



RECORD RETENTION POLICY

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Policy Statement

The General Data Protection Regulation (2018) does not set out any specific minimum or maximum periods for retaining personal data but states that “personal data processed for any purpose shall not be kept for longer than is necessary for a particular purpose or purposes”. All retained records must be kept safe and secure.

Aim of the Policy

This policy is intended to give direction regarding the period of time various records should be retained by JRH Support.

Document	Retention Period	Extra Information
HUMAN RESOURCES		
Sickness / Sick Pay	Although it's no longer a statutory requirement, it's recommended that records are kept for a period of 6 years after employment ceases in case of any dispute over payment of SSP or HMRC enquiry	Records of employee's sickness are required to be kept to best suit business needs but must be clear for PAYE purposes
Maternity leave / Pay	At least 3 years after the end of the tax year to which they relate	Statutory
Paternity Leave / Pay	At least 3 years after the end of the tax year to which they relate	Statutory
Shared Parental Leave / Pay	At least 3 years after the end of the tax year to which they relate	Statutory
Adoption leave / Pay	At least 3 years after the end of the tax year to which they relate	Statutory
Wages / Salary / PAYE	6 years recommended after the end of the tax year to which they relate 3 years minimum after the end of the tax year to which they relate	Statutory
Document	Retention Period	Extra Information

National Minimum Wage	3 years after the end of the pay reference period immediately following the one to which they relate	Statutory National Minimum Wage Act 1998
Working Time	2 years from the date on which they were made	Statutory
Application forms and interview notes for unsuccessful candidates	6 months to 1 year 1 year recommended	Not statutory – in case of any discrimination challenge
DBS disclosure certificates	No longer than necessary. Guidance states 6 months after recruitment decision. Keep record of the DBS number for recruited staff.	
Personnel Files	6 years after employment ceases	Not statutory
Training Records	6 years after employment ceases	Not statutory
Disciplinary Records	6 years after employment ceases	Not statutory
Redundancy	6 years after employment ceases	Not statutory
Duty rosters	4 years after the year to which they relate	
General Operating Policies & Procedures	Current version and previous version for 3 years	
Pensions – Worker / Job holder and Pension Scheme	Minimum of 6 years. 4 years for opt-out records	Records that must be kept by law under the new employer duties

NOTE - There are no definitive retention periods for personnel records therefore recommendations are based on the 6 year time limit within which legal proceedings must be commenced under The Limitation Act 1980. It is up to the employer's judgement how long after this time they are kept.

NOTE: As the framework for Work-based Pension Schemes develops, there are implications for all employers to keep some aspects of personnel, financial records and documentation relating to pension arrangements for longer periods of time e.g. past the retirement age of the employee, ICO employees until age 100

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ACCOUNTING & FINANCIAL		
Accounting documents for a Private Company	3 years from the date on which they are made	Good practice recommends 6 years from the end of the year they relate to
Accounting documents for a Private Limited Company	At least 6 years from the end of the last company financial year they relate to. May need to keep records longer in certain circumstances. Recommend 6 years plus	HMRC can levy a fine if accounting records are not kept to cover the time limit for bringing any civil legal action against the company, including national minimum wage claims and contractual claims
Sole Trader or Partner Business Records	At least 5 years after the online tax return deadline to which they relate. May need to keep records longer in certain circumstances. Recommend 6 years plus.	
Partnership Tax Records	4 years after the online tax return deadline following the end of the tax year. Recommend 6 years plus	
Tax Records	6 years minimum from the end of the tax accounting period. May need to keep records longer in certain circumstances. Recommend 6 years	HMRC can charge a penalty if company tax records are not kept
SERVICE USERS		
Community Based Services for people with learning disability, substance misuse	For no less than 3 years from the date of the last entry Any incidents, maintenance, staff issues should also be held for at least 3 years.	Although the Essential Standards have been superseded by Guidance for Providers on meeting the Regulations, this has no specific reference to record retention, recommendation is to be guided by the Essential Standards
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Domiciliary Care Agencies	For no less than 3 years from the date of the last entry	
Money or valuables deposited for safe keeping	3 years	Although the Essential Standards have been superseded by Guidance for Providers on meeting the Regulations, this has no specific reference to record retention, recommendation is to be guided by the Essential Standards
Children and Young People (all types of records relating to children and young people)	Retain until the individual's 25 th birthday or 26 th if the young person was 17 at the conclusion of support, or 8 years after death	
INSURANCE		
Employer's Liability	The requirements to retain compulsory employer's liability certificates for 40 years ceased on 1 October 2008 however it is advised to continue to keep this long in case of claims.	Tracing Code of Practice includes a commitment from insurers to keep employer's liability records for 60 years.
HEALTH & SAFETY		
Accident/incident records Record of any reportable injury, disease or dangerous occurrence (RIDDOR)	Minimum 3 years from the date on which the entry was made	
Incidents, events or occurrences that require notification to the Care Quality Commission	3years	Although the Essential Standards have been superseded by Guidance for Providers on meeting the Regulations, this has no specific reference to record retention, recommendation is to be guided by the Essential Standards
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Maintenance of premises	3 years	Although the Essential Standards have been superseded by Guidance for Providers on meeting the Regulations, this has no specific reference to record retention, recommendation is to be guided by the Essential Standards
Maintenance of equipment	3 years	Although the Essential Standards have been superseded by Guidance for Providers on meeting the Regulations, this has no specific reference to record retention, recommendation is to be guided by the Essential Standards
Fire safety	3 years	Although the Essential Standards have been superseded by Guidance for Providers on meeting the Regulations, this has no specific reference to record retention, recommendation is to be guided by the Essential Standards
Water safety	3 years	Although the Essential Standards have been superseded by Guidance for Providers on meeting the Regulations, this has no specific reference to record retention, recommendation is to be guided by the Essential Standards