

Employee File Retention Guide

Retention Period: 6 years from end of employment

Document type	Justification
<u>Recruitment:</u> <ul style="list-style-type: none"> • Application form/CV/cover letter • Interview notes • Provisional Offer letter • References • Right to Work • Pre-employment medical • Driving Licence Verification • Pre-employment drug screening • CPC/Tacho Card • PCV Assessment Drive • PCV Theory Test • PCV CPC History • Confirmation of Offer Letter • Contract of Employment 	Must be retained for during of employment for Earned Recognition Audit
<u>Training:</u> <ul style="list-style-type: none"> • Driver Trainer Competence Book • Garage Training Book • Single to Double Deck Training Book • Daily Walk-Round Check Guide • Low Bridge Awareness Guide 2021 • Low Bridge Awareness Guide 2022 Revised • Banksman Training • Walk-round audit carried out in last 6 months • Date of walk-round check and score 	Must be retained for during of employment for Earned Recognition Audit
Working Time Directive Opt-Out (valid for 5 years)	Must be retained for during of employment for Earned Recognition Audit
Personal Details Form (most recent update)	Must be retained for during of employment for Earned Recognition Audit
<u>Probation:</u> <ul style="list-style-type: none"> • 3 & 6 month invite letters, notes and outcome letters • Extension letters, notes and outcome letters (where applicable) 	
<u>Employment:</u> <ul style="list-style-type: none"> • Original contract • Subsequent contract(s) • Contract amendment letters • Secondment letters • Transfer letters • TUPE paperwork 	Limitation period for breach of contract claims.
<u>Termination:</u> <ul style="list-style-type: none"> • Resignation letter (from colleague) 	Limitation period for disability discrimination claims, unfair and

Employee File Retention Guide

<ul style="list-style-type: none"> • Acceptance of resignation (from LB) • Redundancy documentation • Dismissal records due to conduct, performance or attendance 	constructive dismissal claims, breach of contract claims.
COVID Job Retention Scheme (furlough)	Statutory retention period for HMRC audit
Performance Appraisal documentation	Limitation period for disability discrimination claims, unfair and constructive dismissal claims, breach of contract claims.
<u>Attendance:</u> <ul style="list-style-type: none"> • Self-certificates & fit notes • Occupational health reports • Formal capability letters/notes • Informal wellbeing letters/notes (if these precede formal capability process) • Ill health retirement letters/notes/certificates 	Limitation period for disability discrimination claims, unfair and constructive dismissal claims, breach of contract claims.
<u>Authorised Leave:</u> <ul style="list-style-type: none"> • Parental leave requests and letters 	CIPD recommends parental leave documentation is retained for 18 years from birth of the respective child.
<u>Health & Safety:</u> <ul style="list-style-type: none"> • First Aid Training • Fire Warden Training 	Statutory Retention Period according to Health and Safety (First Aid) Regulations 1980 and Fire Precautions (Workplace) Regulations 1997
<u>Grievance:</u> <ul style="list-style-type: none"> • Grievance letter • Acknowledgement of grievance • Informal meeting notes • Formal grievance hearing invitation letter • Grievance hearing notes • Witness statements (where applicable) • All evidence to inform outcome • Grievance outcome letter • Grievance appeal letter (where applicable) • Grievance appeal invitation letter (where applicable) • Grievance appeal hearing notes (where applicable) • Grievance appeal outcome letter (where applicable) 	<p>All grievance documentation MUST be held by HR, not in employee file.</p> Limitation period for disability discrimination claims, unfair and constructive dismissal claims, breach of contract claims.

Employee File Retention Guide

Retention Period: 3 years

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<u>Authorised Leave:</u> <ul style="list-style-type: none"> • Statutory Maternity Pay records, calculations, certificates (MATB1) • Shared parental, paternity and adoption pay records 	Statutory Retention Period according to Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended, Maternity & Parental Leave Regulations 1999

Retention Period: 2 years

Document type	Justification
<u>Formal disciplinary/attendance/performance (excluding dismissals, see above):</u> <ul style="list-style-type: none"> • Investigation report • Investigation meeting invite letter • Investigation meeting notes • Witness statements/notes • Evidence e.g. photos, screenshots etc. • Investigation outcome letter • Disciplinary hearing invite letter • Disciplinary hearing notes • Disciplinary hearing outcome letter • Appeal letter(s) from colleague (if applicable) • Invite(s) to attend appeal hearing(s) • Notes from appeal hearing(s) • Appeal hearing outcome letter(s) 	Must be retained for 2 years for Earned Recognition Audit to evidence procedure. It would be unreasonable to refer to expired warnings after two years have lapsed (CIPD recommendation). Note on top sheet should be redacted after two years have lapsed.
<u>Drug & Alcohol Screening:</u> <ul style="list-style-type: none"> • Pre-test statement • Consent form • Secondary testing statement (if applicable) • Confirmation of suspension (if applicable) 	Must be retained for 2 years for Earned Recognition Audit to evidence drug and alcohol screening procedure.
<u>Flexible Working:</u> <ul style="list-style-type: none"> • Flexible Working Request Forms • Meeting invitation letters • Meeting notes • Flexible Working outcome letter • Flexible Working appeal letter • Flexible Working appeal outcome 	Retain for minimum 18 months following any appeal; further request cannot be made for 12 months, plus allowance for a 6-month tribunal limitation period (CIPD recommendation).
<u>Working Time:</u> <ul style="list-style-type: none"> • Overtime records • Annual leave 	Statutory retention period in accordance with Working Time Regulations 1998 (SI 1998/1833)

Employee File Retention Guide

<ul style="list-style-type: none"> • Emergency leave • Time off for dependents 	
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Retention Period: 12 months

Document type	Justification
Training Indemnity Form	To be held by Payroll and in Employee File. Agreement to pay training costs lapses after 12 months.
<u>Attendance:</u> <ul style="list-style-type: none"> • Wellbeing letters/meeting notes • Welcome Back forms 	Retained for 12 months following return to work for wellbeing and monitoring over rolling 12-month period as per Attendance Policy. Note: wellbeing letters/meeting notes that precede a formal capability process should be retained for 6 years from end of employment (see above).
<u>Subject Access Request:</u> <ul style="list-style-type: none"> • Request letter 	Statutory Retention Period according to Data Protection Act 2018.

Notes:

- Earned Recognition applies to all employees who have a valid PCV licence, including those substantive role is non-driving, for example. For example, a valid PCV licence is a requirement of Commercial role and all non-driving staff have the opportunity to obtain a PCV licence for occasional driving.
- Limitation period for making a claim for discrimination at work is 3 months less 1 day from last act of discrimination included in the claim (Equality Act 2010).
- Limitation period for unfair or constructive dismissal claim is 3 months less 1 day from effective date of termination.
- Limitation period for breach of contract claims is 5 years (Prescription & Limitation Act Scotland 1973)



Non-employee/former employee retention guide

Retention Period: 12 months

Document type	Justification
References (issued)	Covers limitation period for claims under Defamation and Malicious Publication (Scotland) Act 2021

Retention Period: 6 months

Document type	Justification
<ul style="list-style-type: none">• Application form/CV/cover letter• Interview notes• Provisional Offer letter• References• Right to Work• Pre-employment medical• Driving Licence Verification• Pre-employment drug screening• CPC/Tacho Card• PCV Assessment Drive• PCV Theory Test• PCV CPC History	<p>To be retained centrally by Recruitment and destroyed 6 months from the candidate being notified that they have been unsuccessful.</p> <p>Covers limitation period for potential discrimination claims under Equality Act 2010.</p>