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Data retention policy for NIS Group

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1. Policy statement

Everyone has rights with regards to how their personal information is handled. During the course of our activities, NIS Group will collect, store and process personal information about our staff (Data), and we recognise the need to treat it in an appropriate and lawful manner.

The provisions of the UK General Data Protection Regulation (UK GDPR) and UK domestic laws on data protection require us to establish appropriate time periods for holding various types of Data, to put in processes to manage the effective deletion of Data after those time periods have expired, and to make sure staff are aware of these provisions.

2. Scope of the policy

This policy sets out the different categories of Data that may be collected about an employee, how long each category of Data will be retained by us, including after an employee has ceased working for us, our business justification for holding each category of Data for those periods of time, and how the Data will be deleted at the end of those retention periods.

Retention periods are based on business need and take into account any relevant professional guidelines.

This policy should be read alongside an employee's HR Privacy Notice and the organisation's Data Protection Policy (pol_12), where an employee's rights, in certain circumstances, to object to the holding of Data, or to require erasure of Data are explained.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

3. Personnel responsible for implementing the policy

Data processing of employee personal information is carried out by us (as Controller of that information) and by our HR Software Processor. Any deletion of information on the Processor's software system will be carried out automatically, in compliance with this policy, save for any data held in an Employee Documents folder or File Notes folder, where we will be responsible either for requesting and confirming deletion by the Processor, or for manual deletion by us of the information, in compliance with this policy.

If you have any questions about the implementation of this Policy, please refer to your Manager in the first instance.

4. Details of data held, retention periods and methods of data deletion

Type of employee personal Data	Details of employee personal Data	Data retention period	Business case/need for data retention	Method of data deletion
Data that may be entered into processor HR software specific fields				
Recruitment Data	• Job offers- not accepted	6 months after date of offer, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	A candidate may make a discrimination claim during or after the selection process. Information may therefore be required to defend a claim.	Automated system deletion 6 months after offer date, except if any claim is made within that time, or notification received of an ongoing dispute, in which case the claimant's data will be deleted on completion of the claim.
Contact / Personal Data	• Personal home and work contact details • Emergency Contact details of next of kin • Employee Photo	While employment continues and for 12 months from the date employment ceases, except if any claim is made within that time in which case the claimant's data will be held until completion of the claim.	To allow for contact to be made in the first year after employment ends to deal with any immediate issues arising	Automated system deletion 12 months after termination date, except if any claim is made within that time, or notification received of an ongoing dispute, in which case the claimant's data will be held until completion of the claim.
General Employment Contract Data	• Contract data including details of role, reporting structure, job location, holiday entitlement, notice period, working hours, and amendment to contract letters • Probation data • Overtime and TOIL data • Lateness data • Annual leave data • Family leave data • Privacy notices and data processing consent records • Working time data	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.
Performance and Training Data	• Absence data • Appraisal data • Probation Data • Qualification and skills data • Training data • Employee of the month and Good Job data	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.

Pay and Benefits Data	• Payroll and tax data • Date of birth • Gender • Loan data • Advancements and deductions from wages data • Court Orders data • Statutory Pay data • Bank Account details • Expenses records • Pension data • Benefit schemes data	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim still outstanding, in which case the claimant's data will be held until completion of the claim.	Statutory retention period under the Taxes Management Act 1970 of 6 years after the last day of the last complete tax year during which they worked.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim still outstanding in which case the claimant's data will be deleted on completion of the claim.
Leavers Data (not covered above)	• Leaver's report	6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.
Health and Safety Data	• Data on any reportable accident, death or injury in connection with work • Allergies data • Covid-19 vaccination data • Covid-19 test data	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.
Data that may be held by the company as a controller in employee documents/file notes on our HR software system or elsewhere, including on paper				
Recruitment documents	• CVs of rejected applicants • CVs of applicants offered jobs but not accepted • References provided by third parties for job offers whether accepted or not	6 months after date of offer or rejection, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	A candidate may make a discrimination claim during or after the selection process. Information may therefore be required to defend a claim.	Automated system deletion 6 months after offer date, except if any claim is made within that time, or notification received of an ongoing dispute, in which case the claimant's data will be deleted on completion of the claim
General Employment Contract documents	• CVs of current employees • Application forms of current employees • Employment Contracts • Probation records	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.

Performance and training records	• Disciplinary records • Grievance records • Capability / Poor Performance records • Appraisal / Performance records • Probation records • Absence Management records • Family Leave records • Training agreements • Qualification and skills documents, including professional certificates and driving licence copies • Redundancy consultations	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.
Pay and Benefits records	• HMRC records • Loan agreements • Court Order records • Statutory Pay records • Bank Account details • Expenses records • Pension records • Benefit schemes records	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim made within that time, in which case the claimant's data will be held until completion of the claim.	Statutory retention period under the Taxes Management Act 1970 of 6 years after the last day of the last complete tax year during which they worked.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim still outstanding in which case the claimant's data will be deleted on completion of the claim
Leavers records (not covered above)	• Exit interviews • Redundancy records	6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.
Health and Safety records	• Records of any reportable accident, death or injury in connection with work • Allergies data • Covid-19 vaccination data • Covid-19 test data	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.

Immigration checks	• Identification records • Details of right to work in UK including any work permit	Whilst employment continues and for two years after the termination date of employment	Legal obligation based on Home Office guidance issued under Immigration, Asylum and Nationality Act 2006, to retain copies of right to work documents during employment and for 2 years after they stop working for you.	Automated deletion two years after the last day of employment
Criminal convictions records	• Disclosure and Barring Service (DBS) checks pre-recruitment • Disclosures of criminal records during employment • DBS periodic updates	1A. Pre-recruitment checks for job offers not accepted or withdrawn will be deleted 3 months after offer date, except if any claim is made within that time, or notification received of an ongoing dispute, in which case the claimant's data will be deleted on completion of the claim. 1B. Pre-recruitment checks for current employees will be deleted in accordance with the General Employment Contract Documents retention period above. 2. Where DBS check or disclosure during employment is necessary for the purposes of carrying out employment rights and obligations, it will need to be kept during employment and will need to be regularly updated, and any update will replace the previous DBS check which should then be deleted. 3. On termination of employment, a current DBS check or disclosure during employment will be held for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	1. Pre-recruitment checks or disclosures during employment need to be carried out or held if the employee is dealing with large amounts of sensitive data, or if otherwise necessary for the purposes of carrying out employment rights and obligations. These checks or disclosures may be a document relevant to any tribunal, County Court or High Court claim, and therefore to be retained for up to 6 years after termination of employment. 2.Where replacement DBS checks are provided on a regular basis, the old check will be kept on the system whilst it is established whether any potential claim for which the DBS check may be relevant will be made in relation to that previous period.	Pre-recruitment checks for job offers not accepted or withdrawn -– manual deletion 3 months after offer date, except if any claim is made within that time, or notification received of an ongoing dispute, in which case the claimant's data will be deleted on completion of the claim. Where DBS check is necessary for the purposes of carrying out employment rights and obligations an old DBS check will be deleted 12 months after storing of new updated DBS check unless any claim is still outstanding, in which case the claimant's data will be deleted upon completion of the claim. Where DBS check or disclosure during employment is necessary for the purposes of carrying out employment rights and obligations, a current DBS check or disclosure during employment will be automatically deleted 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.

File Notes	• Any data included in File Notes	While employment continues and for 6 years after the last day of the last complete tax year during which they worked, except if any claim is made within that time, in which case the claimant's data will be held until completion of the claim.	As there is the possibility that any documents relating to an employee could be relevant to a tribunal, County Court or High Court claim, we are following current ICO guidance to keep employee files for 6 years following the end of employment.	Automated system deletion 6 years after the last day of the last complete tax year during which they worked, unless any claim is still outstanding in which case the claimant's data will be deleted on completion of the claim.

5. Data deletion methods

Automatic deletion from the HR software system will be achieved by anonymising Data and/or overwriting Data space, such that Data will no longer be identifiable as belonging to any individual person.

Manual deletion will involve the same processes if carried out by our HR Software Processor or us, and / or physical destruction of paper records by us.

6. Back-up data

In addition, back-up copies of all our employee Data are made and stored securely at the end of every working day to safeguard against losing Data. All back-up copies are encrypted and only the minimum number of people necessary to retrieve the back-up copies have access to the encryption key. All back-up copies of employee data are deleted after eight months.