

Data Retention Policy

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Introduction

All businesses must keep personnel and financial records in order to run their business efficiently and to comply with statutory requirements. The type of record will determine the length of time the record must be kept for. The Company acknowledges that all records must be kept in accordance with data protection laws and more specifically our policies in respect of data protection.

Summary of principles

1. Businesses collecting personal data must register with the Information Commissioner's Office. The Company's registration number is Z9635342.
2. The Company must take extra care with 'sensitive personal data' i.e. data relating to race, ethnic origin, political or religious opinions or philosophical beliefs, trade union membership, data concerning health or a person's sex life or sexual orientation or criminal records.
3. The Company is not required to keep the original of all documents - copies can be stored but they must be stored in writing, including in electronic format.
4. If erasing or destroying records, then destruction must be done securely. The Company disposes of data through a confidential waste company as well as through on site shredding.

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The Company keeps documents for the time period stated below.

Document type	How long to keep for (and source of requirement)
Personnel records	
<ul style="list-style-type: none"> Work-seeker records including application form/CV, ID checks, terms of engagement (see also below), details of assignments, opt-out notices and interview notes Hirer records including client details, terms of business (see below) and assignment/vacancy details. 	<p>1 year from the last date of providing work-finding services as an Employment Agency or Employment Business (Conduct of Employment Agencies and Employment Businesses Regulations 2003 (Conduct Regulations))</p> <p>For full details see pages 16 and 19 to 20 of the REC Guide to the Conduct Regulations.</p>
Terms of engagement with temporary worker and terms of business with clients	6 years in order to deal with any civil action in the form of contractual claim (Limitation Act 1980) (5 years in Scotland).
Working time records: <ul style="list-style-type: none"> 48 hour opt out notice Annual leave records 	2 years from the time they were created
Annual appraisal/assessment records	No specific period - under data protection laws we only keep records for as long as is necessary.
References	Under data protection laws, we only keep records for as long as is necessary. However, the Conduct Regulations require references to be kept for 1 year following the introduction or supply of a work-seeker to a client.
Records held relating to right to work in the UK	2 years after employment or engagement has ended
Criminal records checks/ Disclosure Barring checks	There is no longer a 6 month time limit on how long DBS certificates can be kept for. When it comes to handling and storing certificates the new DBS Code requires registered bodies to 'handle all information provided to them by DBS, as a consequence of applying for a DBS product, in line with the obligations under Data protection Act 1998'.

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Document type	How long to keep for (and source of requirement)
National Minimum Wage documentation: <ul style="list-style-type: none"> • Total pay by the worker and the hours worked by the worker • Overtime/shift premium; • Any deduction or payment of accommodation; • Any absences eg rest breaks, sick leave, holiday; • Any travel or training during working hours and its length; • Total number of hours in a pay reference period 	For HMRC purposes: 3 years after the end of the pay reference period following the one that the records cover (National Minimum Wage Act 1998) Or 6 years to evidence national minimum wage compliance
Sickness records - statutory sick pay	Records to be kept as required for payroll purposes (see below)
Statutory maternity, paternity, adoption pay	3 years from the end of the tax year to which it relates
Pensions auto-enrolment (including auto-enrolment date, joining date, opt in and opt out notices, contributions paid)	6 years except for opt out notices which will be kept for 4 years. For further information see The Pensions Regulator's detailed guidance for employers.
Gender pay gap reporting	1 year and statement will be kept on the Government website and ENS's website for 3 years.
Personal Information for service users	Personal information within client file kept for a minimum of seven (7) years, or longer if required by law. Personal information kept within feedback procedure for three (3) years to identify trends and patterns into our service.
Company financial records	
VAT	6 years - An overview of VAT record keeping is available on the Gov.uk website.
Company accounts	6 years - An overview of running a limited company on the Gov.uk website.
<ul style="list-style-type: none"> • Payroll information • CIS records 	3 years from the end of the tax year - CIS record-keeping and PAVE record-keeping guidance on the Gov.uk website.
ITEPA (the intermediaries legislation) records	Report due every quarter, to be kept for no less than 3 years after the end of the tax year to which they relate.

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Related policies

ENS Privacy Notice Care & Support
ENS Privacy Notice
Data Protection Procedure
Data Protection Policy
Information Security Policy