

STAFF RECORDS HELD BY LINE MANAGERS

1. Objective of this guidance

- 1.1 This guidance explains how line managers should manage staff records. The guidance covers:
- How long to keep different types of staff records;
 - What to do with the staff record when that person leaves the Trust or your department;
 - What information is held centrally by Human Resources;
 - What to do if you receive a request for access to or copies of a staff file.
- 1.2 It is essential that records containing personal information are properly managed, are accurate, and kept for no longer than necessary, to comply with the Data Protection Act.

2. How long to keep different types of staff records

- 2.1 Line managers should annually review the staff records they hold, to see what information can be destroyed, in accordance with the Trust Policy on the *Retention and Disposal of Records*. This information should be destroyed as confidential waste. A summary is provided below.
- 2.2 Note that any warning records must be destroyed in accordance with this timescale below in order to comply with the Data Protection Act.

	Type of Record	Retention	Notes
ROUTINE RECORDS	Annual leave records	2 years	
	Attendance records: timesheets additional hours	2 years	Full record kept by Payroll
	Appraisals	2 years	
	Job description	Keep current job description only.	Full record kept on central HR file.
	Personal Development Plans	2 years	
	Sick leave notification / medical certificates	2 years	Full record of sick days kept by Payroll
	Contract / terms and conditions of appointment	Retain current contract.	Full record kept on central HR file.
	Staff change forms (line manager's copy)	2 years	Full record kept on central HR file.
	Record of training received	2 years	
	Recruitment for posts (job advert, interview notes, etc)	1 year	Full record kept on central HR file, for 1 year

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	External references	Destroy after these have been reviewed	Full record kept on HR file.
	Study leave applications (for medical / clinical training)	5 years	
NON ROUTINE RECORDS	Capability records	Retain until warning period expired (must be no more than 1 year)	Remove and destroy all details from local file after required period.
	Disciplinary record - first written warning	6 months	If HR Consult become involved (e.g. dismissal; disciplinary hearing; employment tribunal; dismissal appeal) a central case file is held by HR Consult and records will be maintained centrally. Records should not be maintained locally.
	Disciplinary record - final written warning / action short of dismissal	1 year	
	Disciplinary record - final written warning / action short of dismissal (involving serious patient related matters)	1.5 years	
	Grievance	2 years	
MISC	Original training records for Nursing qualification	30 years	Contact Modern Records Manager if your files contain these records

3. When the member of staff leaves the Trust or your department

- 3.1 Always refer to the leavers information governance checklists, available on the intranet under *Records Management – Guidance* or *Information Governance*.
- 3.2 **Moving to another job within the Trust:** Weed the staff file and destroy any material that is due for destruction according to the table above. Pass any remaining information to the new line manager.
- 3.3 **Leaving the Trust:** Weed the staff file and destroy any material that is due for destruction according to the chart above. Write on the front of the file when the remaining information can be destroyed and retain it locally in a secure place until it can be destroyed. Do not send your file to HR or to the Records Centre. You may retain copies of references that you have written about the member of staff. These should be retained locally and passed to your successor if you leave your post.

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4. Information held centrally by Human Resources

4.1 **Central HR file:** Human Resources hold a central file on every member of staff, which is retained for six years after the staff left the Trust and then destroyed. This file usually contains:

- Job application / CV
- Job description / person specification
- Interview record
- Letter of appointment
- Contract (signed)
- External references and related correspondence
- Registration authority forms
- Proof of right to work in UK / work permit
- Copies of qualifications
- Proof of identity
- Proof that criminal record check was completed (n.b. actual CRB record destroyed after 6 months)
- New starter form
- Staff transfer form (if previously employed by NHS)
- Changes of contract / terms & conditions (if applicable), including Agenda for Change documentation
- Change forms (changes to personal circumstances, e.g. address, marital status (if applicable))
- Maternity leave documentation (if applicable)
- Occupational Health clearance
- Termination form (if leaving the Trust)

4.2 **Summary of employment:** A summary of staff employment is held on a central HR database (MAPS).

4.3 **HR Consult Case Files:** If a member of staff attends a disciplinary hearing and/or is dismissed, or there is an employment tribunal, HR will also retain a central case file. This is held for 10 years after the member of staff left the Trust.

4.4 **Recruitment records** e.g. job advertisements, unsuccessful applications, and recruitment notes: Retained centrally for 1 year, except for recruitment of consultants which are retained for 5 years.

4.5 **Occupational Health** records are kept by Occupational Health for the time specified in the Trust Policy on the Retention and Disposal of Records.

4.6 **Payroll / Salary** records are held for 10 years by the North East London Pay Consortium.

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5. Requests for access to / copies of a staff file

- 5.1 **Current staff:** Staff requiring copies of documents from their file should contact **Recruitment Services**. Staff may be required to provide proof of identity or complete a form if a formal request is being made under the Data Protection Act. If you receive a formal request for a copy of a full staff file by the member of staff, and there are concerns about releasing the information, contact HR Consult for advice.
- 5.2 **Ex-members of staff:** Staff requiring confirmation of their employment with the Trust should be directed to **Workforce Information** in the first instance. Do not direct ex-members of staff to Archives or Modern Records (Records Centre). There is a guidance document "*Information Requests from ex-members of staff*" available on the Intranet under Records Management – Guidance.
- 5.3 **Third parties:** If you receive a request for copies or information from staff records from another unconnected person (a third party), please email FOI@bartsandthelondon.nhs.uk for advice.

6. Related policies and guidance

- 6.1 **Policies** (available on intranet):
- Trust Policy on the Retention and Disposal of Records
 - Data Protection Policy
 - Freedom of Information Policy
 - Disciplinary policy, procedure and rules
 - Grievance policy and procedure
 - Capability policy and procedure
 - Managing health and attendance policy and procedure
 - Information Disclosure Guidelines
- 6.2 **Guidance:**
- Various HR pages on intranet e.g. E-HR questions
 - Information Governance checklist for new starters / staff leavers (Records Management or Information Governance intranet page)
 - Guidance on requests from ex-members of staff (Records Management intranet page))

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