

13. Holding HR Records

1 OVERVIEW

Employee HR records should be kept in a secure place, and is often kept in a paper or electronic file. A personnel file is an employers’ saved documentation of the history and status of the entire employment relationship with an employee.

2 PERSONAL DATA

Personal data is information that relates to an identifiable person who can be directly or indirectly identified from that information, for example, a person’s name or identification number. It can also include pseudonymised data.

Employers should develop policies which take account of the requirements of the General Data Protection Regulations with regard to the holding and processing of personal data in manual and electronic records.

This applies to the personal data of job applicants, existing and former employees, apprentices, volunteers, placement students, workers and self-employed contractors.

What is kept in the personnel file?

Your business may hold the following information in an employee’s personnel file:

- name, address, phone numbers - for individual employee and their next of kin
- CVs and other documentation gathered during recruitment
- references from former employers
- National Insurance numbers
- job title, job descriptions and pay grades
- conduct issues such as letters of concern, disciplinary proceedings
- holiday records
- induction checklist
- performance information
- sickness absence records
- signed employee handbook form
- tax codes
- signed terms and conditions of employment
- training details
- termination records, employee resignation letter, exit interview notes, leavers checklist

3 DATA PROTECTION PRINCIPLES

The data protection principles state that all personal data obtained and held by organisations will:

- be processed fairly, lawfully and in a transparent manner
- be collected for specific, explicit, and legitimate purposes
- be adequate, relevant and limited to what is necessary for the purposes of processing
- be kept accurate and up to date. Every reasonable effort will be made to ensure that inaccurate data is rectified or erased without delay
- not be kept for longer than is necessary for its given purpose

- be processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- comply with the relevant GDPR procedures for international transferring of personal data.

In addition, personal data will be processed in recognition of an individuals' data protection rights, as follows:

- the right to be informed
- the right of access
- the right for any inaccuracies to be corrected (rectification)
- the right to have information deleted (erasure)
- the right to restrict the processing of the data
- the right to portability
- the right to object to the inclusion of any information
- the right to regulate any automated decision-making and profiling of personal data.

4 NEXT STEPS

- Be aware of the personal and sensitive data you hold.
- Create HR folders, in paper or electronic form for the individual HR records that you need to keep.
- Ensure that you can store HR records safely and securely in accordance with the data protection principles.

5 FACTSHEETS TO HELP

- Data Protection Factsheet

6 FOR MORE ADVICE AND INFORMATION

ACAS - (Advisory, Conciliation and Arbitration Service) free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. www.acas.org.uk

Achieve in Bath & North East Somerset - free recruitment support, advice and help. Matching job seekers, employers and course providers to help employers recruit, train and retain employees. www.achieveinbathnes.co.uk

Future Bright - free help & support for businesses and employees to realise their full potential. Provide access to training and development, workshops and networking. HR support to promote career progression and best practice to attract and retain staff. www.futurebright.org.uk

Bibliography - this fact sheet was produced by Rathbone HR Solutions in association with Cool Ventures Ltd in December 2018 with content sourced from; HR Inform (www.hr-inform.co.uk), ACAS (www.acas.org.uk), CIPD (www.cipd.co.uk), the pensions regulator (www.thepensionsregulator.gov.uk/en/employers), HMRC (www.gov.uk/government/organisations/hm-revenue-customs), the Information Commissioner's Officer website (www.ico.org.uk)



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