

## Sunderland City Council

### HR & OD Retention Schedule

#### Document Summary

This document is the guidance for the HR&OD Retention policy for retaining and destroying of documents for all employees, including timescales.

Sept 2017

HR & OD
<p>Duplicated information may be destroyed earlier: as soon as it becomes inactive. The central personal file maintained by HR &amp; OD should be considered as the definitive record. All files should be assessed on an individual basis.</p> <p>The principal reason for retention of information , after termination of employment, will be for reference writing, but to respect the provisions of the Data Protection Act, personal information will not be retained on the employment record for any longer than is necessary for the purpose required but equally it will not be discarded if doing so will render the record inadequate. Retention periods vary depending on legal requirements and business and practicalities of implementation.</p> <p>Payroll and Pension records will be retained for the appropriate period of time to enable resolution of queries, both internally and from HMRC.</p> <p>Reference Codes</p> <ul style="list-style-type: none"> <li>• NC (Non-Child) – Employee who has not worked with children</li> <li>• C (Child) – Employee who has worked with children</li> <li>• CA (Child &amp; Allegation) – Employee who has worked with children <b>AND</b> has had an allegation of a child protection nature against them, including where the allegation is unfounded</li> </ul>

Business Function & Record Type	Retention Period			Action	Prompt	Notes & Guiding Legislation
	Non-Child	Child	Child & Allegation			
<b>Occupational Health Records</b>						
Generalised Occupational Health records i.e. pre-employment health	7 Years	7 Years	& years	Destroy	Termination of Employment	Common practice

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questionnaire, medical referral correspondence including release of pension on ill-health grounds, (retention will be longer if the records include Health Surveillance – see below)						
Medical records of biological tests under Control of Lead at Work regulations	40 years	40 years	40 years	Destroy	Date of last entry on health surveillance record in employees OHU file.	Control of Lead at Work Regulations 2002
Medical records under the COSHH	40 years	40 years	40 years	Destroy	Date of the last entry on health surveillance record in employees OHU file.	Control of Substances Hazardous to Health Regulations 2002
Medical records in relation to exposure to asbestos	40 years	40 years	40 years	Destroy	Date of the last entry on health surveillance record in employees OHU file.	Control of Asbestos at Work Regulations 2002
Medical records under the Ionising Radiations Regulations	Until the employee reaches 75 or at least for 50 years	Until the employee reaches 75 or at least for 50 years	Until the employee reaches 75 or at least for 50 years	Destroy	Age of employee	Ionising Radiations Regulations 1999
<b>Health and Safety</b>						

The Health and Safety at Work Act 1974 underpins the retention of health and safety records in the UK, which are required to meet statutory obligations or to carry out certain activities. Failure to produce the necessary records relating to health and safety matters can bring prosecution. The primary reason for keeping health and safety records is to ensure that the employer is well placed to protect the safety of the staff and public, but beyond this, a powerful reason is the management of an employer's exposure to litigation. Under the Limitation Act 1980, personal injury actions must be

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<p>commenced within three years of the injury occurring. This gives a clearly defined time to keep records associated with an injury. However, for some complaints, such as asbestos and noise damage, the employee may not realise he or she has contracted it until several years after exposure. In such cases the Act allows the claim to be brought within three years of the date that the employee had knowledge of the disease or injury. This, therefore, extends the time some records may have to be kept and it is recommended that relevant records be kept for 40 years for such incidents.</p>						
<b>Accidents, Incidents, and Equipment Maintenance</b>						
Reports of accidents involving Group 3 or 4 biological agents	40 years	40 years	40 years	Destroy	After the last known exposure	Control of Substances Hazardous to Health (COSHH)
Accident reports and records of injuries to adults, e.g. accident book	7 years	7 years	7 years	Destroy	Date book closed	RIDDOR 2013, Social Security (Claims and Payments) Regulations 1979
Accident reports and records of injuries to children, e.g. accident book	21 years	21 years	21 years	Destroy	Date book closed	RIDDOR 1995, Social Security (Claims and Payments) Regulations 1979
Investigation of accidents, dangerous occurrences and diseases	40 years	40 years	40 years	Destroy	Date record created	Limitation Act 1980
RIDDOR notification to Health and Safety Executive	7 or 21 years depending on incident category	7 or 21 years depending on incident category	7 or 21 years depending on incident category	Destroy	Date book closed	Health and Safety (First Aid) Regulations 1981
Report of violent conduct at work, including witness statements	7 years	7 years	7 years	Destroy	Date record created	Limitation Act 1980
Record of issue of protective equipment	7 years	7 years	7 years	Destroy	Date issued	Limitation Act 1980
Record of maintenance of protective equipment	7 years	7 years	7 years	Destroy	Date superseded	Personal Protective Equipment at Work Regulations 1992

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Equipment assessment inspection records	7 years	7 years	7 years	Destroy	Date of destruction of equipment	
Hazard analysis records	40 years	40 years	40 years	Destroy	Date record created Transfer to archive once administrative use is concluded	
Site and safety inspection reports	7 years	7 years	7 years	Destroy	Date created	Management of Health and Safety at Work Regulations 1999
Instruction manuals	7 years	7 years	7 years	Destroy	Date superseded	
<b>Health and Safety Policies, Consultations, and Committees</b>						
Development of health and safety policy	7 years	7 years	7 years	Destroy	Date superseded	Health and Safety at Work Act 1974
Audit and review of health and safety provision	7 years	7 years	7 years	Destroy	Date created	Health and Safety at Work Act 1974
Consultations and communications with safety representatives and proceedings and decisions made by the committee	Until superseded	Until superseded	Until superseded	Destroy	Date superseded	Safety Representatives and Safety Committees Regulations 1977 and the Health and Safety (Consultation with Employees) 1996
Time off or other assistance provided to safety representatives	5 years	5 years	5 years	Destroy	Date record created	Safety Representatives and Safety Committees Regulations 1977
Notifications of appointments	1 year	1 year	1 year	Destroy	Date of	Safety Representatives

Business Function & Record Type	Retention Period			Action	Prompt	Notes & Guiding Legislation
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of safety representatives by Trade Unions					terminatio n of employme nt	and Safety Committees Regulations 1977
Election of representatives of employee safety	1 year	1 year	1 year	Destroy	Date of terminatio n of employme nt	Health and Safety (Consultation with Employees) Regulations 1996
<b>Risk Assessments</b>						
List of employees exposed to Group 3 or Group 4 biological agents			40 years	Destroy	Date of final entry	COSHH
Air monitoring records	40 years	40 years	40 years	Destroy	Date of final entry	Control of Lead at Work Regulations 2002
Manual handling assessments	7 years	7 years	7 years	Destroy	Date of terminatio n of employme nt	Common Practice
Testing and repair of equipment used to control asbestos levels and exposure to lead	40 years	40 years	40 years	Destroy	Date of final entry	Control of Asbestos at Work Regulations 2002 and Control of Lead at Work Regulations 2002
Records identifying the presence of asbestos and plans of work for removal of asbestos	40 years	40 years	40 years	Destroy	Date of final entry	Control of Asbestos at Work Regulations 2012
Risk assessments of employees expose to lead or asbestos	40 years	40 years	40 years	Destroy	Date record created	COSHH Control of Asbestos at Work Regulations 2002 and Control of Lead at Work Regulations 2002
Monitoring of exposure to substances hazardous to health	40 years	40 years	40 years	Destroy	Date of final entry	COSHH
Display screen equipment	7 years	7 years	7 years	Destroy	Date of	Health and Safety

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assessments completed by Occupational Health.					termination of employment	(Display Screen Equipment) Regulations 1992
<b>Fire and First Aid</b>						
List of First Aiders	7 years	7 years	7 years	Destroy	date superseded	Health and Safety (First Aid) Regulations 1981
<b>Health and Safety Training</b>						
Records documenting the provision of approved training specifically related to the functions of being a first aider	7 years	7 years	7 years	Destroy	Date of termination of employment	Health and Safety (First Aid) Regulations 1981  See also Personnel Retention Schedule
Qualification certificates	7 years	7 years	7 years	Destroy	Date of termination of employment	See also Personnel Retention Schedule
Records documenting the provision of information, instruction and training for employees on health and safety matters	7 years	7 years	7 years	Destroy	Date course updated or superseded	Health and Safety at Work Act 1974
Records documenting the content of information and instruction on health and safety matters and methods of delivery provided for employees	7 years	7 years	7 years	Destroy	Date superseded	Health and Safety at Work Act 1974
Records documenting the provision of role- specific training for fire wardens	7 years	7 years	7 years	Destroy	Date of termination of employment	Health and Safety at Work Act 1974

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<b>Personal Details</b>						
<b>Disciplinary Procedure</b>						
Formal written warning	7 years	15 years	Until normal retirement age or 10 years from the date of allegation, whichever is the longer	Destroy	Termination of employment	Common practice
Final written warning	7 years	15 years	Until normal retirement age or 10 years from the date of allegation, whichever is the longer	Destroy	Termination of employment	Common practice
Formal disciplinary record	7 years	15 years	Until normal retirement age or 10 years from the date of allegation, whichever is the longer	Destroy	Termination of employment	Common practice
<b>Absence and Leave</b>						
Sickness Absence documents i.e. Self Cert Declarations	7 years	15 years	Until normal retirement age or 10	Destroy	Termination of employment	Common practice

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			years from the date of allegation, whichever is the longer			
Sickness Absence documents i.e. Fit Notes Any FIT notes held by Occupational Health Unit will be retained in line with General OHU records	3 years	3 years	3 years	Destroy	End of tax year	Common practice
Flexible leave reconciliation records held by line manager and or employee	2 years	2 years	2 years	Destroy	Date of record	Working Time Regulations 1998
Annual leave records held by line manager and or employee	2 years	2 years	2 years	Destroy	Date of record	Working Time Regulations 1998
Study leave records held by line manager and or employee	2 years	2 years	2 years	Destroy	Date of record	Working Time Regulations 1998
All records relating to parental leave including Maternity, Paternity, Adoption, Parental Leave records	7 years	15 years	Until normal retirement age or 10years from the date of allegation, whichever is the longer	Destroy	Termination of employment	Maternity and Parental Leave Regulations 1999
<b>Applications and Recruitment</b>						
Successful Candidates: Recruitment and new starter	7 years	15 years	Until normal retirement	Destroy	Termination of	Equality Act 2010



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information including Job Description and Person Specification, Application forms, interview notes and references, DBS clearance details , and psychometric testing for recruitment pre-employment checks, fit note, qualifications, identification, proof to work in the UK, Recruiting Manager Checklist, personal details.			age or 10 years from the date of allegation, whichever is the longer		employment	
Unsuccessful Candidates: Application forms, interview notes, references and psychometric testing for recruitment and any pre-employment clearances obtained prior to the decision that candidate was unsuccessful which may include references, identification, proof to work in the UK, DBS clearance details, and any notes regarding reason for unsuccessful.	8 months from time vacancy filled (Recruitment Team to screen records before destruction)	8 months from time vacancy filled (Recruitment Team to screen records before destruction)	8 months from time vacancy filled (Recruitment Team to screen records before destruction)	Destroy	Filling of vacancy	Equality Act 2010
Psychometric testing for internal development, matching for vacancies and restructures.	2 years	2 years	2 years	Destroy	Termination of employment or when assessment re-done	
Responses to Internal Jobs Matching strengths questionnaire held in match job system					Termination of employment or when assessment re-done	
Requests for Agency support and details of worker allocated along with	3 years	3 years	3 years	Destroy	End of tax year	

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claims						
DBS renewal information on DBS system and recorded on SAP and email to line manager	6 months DBS system & email SAP record is permanent	6 months DBS system & email SAP record is permanent	6 months DBS system & email SAP record is permanent	Destroyed	Time of DBS result	
Initial notification and changes to personal information including, Employee Equality Information, address, bank details etc. held in personal file	7 years	15 years	Until normal retirement age or 10 years from the date of allegation, whichever is the longer	Destroy	Termination of employment	Equality Act 2010 (Specific Duties 2011) EHRC Guidance
Change in bank details only with no other change of details held in Payroll processing records	1 year	1 year	1 year	Destroy	Tax year	
Contract of employment including changes in employment history and terms and conditions e.g. Change of position, change of hours, change of contract notification. Held in personal file	7 years	15 years	Until normal retirement age or 10 years from the date of allegation, whichever is the longer	Destroy	Termination of employment	Limitation Act 1980
<b>Training and Development</b>						
Qualification certificates and accredited training – held in personal file	7 years	15 years	Until normal retirement age or 10 years from the	Destroy	Termination of employment	Common practice

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			date of allegation, whichever is the longer			
Training plans / training request/ attendance records/evaluation forms / confirmation or copy certification of training completed held in network drives or paper records	7 years	7 years	7 years	Destroy	from date of completion of course	Common practice
Training records relating to statutory training such as first aid – course content, attendance record. Held in network drives & paper records. Certificate issued to attendee.	7 years	7 years	7 years	Destroy	Completion of course	Health and Safety (First Aid) Regulation 1981
Coaching applications, agreements, notes, action plans, evaluation forms. Held in network drives	3 years	3 years	3 years	Destroy	End of coaching	
<b>Leaving the organisation</b>						
All correspondence relating to leaving the organisation will be held in personal file including: <ul style="list-style-type: none"> <li>- Redundancy correspondence</li> <li>- Resignation letter and leaver notification</li> <li>- Termination due to capability or disciplinary</li> <li>- TUPE notifications</li> <li>- Notification of death</li> <li>- Compromise agreements are held with Legal</li> </ul>	7 years	15 years	Until normal retirement age or 10 years from the date of allegation, whichever is the longer	Destroy	Date of redundancy	Common practice
Managers Leaver Checklist (confirmation appropriate action has	1 year	1 year	1 year	Destroy	Termination of	

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been completed)					Employment	
Exit questionnaire	7 years	15 years	Until normal retirement age or 10 years from the date of allegation, whichever is the longer	Destroy	Termination of employment	Common practice
<b>Employee and Industrial Relations</b>						
Identification and development of significant directions concerning Employee relation matters.	Permanent	Permanent	Permanent	Archive	Conclusion	Common practice
<b>HR Administration</b>						
Summary management systems that allow the monitoring & management of employees in summary form:  <ul style="list-style-type: none"> <li>Employment Register all staff including permanent, temporary and casual – (Before 30<sup>th</sup> November 2005 – Manual Excel spread sheet log. From 1<sup>st</sup> December 2006 – SAP)</li> </ul> Pro 4 & ISIS electronic payslips	Permanent	Permanent	Permanent	Retain Indefinitely	Termination of employment	Common practice
Audit log of activity undertaken on SAP	Permanent	Permanent	Permanent	Retained	N/A	
Employee Code of Conduct Declarations				Destroy		Employee Code of Conduct

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Flexible working requests and approval documentation	7 years	15 years		Destroy	Termination of employment	
Staffing proposals	7 years	7 years	7 years	Destroy	From date of change	
Statutory returns e.g. School Workforce Census						
Internal requests for structural information						
Freedom of Information responses complied by HR&OD	2 years	2 years	2 years	Destroy	From date of request	
Supervision records and appraisal documentation held by line manager and not on personal file.	12 months	12 months	12 months	Destroy	Termination of employment	
<b>Payroll</b>						
New starter documentation including P45 / P46, HMRC self-employment questionnaire	7 years	7 years	7 years	Destroy	End of Tax Year	HMRC regulations
New starter – copy information received by Payroll for processing	3 years	3 years	3 years	Destroy	End of Tax Year	Common practice
Changes to employee impacting on pay e.g. hours, grade, Copy used in payroll for processing.	3 years	3 years	3 years	Destroy	End of Tax Year	Common Practice
TUPE data processed by payroll	7 years	7 years	7 years	Destroy	End of Tax Yea	HMRC regulations
Absence documentation – sickness return, sick notes, MatB1, SSP1, suspension notification , career break, strike returns, unpaid leave, jury service, TA / Reservist leave (Schools & Academies keep their own)	3 years	3 years	3 years	Destroy	End of Tax Year	
Claims for varying payments e.g. overtime, timesheets for PVH employees, standby, call out, sleep-ins, accompanied holidays	3 years	3 years	3 years	Destroy	End of Tax Year	
Claims for reimbursement of	7 years	7 years	7 years	Destroy	End of Tax	HMRC regulations

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expenses e.g., car mileage claims, car park, bus fares, meals (employees to keep petrol receipts for 3 years)					Year	
P11D record on SAP is permanent. Any correspondence / papers retained as detailed	7 years	7 years	7 years	Destroy	End of Tax Year	
Overpayment correspondence, calculation, debit notes	3 years	3 years	3 years	Destroy	End of Tax year	
Notification of salary sacrifice payments: <ul style="list-style-type: none"> <li>- Annual leave buy back</li> <li>- Child car voucher scheme</li> <li>- Car lease</li> <li>- Car parking</li> <li>- Cycle to work (if adopted)</li> </ul>	3 years	3 years	3 years	Destroy	End of Tax year	
Attachment of earnings orders	7 years	7 years	7 years	Destroy	End of Tax Year	
Paycycle reports and BACS transmissions	3 years	3 years	3 years	destroy	End of Tax Year	
Mortgage enquiries	6 months	6 months	6 months	Destroy	Date of request	
End of year returns and statutory reports	7 years	7 years	7 years	Destroy	End of Tax year	
Payroll reports issued internally & externally	3 years	3 years	3 years	Destroy	End of Tax Year	
Pay rates to monitor compliance with National Minimum Wage held on SAP	Permanent	Permanent	Permanent	N/A	N/A	
Above also refers to Councillor payroll records and claims						
<b>Pensions</b>						
Pension records for employees including: <ul style="list-style-type: none"> <li>- Opt in and opt outs</li> <li>- Auto-enrolment staging and cyclical review and contractual enrolments</li> </ul>	7 years	7 years	7 years	Destroy	End of tax year	

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Buy back of pension re career break / annual leave., strike & other pension scheme contribution records	3 years	3 years	3 years	Destroy	End of tax year in which agreement is concluded	
Pensions – copy notifications sent to relevant pension administrator e.g. Teachers Pensions, Local Government South Tyneside / Teesside / Durham				Destroy	End of tax year	
Pension estimates	2 years	2 years	2 years	Destroy	End of Tax Year	
Pension remuneration calculation / notification of pensionable pay	7 years	7 years	7 years	Destroy	End of Tax Year	
Decision records regarding release of pension on ill-health grounds or other grounds for deferred members of LGPS	2 years	2 years	2 years	Destroy	Date of decision	
Requests to extend the 12 month time limit to transfers into LGPS or to keep pension accounts separate	2 years	2 years	2 years	Destroy	Date of decision	
Gratuity Pensioners All correspondence e.g. change of details, death, widow / widower pension in to payment, overpayment, pensions increase	7 years	7 years	7 years	Destroy	Date of decision	Compensation Act 1972