Bristol Childcare

Record Retention Schedule

1 Employment records

1.1 Personnel records

Record	Retention period	Storage format	Reference
Rejected job applicant records, including: contact details application letters or forms CVs references certificates of good conduct interview notes assessment and psychological test results	Six months after applicant is notified of rejection *Application forms give applicants the opportunity to object to their details being retained*	Paper or electronic depending on submission	ICO Employment Practices Code para 1.7 Equality Act 2010, s 123
Application records of successful candidates, including: application letters or forms copies of academic and other training received	Six years after employment ceases	Electronic (scanned)	Limitation Act 1980 (LA 1980), s 5

Record	Retention period	Storage format	Reference
references correspondence concerning employment CVs interview notes and evaluation forms assessment and psychological test papers and results			
Criminal records information: criminal records requirement assessments for a particular post criminal records information forms the Disclosure and Barring Service (DBS) check forms DBS certificates	Criminal records requirement assessments for a particular post—12 months after the assessment was last used All other information in this category—removal as soon as practicable after the check has been completed and the outcome recorded (ie whether satisfactory or not) unless, in exceptional circumstances, **the Managing Director** assesses that it is clearly relevant to the ongoing employment relationship.	Paper or electronic	DBS guidance for employers: Duration of criminal record check validity ICO Employment Practices Code Nov 2011, part 1.7.4
Employment contracts, including: personnel and training records written particulars of employment changes to terms and conditions	Six years after employment ceases, unless document executed as a deed, in which case 12 years after employment ceases	Paper or electronic	LA 1980, ss 5, 8
Directors' service contracts and any	Six years from termination or expiry of the contract, unless executed as a deed, in which case 12 years from	Paper or	LA 1980, ss 5, 8

Record	Retention period	Storage format	Reference
variations	termination or expiry	electronic	Companies Act 2006, ss 227 and 228
Copies of identification documents (eg passports)	Not less than two years from date of termination of employment	Paper or electronic	Immigration (Restrictions on Employment) Order SI 2007/3290, Art 6(1)(b)
Identification documents of foreign nationals (including right to work)	Not less than two years from date of termination of employment	Paper or electronic	Immigration (Restrictions on Employment) Order SI 2007/3290, art 6(1)(b)
Records concerning a temporary worker	Six years after employment ceases	Paper or electronic	LA 1980, s 5
Employee performance records, including: probationary period reviews review meeting and assessment interviews appraisals and evaluations promotions and demotions	Six years after employment ceases	Paper or electronic	LA 1980, s 5

Record	Retention period	Storage format	Reference
Records relating to and/or showing compliance with Working Time Regulations 1998 including: registration of work and rest periods working time opt-out forms	Two years from the date on which the record was made	Paper or electronic	Working Time Regulations 1998, SI 1998/1833, reg 9
Redundancy records	Six years from date of redundancy	Paper or electronic	LA 1980, s 5
Annual leave records	Six years after the end of each tax year	Electronic	LA 1980, s 5
Parental leave records	Six years after the end of each tax year	Electronic	LA 1980, s 5
Sickness records	Six years after the end of each tax year	Electronic	LA 1980, s 5
Records of return to work meetings following sickness, maternity etc	Six years the end of each tax year	Electronic	LA 1980, s 5

1.2 Payroll and salary records

Record	Retention period	Storage format	Reference
Records for the purposes of tax returns including wage or salary records, records of overtime, bonuses and expenses	Six years (from end of financial year)	Paper or electronic	Taxes Management Act, 1970 s 12B Finance Act 1998, Schedule 18, para 21

Record	Retention period	Storage format	Reference
Pay As You Earn (PAYE) records, including: wage sheets deductions working sheets calculations of the PAYE income of employees and relevant payments	Six years (from end of financial year)	Paper or electronic	Income Tax (Pay As You Earn) Regulations 2003, SI 2003/2682, reg 97
Income tax and NI returns, income tax records and correspondence with HMRC	Six years (from end of financial year)	Paper or electronic	Income Tax (Employments) Regulations 1993, SI 1993/744, reg 55
Records demonstrating compliance with national minimum wage requirements	Three years beginning with the day upon which the pay reference period immediately following that to which they relate ends	Paper or electronic	National Minimum Wage Regulations 2015, SI 2015/621, reg 59
Details of benefits in kind, income tax records (P45, P60, P58, P48 etc), annual return of taxable pay and tax paid	Six years (but general time limit under the TMA 1970 is reducing to four years from 1 April 2012)	Paper or electronic	Taxes Management Act 1970
Employee income tax and national insurance returns and associated HMRC correspondence	Three years from end of tax year to which they relate	Paper or electronic	Income Tax (Pay as You Earn) Regulations 2003, SI 2003/2682, reg 97
Statutory sick pay (SSP) records	Three years after the end of the tax year to which they relate	Paper or electronic	The requirement to maintain SSP records for three years after the end of the tax year to which they relate was revoked in 2014, but an employer

Record	Retention period	Storage format	Reference
			may still be required by HMRC to produce such records as are in his possession or power which contain, or may contain, information relevant to satisfy HMRC that statutory sick pay has been and is being paid. The Statutory Sick Pay (General) Regulations 1982, SI 1982/894, reg 13(A)
Wage or salary records (including overtime, bonuses and expenses)	Six years (from end of financial year)	Paper or electronic	Taxes Management Act 1970, s 43
Records relating to hours worked and payments made to workers	Three years	Paper or electronic	National Wage Act 1998, s 9 The National Wage Regulations 1999, reg 38
Statutory maternity, paternity and shared parental pay records, calculations, certificates or other evidence	Three years after the end of the tax year in which the period of statutory pay ends	Paper or electronic	Statutory Maternity Pay (General) Regulations 1986, SI 1986/1960, reg 26

2 Health and safety records

Record	Retention period	Storage format	Reference
Records of reportable injuries, diseases or dangerous occurrences reportable incidents reportable diagnoses injury arising out of accident at work (including [*insert organisation's name*]'s accident book)	Three years from date of the entry	Paper or electronic	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013), SI 2013/1471, reg 12
Lists or register of employees who have been exposed to asbestos dust, including health records of each employee	40 years from the date of the last entry made in the record	Paper or electronic	Control of Asbestos Regulations 2012, SI 2012/63, reg 22(1)
Medical records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry made in the record	Paper or electronic	The Control of Lead at Work Regulations 2002 (CLAW 2002), SI 2002/2676, reg 10
Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry made in the record	Paper or electronic	The Control of Substances Hazardous to Health Regulations 2002 (COSHH 2002), SI 2002/2677, reg 11
Records of monitoring of exposures to hazardous substances (where exposure monitoring is required under COSHH)	Where the record is representative of the personal exposures of identifiable employee—40 years from the date of the last entry made in the record	Paper or electronic	COSHH 2002, reg 10(5)

Record	Retention period	Storage format	Reference
	Otherwise, five years from the date of the last entry made in the record		
Records of tests and examinations of control systems and protective equipment under COSHH	Five years from the date on which the record was made	Paper or electronic	COSHH 2002, reg 9
[Medical records under the Ionising Radiations Regulations 1999**]**	**[**Until the person to whom the record relates reaches or would have reached 75 years of age, but in any event for at least 50 years from the date of last entry**]**	**[**Paper or electronic**]**	**[**Ionising Radiations Regulations 1999, SI 1999/3232, reg 24**]**

3 Child Specific records

The retention periods below do not over-ride any legal requirements in sections 1 & 2 above.

If a child does not start with us and a registration fee has not been paid, documents should be destroyed as soon as it is confirmed that the child will not be starting at nursery.

Record	Recommended retention period	Storage format	Reference
Children's records - including registers, medication paperwork and learning / developmental information	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection, 6 years)	Electronic and paper	Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006) https://www.gov.uk/government/publications/retention-schedule-for-data-processed-by-dfe/dfe-retention-schedule If a child has been looked after by the LA records must be retained until the child is aged 75.
Accident Records	Until the child reaches the age of 21 if the child was hospitalised or needed professional medical attention, otherwise as other child records	Electronic	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
Child Protection records	Until the child reaches the age of 25 if the records are not passed to another agency, otherwise as other child records.	Paper	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age

Parent / Carer Specific records

The retention periods below do not over-ride any legal requirements in sections 1 & 2 above.

If a child does not start with us and a registration fee has not been paid, documents should be destroyed as soon as it is confirmed that the child will not be starting at nursery.

Record	Recommended retention period	Storage format	Reference
Contact information such as: • Name • Home address • Telephone numbers, and personal email addresses.	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection, 6 years)	Electronic and paper	Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006)
Personal details* including • Information about a Parent's race or ethnicity, spoken language and nationality. • Information required to fulfill statistical reporting requirements * These are generally optional	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection, 6 years)	Electronic and paper	
Other special categories of information including	Until the child reaches the age of 25 if the records are not passed to	Electronic and paper	Limitation Act 1980 Normal limitation rules (which mean that an

Record	Recommended retention period	Storage format	Reference
• Conversations with Parents where Employees of the Nursery deem it relevant to the prevention of radicalisation or other aspects of the governments Prevent strategy. • Conversations with Parents where Employees of the Nursery deem it relevant to the safeguarding of children.	another agency, otherwise as other child records.		individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
Financial information required to process payments, refunds, Government grant applications including • National Insurance number. • Bank account details. • Payment details, including Tax Free childcare reference, Voucher details • Free childcare codes	A reasonable period of time after children have left the provision and all payments and grant claims have been made, usually 3 months).		