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Records Management Retention Scheduling

2. Employee Personnel Records



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1 Background

- 1.1 For many years the recommended retention period for most employee personnel records (generally known as P (personnel) Files) was 85 years from the date of birth or 5 years after death, whichever was later. The principal determinant of these retention periods was the requirements of the Principal Civil Service Pension Scheme (PCSPS). Dear Establishment Officer letter DEO (PM) 98/1 dated 31 March 1998, issued jointly by the Cabinet Office and the Public Record Office (PRO), offered revised guidance to government departments and agencies about PCSPS requirements. This revised guidance, which replaced the earlier advice, gave Principal Establishment and Finance Officers (PEFO) much broader discretion over the retention of records, including discretion to substitute retention to age 72 in place of age 85.
- 1.2 In November 1999 a Working Group on the Application of the Data Protection Act 1998 to Civil Service Personnel Records, chaired by the Cabinet Office, issued new guidance to PEFOs. This guidance recommended that pension records should be based around age 72 (or 5 years after the last action if later). However, circumstances have changed: people are living longer, have the right to defer taking their pensions and are more likely to enter new family relationships. The pension section of this publication has therefore been amended to reflect this, but it remains for individual PCSPS employers, having regard to DEO (PM) 98/1, to determine whether to accept age 72 rather than a retention point of age 85 or any other period. In forming a judgement it is important that departments should note that where relevant papers are destroyed and a claim for pension benefits is subsequently accepted without documentary evidence to support the claim, the costs involved will have to be met from departmental funds, not from the Civil Superannuation Vote. Many non-pension records need not be kept for the same period; these are detailed in the model schedule at section 4.
- 1.3 The National Archives does not generally require any civil service P Files for permanent preservation, but may very occasionally accession those of very famous/notorious employees. Selected departmental working files will usually provide adequate evidence about those who achieve fame or notoriety in their work.
- 1.4 For general information on the compilation of retention schedules, see Disposal Scheduling (The National Archives, 2004).
- 1.5 This guidance is aimed at records managers and Human Resources managers in government. Any individual departmental guidance should be endorsed by both parties.

2 Scope and nature of the records

- 2.1 This guidance covers the information held on individuals, commonly called P Files. Records which document the broader work of Human Resources section, eg policies, that provide the foundation for actions which are applied to individual employees, are part of the registered file collection and are governed by First and Second Review criteria or Operational Selection Policies (see also sections 2.3 and 2.4). The records held in P Files cover six broad areas:
- Employment and Career
 - Health
 - Pay
 - Pension
 - Welfare
 - Security
- 2.2 All five areas of information may not be held on one central file, but may be retained as separate collections. This may be to facilitate disposal, to safeguard sensitive information, eg Welfare papers, or because of physical location.
- 2.3 Employee personnel records are also increasingly held in electronic databases. The retention of information so held should be the same as that for the equivalent paper records. The difficulty encountered by organisations will centre round their physical retention, including migration or emulation when software systems are changed or upgraded. The National Archives has issued guidance on the sustainability of digital information; this guidance is constantly under review and being updated as technology and procedures develop. See the website www.nationalarchives.gov.uk/electronicrecords/
- 2.4 Records may also be in hybrid collections of paper and electronic media or some organisations might transfer paper records on to microform. Departments will need to decide whether to operate a hybrid collection and retain records in their original media or to rationalise into one media. Costs will often be a deciding factor.
- 2.5 In instances where copies are made it will not always be necessary to keep signed original documents (for example, death benefit nomination form, pension added years, etc). Legible copies of originals transferred to other media will usually be as effective as the originals in enabling an organisation to consider and, if necessary, dispute a case of non-compliance or complaint brought by a member of staff. In all such cases confirmation must be sought from legal staff. See also the *Code of practice for legal admissibility and evidential weight of information stored electronically* (PD 0008, British Standards Institute).

3 Data Protection Act 1998

- 3.1 The Data Protection Act 1998 is now fully effective, with the exception of the October 2007 exemptions, for computerised and manual departmental P Files. The Act requires those holding personal data to comply with eight data protection principles, to register with the Information Commissioner, and to allow people to access and, if necessary, to correct data that relates to them.
- 3.2 Part II of the Act gives the data subject (the person to whom the data relates) a number of rights, including the right to be told which data are held about them, why they are held, where they came from and where they may be sent. Unlike the 1984 Act, the current Data Protection Act requires compliance with the principles by all data controllers, even when they are exempt from notification.
- 3.3 Definitions in the Act for 'data' and 'personal data' represent a significant extension of the data protection regime introduced by the Data Protection Act 1984. Data now include information that is in manual records, which may be paper, microform or other non-computer form. Data that are part of a *relevant filing system* or intended to be included in such a system fall within the scope of the Act. A *relevant filing system* is:

any set of information relating to individuals which is structured either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible.

Civil Service policy towards subject access to manual data is that there should be an orderly transition to maximum possible subject access. Guidance to departments on this and other points is given in the Cabinet Office letter of 26 November 1999 issued to PDG (Main), Small Departments and Agency Chief Executives.

- 3.4 Detailed information on compliance with the Data Protection Act 1998 can be obtained from:
- The *Data Protection Act 1998: Legal Guidance* (Office of the Information Commissioner)
 - *Data Protection Act 1998: A Guide for Records Managers and Archivists*, available from www.nationalarchives.gov.uk/recordsmanagement
 - *Guide to the Practical Implementation of the Data Protection Act 1998* (PD0012; British Standards Institute 1999)
 - *Code of Practice for Archivists and Records Managers under section 51(4) of the Data Protection Act 1998* (The National Archives, Society of Archivists and Records Management Society, v.3, 2005)

See also the Office of the Information Commissioner's web site at www.ico.gov.uk

4 Retention principles

- 4.1 Because of the changed circumstances mentioned in 1.2, documents bearing on pension entitlement should generally be kept for 100 years from date of birth. There are, however, some records which, although having a bearing on pension entitlement, appear in the schedule below in another section. This is because these are records which are built up over time during employment and have relevance in more than one section of the schedule, for example "record of service abroad" is compiled initially as part of employment and career but is ultimately required for the pension award calculation. These records appear in the section in which they first occurred.
- 4.2 Departments should note that the retention periods outlined in the model schedule below are not mandatory but are provided as guidance. Departments should examine them in the light of their own needs and, if appropriate, carry out their own risk assessments to evaluate whether the suggested periods are appropriate to them.
- 4.3 There may be instances where departments keep a consolidated history or summary record (paper or electronic). In some such cases it may not be necessary to retain the original documents. The schedule differentiates between original documents and information derived from such documents in order to clarify which is to be retained.
- 4.4 Many Departments now operate open annual reporting systems, where the annual report is held by the reportee. However, where this is not the case, both staff appraisal and appointment records are best kept as separate sub-sets of the personal files. If arranged in annual sets, they can then be destroyed on a rolling basis.
- 4.5 Personnel security records should also be kept as separate annual sub-sets of personal files. The Guide to Personal Security (GPS) suggests that these records should be kept until 5 years after leaving, if this is at the normal retirement age, or 10 years after leaving, if before normal retirement age.
- 4.6 Medical records should be filed as a separate sub-set of individual personal files to allow for separate retention, if necessary. Departmental health and safety issues potentially affecting multiple members of staff, such as those recordable under the Control of Substances Hazardous to Health (COSHH) regulations and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), should be documented on departments' administrative or subject files (although cross references to these on personal/medical sub-files of the affected staff may be useful). See also The National Archives booklet *Retention Scheduling: 4. Health and Safety Records* (1999).

Schedule of personnel records

Document description	Retention period
EMPLOYMENT AND CAREER	
Written particulars of employment Contracts of employment, including the Certificate of Qualification or its equivalent and including the Senior Civil Service Changes to terms and conditions, including change of hours letters	Until age 100
Job History – consolidated record of whole career and location details (paper or electronic)	Until age 100
Current address details	6 years after employment has ended
Record of location of overseas service	Until age 100
Variation of hours – calculation formula for individual	Destroy after use
Promotion, temporary promotion and/or substitution documentation	Destroy after summary noted
Working Time Directive opt out forms	3 years after the opt-out has been rescinded or has ceased to apply
Record of previous service dates	Until age 100
Previous service supporting papers	Destroy after records noted as appropriate
Qualifications/references	6 years
Transfer documents (OGD E18)	Destroy after summary noted and actioned
Annual/Assessment reports or summary of performance marks where an open reporting system operates	5 years
Annual/Assessment reports for the last 5 years of service or summary of performance marks where an open reporting system operates	Until age 72
Training history	6 years
Travel and subsistence – claims and authorisation	6 years
Annual leave records (dependent on departmental practice)	2 years
Job applications – internal	1 year
Recruitment, appointment and/or promotion board selection papers	1 year
Building society references	6 months

Document description	Retention period
HEALTH	
Health Declaration	Until age 100
Health referrals, including medical reports from doctors and consultants, correspondence with the appointed medical adviser to the PCSPS (currently BMI Health Services and, previous to that body, the Occupational Health and Safety Agency Ltd, the Civil Service Occupational Health Service or the Medical Advisory Service (MAS))	Until age 100
Papers relating to any injury on duty	Until age 100
Medical reports of those exposed to a substance hazardous to health, including: Lead (Control of Lead at Work Regulations 1980) Asbestos (Control of Asbestos at Work Regulations 1996) Compressed Air (Work in Compressed Air Regulations 1996) Radiation (Ionising Radiation Regulations 1985)	40 years from date at which entry was made 40 years after last record 40 years from date of last entry 50 years from date of last entry
Medical/Self Certificates – unrelated to industrial injury	4 years

Document description	Retention period
PERSONAL	
Welfare papers	Destroy after minimum of 6 years after last action

Document description	Retention period
SECURITY	
Security personnel files	5 years after leaving (if at normal retirement age) or 10 years after leaving (if before normal retirement age)

Document description	Retention period
PAY AND PENSION	
Bank details - current	6 years after employment has ended
Death Benefit Nomination and Revocation Forms	Until age 100
Death certificates	Return original to provider. Retain copy until age 100
Decree Absolutes	Return original to provider. Retain copy until age 100
Housing advance	6 years after repayment
Marriage certificate and documentation relating to civil registration	Return original to provider. Retain copy until age 100
Unpaid leave periods (maternity leave etc)	Until age 100
Statutory maternity pay documents	6 years
Other maternity pay documentation	18 months
Overpayment documentation	6 years after repayment or write-off
Personal payroll history, including record of pay, performance pay, overtime pay, allowances, pay enhancements, other taxable allowances, payment for untaken leave, reduced pay, no pay, maternity leave	Until age 100
Pensions estimates and awards	Until age 100
Record of: Full name and date of birth National Insurance number Pensionable pay at leaving Reckonable service for pension purposes (and actual service where this is different, together with reasons for the difference) Reason for leaving and new employer's name (where known) Amount and destination of any transfer value paid Amount of any refund of PCSPS contributions Amount and date of any Contributions Equivalent Premium paid All other papers relating to pensionability not listed above (eg papers about pensionability of other employment (including war service); extension of service papers; papers about widow's, widower's, children's and other dependant's pensions; correspondence with the Cabinet Office, other departments and pension administrators, or the officer and his/her representatives (MPs, unions or others) about pension matters	Until age 100
Resignation, termination and/or retirement letters	Until age 100
Added years	Until age 100

Document description	Retention period
PAY AND PENSION	
Additional Voluntary Contributions (AVC)	Until age 100
Payroll input forms	6 years
Bonus nominations	6 years
Complete sick absence record showing dates and causes of sick leave	Until age 72
Statutory Sick Pay (SSP) forms	For last 4 to 6 years
Papers relating to disciplinary action which has resulted in any changes to terms and conditions of service, salary, performance pay or allowances	Until age 72
Authorisation for deputising, substitution allowance and/or overtime/travel time claim	6 years
Advances for: Season tickets Car parking Bicycles Christmas/holidays Housing	6 years after repayment

5 Enquiries and further information

- 5.1 Any enquiries about the arrangements for the retention of personnel papers for pension purposes should be addressed to the Civil Service Pensions Division, Cabinet Office (tel: GTN 1439 6535 or 020 7276 1234). Further guidance about the retention of pension records and access to them is provided in the PCSPS Pension Manual and in the PCSPS Personnel Managers Guide to Pensions and Compensation. Any enquiries about retention periods for other personnel records should be addressed to the Records Management Department, The National Archives (tel: 020 8876 3444).
- 5.2 The National Archives provides guidance on many aspects of records management and related records management issues. These are available via the website (www.nationalarchives.gov.uk) in the *Services for Professionals/Records Management* pages or from the Records Management Department (tel 020 8876 3444).