

Record Keeping Table

All businesses must keep personnel and financial records in order to run their business efficiently and to comply with statutory requirements. The type of record will determine the length of time the record must be kept for. In most circumstances your data will not be retained for more than 6 years from the last point at which we provided any services or otherwise engaged with you and it is our policy to only store your personal data for as long as is reasonably necessary for us to comply with our legal obligations and for our legitimate business interests. The following sets out the lengths of time we are required by law to retain your data or certain elements of your data, however, we may retain data for longer than a 6 year period where we have a legal or contractual obligation to do so.

If you believe that we should delete your personal data at an earlier date, please inform us in writing of your reasons by emailing data@prospect-us.co.uk. Full details of our Data Protection Policy can be found [here](#).

| Data/Document type | Retention Length |
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| <p>Work-seeker records including application form/CV, ID checks, terms of engagement, details of assignments, opt-out notices & interview notes</p> <p>Client records including terms of business, assignment/vacancy details.</p> | <p>1 year from the last date of providing work-finding services as an Employment Agency or Employment Business.</p> <p>For full details please see the REC Guide to the Conduct Regulations.</p> |
| Terms of engagement with temporary worker and terms of business with clients | 6 years in order to deal with any civil action in the form of contractual claim (Limitation Act 1980) (five years in Scotland) |
| <p>Working time records:</p> <ul style="list-style-type: none"> • 48 hour opt out notice • Annual leave records | 2 years from the time they were created |
| Annual appraisal/assessment records | No specific period – under data protection laws you should only keep records for as long as is necessary. |
| References | Conduct Regulations require references to be kept for 1 year following the introduction or supply of a worker to a client. |
| Records held relating to right to work in the UK | 2 years after employment or engagement has ended – must not be alterable |

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| Criminal records checks/ Disclosure Barring checks | The Disclosure and Barring Service (DBS) Code requires registered bodies to handle all information provided to them by DBS, in line with the obligations under data protection laws and no longer than is necessary. |
| National Minimum Wage documentation: <ul style="list-style-type: none"> Total pay by the worker and the hours worked by the worker Overtime/shift premium; Any deduction or payment of accommodation; Any absences eg rest breaks, sick leave, holiday; Any travel or training during working hours and its length; Total number of hours in a pay reference period | For HMRC purposes: 3 years after the end of the pay reference period following the one that the records cover (National Minimum Wage Act 1998) For a breach of contract claim: six years (5 in Scotland) in order to show that you have paid at least national minimum wage rates. |
| Sickness records – statutory sick pay | 3 years from the end of the tax year to which it relates |
| Statutory maternity, paternity, adoption pay | 3 years from the end of the tax year to which it relates |
| Pensions auto-enrolment (including auto-enrolment date, joining date, opt in and opt out notices, contributions paid) | Six years except for opt out notices which should be kept for four years. For further information please see The Pensions Regulator’s detailed guidance for employers. |
| Gender pay gap reporting | One year (but the statement must be kept on the Government website and organisation’s own website for three years). |
| Company financial records | |
| VAT | 6 years – please see an overview of VAT record keeping on the Gov.uk website. |
| Company accounts | 6 years – please see an overview of running a limited company on the Gov.uk website. |
| Payroll information | 3 years from the end of the tax year – please see Gov.uk guidance on keeping records for business. |