

Record keeping – documents AJC will retain and for how long

April 2018

We will have to keep hold of personal data in order to comply with statutory requirements and the table below will inform you of how long each document will be held for.

Document type	How long we keep your records:
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), assignment/vacancy details. 	3 years from the last date of providing work-finding services as an Employment Agency or Employment Business (
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 should 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.

Document type	How long we keep your records:
Criminal records checks/ Disclosure Barring checks	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' .
National Minimum Wage documentation: <ul style="list-style-type: none"> • Total pay by the worker and the hours worked by the worker • Overtime/shift premia; • 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 (5 in Scotland) in order to show that you have paid at least national minimum wage rates if a breach of contract claim is brought against you.
Sickness records – statutory sick pay	Records can be kept in a flexible manner but will be kept for payroll purposes
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 should be kept for 4 years.
Gender pay gap reporting	1 year (but the statement will be kept on the Government website and organisations own website for 3 years).

Anthony James Consulting Ltd, Registered in England No.08499604. Business Office: Dorset House, Regent Park, Kingston Road, Leatherhead, Surrey, KT22 7PL.

This email and any files transmitted with it are confidential and intended solely for the intended recipient. If you are not the named addressee you should not disseminate, distribute, copy or alter this email. Any views or opinions presented in this email are solely those of the author and might not represent those of Anthony James Consulting Ltd.

Important: It is practice of Anthony James Consulting Ltd to keep all CV's and personal data on our database /CRM. If you require your data to be taken off our database or find that your data is untrue, it is your responsibility to inform us in writing.

Warning: Although Anthony James Consulting Ltd has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments