Data Retention Policy

Policy Statement

BE Recruitment is committed to protecting the personal and sensitive data it collects, processes, and stores. In accordance with legal, contractual, and operational requirements, this policy sets out how long different types of data are retained, how they are securely processed, and the rights of individuals in relation to their data.

Objectives

This policy is designed to:

- Ensure compliance with applicable data protection laws, including UK GDPR, the Data Protection Act 2018, and other applicable UK data protection legislation
- Define retention periods for specific types of records
- Protect the rights of individuals whose data is held
- Ensure that data is stored securely and deleted safely once no longer required

Scope

This policy applies to all personal and sensitive personal data held by BE Recruitment in both electronic and paper formats. It applies to all employees, contractors, job applicants, work-seekers, clients, and other data subjects.

Consent-Based Retention

Where personal and sensitive data is processed on the basis of individual consent, the Company will retain the information only for the period defined in the consent. Once that period expires, the Company may seek renewed consent. If consent is not provided again, the data will be securely deleted.

Data Security

The Company will process, store, archive, and delete all data in line with its Data Security Policy. Appropriate technical and organisational measures will be used to protect data against unauthorised access, alteration, disclosure, or destruction.

Your Data Rights

- All individuals have the following rights regarding their personal data:
- Right to be informed – Know what data we hold, why, and how it is used
- Right of access – View the data we hold about you
- Right to rectification – Request correction of inaccurate or incomplete data
- Right to erasure – Ask for your data to be deleted
- Right to restrict processing – Ask us to limit how your data is used
- Right to data portability – Obtain and reuse your data across different services
- Right to object – Object to processing under certain circumstances
- Right not to be subject to automated decision-making – Protection from profiling or automated decisions without human intervention

For any concerns or requests regarding these rights, contact Lisa Ridley on 0116 482 6500.

Statutory Retention Periods

Document	Statutory retention period	Statutory authority
Accident books, accident records/reports	3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 21). (See below for accidents involving chemicals or asbestos).	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980. Special rules apply concerning incidents involving hazardous substances (see below).
Accounting records	3 years for private companies, 6 years for public limited companies	Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006.
Income tax and NI returns, income tax records and correspondence with HMRC	not less than 3 years after the end of the financial year to which they relate	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631)
Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)	5 years from the date on which the tests were carried out	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677)
Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	6 years from the end of the scheme year in which the event took place.	The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)
Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence	3 years after the end of the tax year in which the maternity period ends	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended.
Wage/salary records (also overtime, bonuses, expenses)	6 years	Taxes Management Act 1970
National minimum wage records	3 years after the end of the pay reference period following the one that the records cover	National Minimum Wage Act 1998
Records relating to working time	2 years from date on which they were made	The Working Time Regulations 1998 (SI 1998/1833)

Right-to-work check records and supporting documentation	Duration of employment plus 2 years	Statutory authority: Immigration, Asylum and Nationality Act 2006 and Home Office Right to Work Guidance.
Work-seeker records	one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services	The Conduct of Employment Agencies and Employment Businesses Regulations 2003 and The Gangmasters (Licensing Conditions) Rules 2009
Records relating to dealings with other licence holders	one year from creation or, where they have been supplied by another person, from last supply.	The Gangmasters (Licensing Conditions) Rules 2009

Data Record types with non-statutory retention periods

Document	**Retention Period**
Actuarial valuation reports	permanently
Application forms and interview notes (for unsuccessful candidates)	One year
Assessments under health and safety regulations and records of consultations with safety representatives and committees	permanently
Inland Revenue/HMRC approvals	permanently
Money purchase details	6 years after transfer or value taken
Parental leave	5 years from birth/adoption of the child or 18 years if the child receives a disability allowance
Pension scheme investment policies	12 years from the ending of any benefit payable under the policy
Pensioners' records	12 years after benefit ceases
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of redundancy
Senior executives' records (that is, those on a senior management team or their equivalents)	permanently for historical purposes
Statutory Sick Pay records, calculations, certificates, self-certificates	The 6 years after the employment ceases
Trade union agreements	10 years after ceasing to be effective
Trust deeds and rules	permanently
Trustees' minute books	permanently
Works council minutes	permanently

Legal Proceedings and Investigations
Where records are relevant to ongoing litigation, regulatory investigations, audits, or insurance claims, the Company may suspend normal destruction periods until the matter has concluded.

Monitoring and Review
This policy will be reviewed annually or sooner based upon legislative developments, including amendments to UK data protection legislation.

Document Control and Accountability

- Review date: 16/09/2027
- Approved by: Lisa Ridley
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