



WOMBOURNE PARISH COUNCIL

Employment records: retention and erasure guidelines

Reviewed: May 2023

Adopted:

Next review date: May 2024

ABOUT THESE GUIDELINES

These guidelines support the Data Protection Policy of Wombourne Parish Council.

The guidelines are intended to ensure that we process personal data in the form of employment records in accordance with the personal data protection principles, that:

- Personal data must be collected only for **specified, explicit and legitimate** purposes. It must not be further processed in any manner **incompatible** with those purposes.
- Personal data be processed **fairly, lawfully and transparently**.
- Personal data must be **adequate, relevant and limited to what is necessary** in relation to the purposes for which it is processed. When personal data is no longer needed for specified purposes, it is deleted or anonymised as provided by these guidelines.
- Personal data must be **accurate and, where necessary, kept up to date**. It must be corrected or deleted without delay when inaccurate.
- Personal Data must not be kept in an identifiable form for **longer than is necessary** for the purposes for which the data is processed.
- Personal Data must be secured by **appropriate technical and organisational measures** against unauthorised or unlawful processing, and against accidental loss, destruction or damage.

The Parish Clerk is responsible for overseeing these guidelines.

KEEPING INFORMATION UP TO DATE

We need to ensure that your personal details are up to date and accurate.

When you first start working for us we record your name, address, next of kin and contact telephone details. If any of these changes you should inform the Parish Clerk.

These provisions are intended to complement the employee rights referred to in Data Protection Policy.

GENERAL PRINCIPLES ON RETENTION AND ERASURE

Our approach to retaining employment records is to ensure that we comply with the data protection principles referred to in these guidelines and to ensure that:

- Employment records are regularly reviewed to ensure that they remain adequate, relevant and limited to what is necessary to facilitate you working for us.
- Employment records are kept secure and are protected against unauthorised or unlawful processing and against accidental loss, destruction or damage. Where appropriate we will use anonymisation to prevent identification of individuals.
- When records are destroyed, whether held as paper records or in electronic format, we will ensure that they are safely and permanently erased.

RETENTION AND ERASURE OF RECRUITMENT DOCUMENTS

We retain 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.

Following a recruitment exercise information, in both paper and electronic form, will be held by the Parish Clerk. Destruction of that information will take place in accordance with these guidelines.

RETENTION AND ERASURE OF EMPLOYMENT RECORDS

We have had regard to recommended retention periods for 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 seven years (and in some instances longer) after your employment or work with us has ended.

Type of employment record	Retention period
<p>Recruitment records</p> <p>These may include:</p> <p>Completed online application forms or CVs.</p> <p>Equal opportunities monitoring forms.</p> <p>Assessment exercises or tests.</p> <p>Notes from interviews and short-listing exercises.</p> <p>Pre-employment verification of details provided by the successful candidate. For example, checking qualifications and taking up references. (These may be transferred to a successful candidate's employment file.)</p> <p>Criminal records checks. (These may be transferred to a successful candidate's employment file if they are relevant to the ongoing relationship.)</p>	<p>Six months after notifying candidates of the outcome of the recruitment exercise.</p>
Immigration checks	Three years after the termination of employment.
Contracts	
<p>These may include:</p> <p>Written of employment.</p> <p>Contracts of employment or other contracts.</p> <p>Documented changes to terms and conditions.</p>	<p>While employment continues and for seven years after the contract ends.</p>
Collective agreements	
<p>Collective workforce agreements and past agreements that could affect present employees.</p>	<p>Any copy of a relevant collective agreement retained on an employee's record will remain while employment continues and for seven years after employment ends.</p>

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. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.
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. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.
[Payroll and wage records for companies]	[These must be kept for six years from the financial year-end in which payments were made. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.]
[Payroll and wage records for unincorporated businesses]	[These must be kept for five years after 31 January following the year of assessment. However, given their potential relevance to pay disputes they will be retained for seven years after employment ends.]
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. However, given their potential relevance to pay disputes they will be retained for seven years after the working relationship ends.
Travel and subsistence.	While employment continues and for seven years after employment ends.
Record of advances for season tickets and loans to employees	While employment continues and for seven years after employment ends.
Personnel records	
These include: Qualifications/references. Consents for the processing of special categories of personal data. Annual leave records.	While employment continues and for seven years after employment ends.

Annual assessment reports. Disciplinary procedures. Grievance procedures. Death benefit nomination and revocation forms. Resignation, termination and retirement.	
Records in connection with working time	
Working time opt-out	Three years from the date on which they were entered.
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 in connection with work.	For at least four years from the date the report was made.