

Information Management Guidelines:

Human Resources

Central Information Team
Version 2.2 Draft



North Tyneside Council

DOCUMENT CONTROL SHEET

Document Title: Information Management Guidelines: Human Resources

Revision History

Issue Number	Date	Reason for issue
1.0	Dec 2006	New guidelines replacing '2004 Retention Policy'
2.0	Nov 2010	Change in guidelines structure
2.2	March 2016	Change to guidelines replacing 2010

Document Authorisation

Issue Number	Date	Group
1.0	Dec 2006	Rob Worrall Head of Policy and Performance
2.0	Nov 2010	Alison Lazazzera Head of HR
2.2	March 2016	Alison Lazazzera Head of Human Resources

DISTRIBUTION LIST

Issue No:	Issued to
1.0	All staff via intranet
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2.2	All staff via intranet

Information Management Guidelines

Class / Activity	Scope Notes	Retention action	Rationale
15 Human resources			
15.1 Employee admin - Attendance (parental)	Records documenting entitlements to parental leave	Destroy – 5 years from end of relevant tax year	NTC practice based on statutory entitlement of 13 weeks whilst child is under 5 years.
15.2 Employee admin - Attendance (statutory)	Records documenting entitlements to: - Statutory Maternity Pay Statutory Sick Pay	Destroy – 3 years from end of relevant tax year	CIPD ref to: - The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended. The Statutory Sick Pay (General) Regulations 1982 (SI 1982/894) as amended.
15.3 Employee admin - Employee details	Documentation relating to individuals general or specific conditions of employment.	Destroy – 6 years from Termination of employment	LGCRS (2010) refers to LGCS (2007), which refers to RGLA (2003) 6.4.

Information Management Guidelines

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15.4 Industrial relations	All records relating to individual employees e.g. disciplinary, grievance, termination'	Destroy 6 years from termination of employment.	NTC practice based on possible civil law claims. LGCRS (2010) refers to LGCS (2007), which refers to RGLA (2003) 6.4
15.5 Occupational health - Absence reporting	Aggregated management information on absences, for instance, working days lost to various sickness categories.	Destroy - 2 years after action completed	LGCS (2007) refs to RGLA (2003) 6.13, which refers to common practice
15.6 Occupational health - health checks	<ul style="list-style-type: none"> • Health questionnaire • Medical clearance • Adjustment to work place • Restrictions • Recommendations 	Destroy - 75 years after date of birth	LGCS (2007) refs to RGLA (2003) 6.10, which refers to common practice
15.7 Occupational health - Major injuries	Documentation relating to major injuries.	Destroy - 40 years after termination of employment	LGCS (2007) refs to <ul style="list-style-type: none"> □ Health and Safety at Work Act 1974; □ Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 reg. 7; □ Limitations Act 1980

Information Management Guidelines

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15.8 Occupational health - medical records	<p>Medical records. Includes screening issues related to the following:-</p> <ul style="list-style-type: none"> • Asbestos • Noise • Vibration • Etc. 	Destroy - 40 years from the date of the last entry	<p>CIPD: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677)</p> <p>The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/. 2739)</p>
15.9 Occupational health - Sickness monitoring	Documentation relating to sickness absence, including medical certificates.	Destroy - 6 years from termination of employment	LGCS (2007) refs to RGLA (2003) 6.4
15.10 Recruitment - Advertising	Any records (apart from financial) relating to the advertisement of a vacancy.	Destroy 1 year after recruitment has been finalised	NTC practice.
15.11 Recruitment - Appointment process	<p>This covers the majority of the interview and appointment process: -</p> <ul style="list-style-type: none"> • Applications • Interview Reports • Job Application Forms • Referee Reports • Secondment files • Volunteer files 	<p>Successful candidates file incorporated into HR file.</p> <p>Unsuccessful candidates destroy after 1 year.</p>	NTC practice

Information Management Guidelines

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15.12 Recruitment - Pre-employment / health screening	Pre-employment / health screening questionnaires not related to Asbestos, COSHH or Lead regulatory requirements	Destroy - term of employment plus 5 years	Management of Health and Safety at Work Regs 1999 / Limitation period for personal injury claims
15.7.1 Reports	Management reports.	Retain for 7 years from date written. Then offer to archivist / destroy.	NTC practice based on 'Reports to government' in LGCS (2007). This refers to RGLA (2003) 2.5, which refers to common practice
15.13 Trade union - Major liaison	Matters relating to the relationship with recognised unions of significant level concerning industrial matters. For example details of agreements, negotiations and disputes.	Permanent - offer to archivist	LGCS (2007) refs to RGLA (2003) 6.5, which refers to common practice CIPD - trade union agreements 10 years after ceasing to be effective
15.14 Trade union - Minor liaison	Documentation relating to liaison with unions and employee representative organisations of a minor or routine nature.	If direct impact on individual contracts of employment retain in employee's personal file and destroy 6 year after termination of employment. Otherwise, access on case-by-case basis	NTC practice.
15.15 Training - Courses concerning children	Training courses concerning children.	Destroy - 35 years after course completed, or last entry	NTC practice

Information Management Guidelines

Class / Activity	Scope Notes	Retention action	Rationale
15.16 Training - Individual's records	Documentation relating to an individual's training record and any work experience undertaken within the authority.	Destroy - 6 years from termination of employment	LGCS (2007) refs to RGLA (2003) 6.4, which refers to common practice
15.17 Training - Occ health courses	Training courses concerning H & S	Destroy - 50 years after course completed, or last entry	LGCS (2007) refs to RGLA (2003) 6.19, which refers to common practice

Information Management Guidelines

1. Introduction

This document covers human resources records and information no matter which service holds or uses them.

This retention & disposal schedule has been produced in consultation with departments primarily responsible for the business activities and key stakeholders in the processes to establish the legal and regulatory requirements, and business needs on which record retention and disposal policies are based.

This document is part of framework of policies, procedures and guidelines that aim to ensure the Council manages information and records appropriately.

2. Retention periods

A key part of managing information and records is ensuring that they are retained for as long as necessary. Necessary relates to not only the local use by staff but also relates to: -

- use by other parts of the Council. For example internal audit, insurance and legal activities
- compliance with legal and regulatory obligations and responsibilities placed on the Council as a whole
- accounting for decisions made which affect the public or relate to spending public money

The following tables provide recommended retention periods for document types based on the functions/activities they relate to. They should be read in conjunction with the procedure for reviewing and appraising records.

There are some types of information that do not constitute a record and do not need to be kept at all. For example information that is duplicated, unimportant or only of short-term facilitative value.

This may include:

- 'with compliments' slips
- catalogues and trade journals
- telephone message slips
- non-acceptance of invitations
- trivial electronic mail messages or notes that are not related to official business
- requests for stock information such as maps, plans or advertising material
- out-of-date distribution lists
- working papers which lead to a final report

3. Explanation of headings and terms

Class:

Records relating to an activity or function and their position within the classification scheme.

ICO Employment Practices DP code:

Employment Practices Data Protection Code Part 1: Recruitment & Selection (March 2002)

<http://www.ico.gov.uk>

LGCS (2007):

2007 Local Government Classification Scheme 2.03, which incorporates retention periods.

Scope Notes:

An explanation of what types of records should fit within the class.

Records:

Records are defined as: -

information created, received and maintained as evidence and information by an organisation or person, in pursuance of legal obligations, or in the transaction of business.

Retention Action:

This entry provides a retention period specifying how long the records should be kept prior to destruction (or transfer to permanent archive), as well as the activity/transaction/event to which the retention period should be tied to (e.g. "destroy 3 years after last action")

Rationale:

This section provides reasons for the retention period.

RGLA (2003):

2003 Retention Guidelines for Local Authorities; A guide produced by the Local Government Group of the Records Management Society.

TNA RDG (guidance number):

The National Archives - Retention and Disposal Guidance

<http://www.nationalarchives.gov.uk/recordsmanagement/retention-disposal-schedules.htm>

4. Independent Inquiry into Child Sexual Abuse

On Thursday 12 March 2015 the Home Secretary established a statutory inquiry under the 2005 Inquiries Act with the aim of conducting an overarching national review of the extent to which institutions in England and Wales have discharged their duty of care to protect children against sexual abuse.

The Inquiry is independent of government. The Chair is Professor Alexis Jay OBE, who is supported by a Panel, Victims and Survivors Consultative Panel, and other expert advisers. The Inquiry will cover England and Wales. A wide range of public institutions will be investigated including local authorities, the police, the armed forces, schools, hospitals, children's homes, churches, and charities.

On 2nd July 2015 the Inquiry wrote to every Chief Executive of a Local Authority in England and Wales, requesting that the organisation :

'retain any and all documents; correspondence; notes; emails and all other information – however held – which contain or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection and care. For the purposes of this appendix, the word "children" relates to any person under the age of 18.'

We must not destroy, and must make available for inspection, all reports; reviews; briefings; minutes; notes and correspondence in relation to:

- allegations (substantiated or not) of individuals, organisations
- institutions, public bodies or otherwise who may have been involved in, or have knowledge of, child sexual abuse, or child sexual exploitation
- allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children
- institutional failures to protect children from sexual abuse or other exploitation
- statutory responsibilities for the care of children in public or private care
- the development of policy on child protection
- the development of legislation on child protection
- the determination of the award of Honours to persons who are now demonstrated to have had a sexual interest in children or are suspected of having had such an interest.

All of these document types – in whatever format – must be “retained pending further requests from the Inquiry”

The instructions received by the Inquiry constitute a legal hold as defined by section 12.3 of the code of practice issued under Section 46 of the Freedom of Information Act. As such all records that fall within the above categories are retained, and not destroyed, until we are directed otherwise.