

Before you clear out the 'clutter'



Tempting though it is from time to time, to throw out last year's paperwork and clear the shelves, take note that there is a **legal obligation to keep some stuff**.

Why do we still keep so much paperwork ... what about the 'paperless office' ... shouldn't we be able to cram all the information we could possibly need to keep onto a tiny microchip, and burn the 'treeware'?

So long as you only keep what you need, the paper records are useful, even essential, to keep.

But before you order archive boxes and head off to the storage unit, review what you need. Some records must **legally** be kept for a certain period, whilst others have **recommended** retention times.

Record	Statutory retention period
Payroll records	At least 3 years after the end of the tax year to which they relate
Statutory sick pay (SSP) records	
Statutory maternity, adoption and paternity pay records	
Working time	2 years from the date on which they were made
Record	Recommended retention period
Application forms, interview notes for unsuccessful candidates	1 year
Parental leave	5 years from birth/adoption of the child or 18 years if the child receives a disability allowance
Personnel files and training records, including disciplinary records	6 years after employment ceases
Senior executives' records	Permanently
Redundancy details, including calculations	6 years from date of redundancy
'Right to work' documents	2 years after employment ceases

Bear in mind that **employees do have the right to access** their records and the employer has an obligation to ensure that the data is accurate. It's good practice to keep only what's necessary on Personnel Files, and **References**, interesting though they can be to read once you know the employee well, need not be kept. It's better to adopt the policy of recording that they were taken up at the time employment was offered, that they were received and were deemed adequate at the time to confirm employment. They have no relevance later in the employment relationship, and should the individual concerned want to see the contents of the Personnel File, if you've kept the references, you'll need to seek the permission of the Referee concerned before you release them.

If an **employee wants a copy of the contents** of their Personnel File, the Data Protection Act provides for the employer to charge the individual up to £10. The suspension file that buckles under the weight of its contents is bad news, not least because it probably contains out of date information which will contravene the Data Protection Act.

So as you start your clean-up, by all means chuck out the biscuit crumbs and well intentioned but resistable herbal tea bags in your desk drawer, maybe even the mouldy yogurt in the office fridge, but proceed with caution when it comes to the paperwork.

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