	Paper or electronic	Taxes Management Act, 1970 s 12B Finance Act 1998, Schedule 18, para 21
Pay As You Earn (PAYE) records, including: <ul style="list-style-type: none"> <li>wage sheets</li> <li>deductions working sheets</li> <li>calculations of the PAYE income of employees and relevant payments</li> </ul>	six years after employment ceases	Paper or electronic	Income Tax (Pay As You Earn) Regulations 2003, SI 2003/2682, reg 97
Income tax and NI returns, income tax records and correspondence with HMRC	Six years	Paper or electronic	Income Tax (Employments) Regulations 1993, SI 1993/744, reg 55
Records demonstrating compliance with national minimum wage requirements	Six Years	Paper or electronic	National Minimum Wage Regulations 2015, SI 2015/621, reg 59
Details of benefits in kind, income tax records (P45, P60, P58, P48 etc), annual return of taxable pay and tax paid	Six years after employment ceases	Paper or electronic	Taxes Management Act 1970
Employee income tax and national insurance returns and associated HMRC correspondence	Six years	Paper or electronic	Income Tax (Pay as You Earn) Regulations 2003, SI 2003/2682, reg 97

<b>Record</b>	<b>Recommended retention period</b>	<b>Storage format</b>	<b>Reference</b>
Statutory sick pay (SSP) records	Six years	Paper or electronic	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.  The Statutory Sick Pay (General) Regulations 1982, SI 1982/894, reg 13(A)
Wage or salary records (including overtime, bonuses and expenses)	Six years	Paper or electronic	Taxes Management Act 1970, s 43
Records relating to hours worked and payments made to workers	Six years	Paper or electronic	National Wage Act 1998, s 9  The National Wage Regulations 1999, reg 38
Statutory maternity, paternity and shared parental pay records, calculations, certificates or other evidence	six years after employment ends	Paper or electronic	Statutory Maternity Pay (General) Regulations 1986, SI 1986/1960, reg 26