

The purpose of this document is to provide guidance on the retention and disposal of documents (including “personal data” under the General Data Protection Regulation 2016/679 (“GDPR”), and the Data Protection Act 2018 (subject to royal assent, the “DPA”)) (together the “Data Protection Laws”). “Documents” in this context means all documents held or controlled by us in any format or media that are located in the UK.

As a matter of law, our documents (including books, records and financial reports) must accurately reflect the underlying transactions and represent the true state of the business. They are an essential part of doing business correctly, honestly and openly and protect us, our customers and those we work with. We must ensure that the record keeping of our documents is accurate, that we store them safely and for the time periods prescribed by the law and that we do not destroy or alter any information or data that must be kept for litigation, an investigation or other legal reasons. Equally, we must not retain documentation where the limitation period has expired and there is no legal justification for retention.

The retention schedule sets out the recommended retention periods for Companies Act records. The retention schedule is intended to enable users of this document to simply refer to the relevant type of document that they are interested in and then determine the relevant retention period from that schedule. If a document is not covered by any retention schedule, reference can be made to the items listed in the General Guidance section within the Records Management Policy in determining an appropriate retention period.

SBU/functions should refer to these retention schedules and the general guidance below in reviewing their current existing document retention and disposal practices.

The DPO within the SBU/function has the responsibility for establishing and implementing effective practices and procedures across it to give effect to this document.

Employment and pension records

| Record description | Retention period | Form in which to be kept | Reason and comments |
|--|---|---|---|
| Job applications and interview records | 6 months after notifying unsuccessful candidates except for candidates who explicitly opt-in to retention of application and profile data by Balfour Beatty on nominated talent pool system. 12 months from opt-in consent or date of refreshed opt-in consent, for candidates who explicitly opt-in to retention of application and profile data by Balfour Beatty on nominated talent pool system. | Original applications probably only necessary. Other records could be in any form | Evidence to protect against actions for discrimination. Data protection principles suggest short retention period unless applicants are notified otherwise (for example that their CV is to be kept on file for a limited period in case there are other positions at the company that may be suitable for that candidate). |

| Record description | Retention period | Form in which to be kept | Reason and comments |
|--|---|--------------------------|---|
| <p>Personnel and training records including:</p> <ul style="list-style-type: none"> • Qualifications/references • Performance reviews • Job history • Resignation, termination or retirement letters • Disciplinary matters | 6 years after employment ceases | Any | <p>Limitation.</p> <p>Medical and health records need to be kept for longer (see retention schedule 6).</p> |
| Written particulars of employment, contracts of employment and changes to terms and conditions | <p>Generally 6 years after employment ceases <i>(but note comment in last column where this period may need to be longer in certain cases)</i></p> | Any | <p>Evidence of compliance.</p> <p>If the job(s) performed by the employee during his or her employment may have involved actual or potential exposure to any potentially hazardous waste or substance (such as radiation, asbestos or lead), or sustained loud noise, the records of such employees should be kept for a minimum of 50 years¹ after employment ceases as that employee may bring a disease claim many years later (eg. white finger vibration, radiation sickness, asbestosis or noise induced hearing loss). If such a claim is brought against Balfour Beatty, the employee's employment contracts will be relevant to the handling of that claim.</p> |
| Letters from employees | 6 years after employment ceases | Any | Limitation. |

¹**Note** that this does not mean that all records in this category can be kept for this time period. In line with the Data Protection Laws personal data should only be kept in a form which permits identification of the data subject to the extent necessary for the purpose for which it is being processed (in this case, defence of a future claim). Each SBU/Function must determine whether there is a need to keep a particular record for this period of time based on the individual circumstances of each case.

| Record description | Retention period | Form in which to be kept | Reason and comments |
|---|--|--------------------------|-------------------------------------|
| Handwritten notes on personnel files | 6 years after employment ceases | Any | Limitation. |
| Working time opt-out forms | 2 years after the opt-out has been rescinded or has ceased to apply | Any | Statutory compliance ² . |
| Records to show compliance with Working Time Regulations 1998 including time sheets for opted out workers, health assessment records for night workers. | 2 years | Any | Statutory compliance ³ . |
| Annual leave records | 2 years or possibly longer if leave can be carried over | Any | Best practice. |
| Travel and subsistence – claims and authorisation | 7 years from the year end | Any | Limitation. |
| Payroll and wage records (including details on overtime, bonuses, expenses and benefits in kind) | 7 years from the year end | Any | Tax. |
| Income tax records and NI returns | 7 years from the year end | Any | - |
| PAYE records (post-April 2004) that are not required to be sent to HMRC | Not less than 3 years after the end of the tax year to which they relate | Any | Statutory compliance ⁴ . |
| Medical and health records (including any medical assessments prior to or during employment) | Permanently | Any | Evidence/limitation. |
| Maternity pay records and certificates required to be kept by employer under the Statutory Maternity Pay (General) Regulations 1986, reg 26 | 3 years after the end of the tax year in which the maternity pay period ends | Any | Statutory compliance ⁵ . |
| Other maternity pay documentation | 18 months | Any | Best practice. |

² Relevant provisions are Regs. 5 and 9 Working Time Regulations 1998.

³ Relevant provisions are Regs. 5 and 9 Working Time Regulations 1998.

⁴ Relevant provision is Reg. 97 Income Tax (PAYE) Regulations 2003.

⁵ Relevant provision is Reg. 26 Statutory Maternity Pay (General) Regulations 1986.

| Record description | Retention period | Form in which to be kept | Reason and comments |
|---|---|--------------------------|---|
| Statutory paternity pay records | 3 years after end of the relevant tax year | Any | Statutory compliance ⁶ . |
| Sickness records required for the purposes of the Statutory Sick Pay (General) Regulations 1982 | 3 years after the end of each tax year | Any | Statutory compliance. Certain records need to be kept even if the employer runs a contractual scheme. |
| Complete sick absence record showing dates and causes of sick leave | 6 years | Any | Best practice. |
| Bank details – current | No longer than necessary | Any | Best practice given principles of the Data Protection Laws. |
| Record of advances for season tickets | 6 years after repayment | Any | Evidence/tax. |
| Patent agreements with staff regarding the assignment of intellectual property | 25 years from effective date of assignment | Original | Evidence/best practice. |
| Labour agreements with trade unions | 10 years after ceasing to be effective | Any | Best practice. |
| Confirmations of receipt of policy documents | 6 years from cessation of employment | Any | Best practice. |
| Consents (eg. from employees or job applicants) for the processing of personal and sensitive data | For as long as the data is processed and held in respect of a living individual | Any | Best practice given principles of the Data Protection Laws. |
| Personal data (including references) obtained by a vetting exercise | Retain for the minimum period necessary and in any case no longer than 6 months | Any | Best practice given principles of Data Protection Laws. A record of the result of vetting or verification can be retained. |

⁶ Relevant provision is Reg. 9 Ordinary Statutory Paternity Pay and Statutory Adoption Pay (Administration) Regulations 2002.

| Record description | Retention period | Form in which to be kept | Reason and comments |
|--|---|--------------------------|---|
| Requests for details of personal data held by Balfour Beatty (or the relevant SBU/Function) from data subjects (eg. employees or job applicants) | For as long as Balfour Beatty (or the relevant SBU/Function) continues to process the personal data of the data subject, subject to any other statutory limitation periods (for example, if the request forms part of an Employment Tribunal claim) | Any | Best practice given principles of the Data Protection Laws. |
| Death benefit nomination and revocation forms | While employment continues or 6 years after payment of benefit | Any | Best practice. |
| Equality and Diversity Data | 2 years after employment ceases | Any | Best Practice. |
| Pension scheme records⁷ | | | |
| Pension scheme trust deeds and rules | Life of scheme | Originals | If merged with another scheme or closed, 12 years after merging or closing. |
| Statement of principles and policies required by s 35 Pensions Act 1995 | 12 years after revision | Any | Evidence/limitation. |
| Pension scheme investment policies | 12 years after final cessation of any benefit payable under the policy | Any | Evidence/limitation. |
| Disputes procedures | Until revised or replaced | Any | Required to show compliance with Pensions Act 1995. |
| HMRC approvals | Life of scheme | Originals | Best practice. |
| Written appointments terms of professional advisers | 6 years after appointment ceases | Must be in writing | May be required to show compliance with Pensions Act 1995. |

⁷ Note that a number of retention periods for certain documents have been deleted or amended due to the revocation of The Retirement Benefits Schemes (Information Powers) Regulations 1995. Also note that the previous requirement to keep details of insurance policies purchased to protect members' rights under Reg. 12(1)(b)(vii) of The Occupational Pension Schemes (Scheme Administration) Regulations 1996 was revoked on 6 April 2012.

| Record description | Retention period | Form in which to be kept | Reason and comments |
|---|--|--------------------------|--------------------------------------|
| Minutes of meetings of trustees | 6 years from the end of the scheme year to which they relate | Must be in writing | Statutory compliance ⁸ . |
| Financial records including: <ul style="list-style-type: none"> • Amounts received in respect of contribution payable in respect of active member of scheme • Date member joins scheme • Payments of pensions and benefits • Payments to professional advisors (including name and address of recipient and reason for payment) • Any movement or transfer of assets from trustees to any person • Transactions in relation to the transfer of members into or out of the scheme from or to another scheme • Payments made to members who leave scheme • • Payments to the employer • Other payments in/out of scheme (including name and address of payor/recipient) | 6 years from end of the scheme year to which they relate | Any | Statutory compliance ⁹ . |
| Transfers into scheme including details of money transferred, terms of transfer, details of member, details of transferring scheme | 6 years from end of the scheme year to which they relate | Any | Statutory compliance ¹⁰ . |
| Transfers out of scheme including details of money transferred, terms of transfer, details of member, details of transferee scheme | 6 years from end of the scheme year to which they relate | Any | Statutory compliance ¹¹ . |

⁸ Relevant provisions are Regs. 12-14 The Occupational Pension Scheme (Scheme Administration) Regulations 1996.

⁹ Relevant provisions are Regs. 12-14 The Occupational Pension Scheme (Scheme Administration) Regulations 1996.

¹⁰ Relevant provisions are Regs. 12 and 14 Occupational Pension Scheme (Scheme Administration) Regulations 1996.

¹¹ Relevant provisions are Regs. 12 and 14 Occupational Pension Scheme (Scheme Administration) Regulations 1996.

| Record description | Retention period | Form in which to be kept | Reason and comments |
|--|---|--------------------------|--------------------------------------|
| Where, in accordance with the exception under section 49(1) of the Pensions Act 1995, money received is not kept in a separate account with a deposit-taker, details of the amount of money paid into the account, the date of payment and from whom it was received; amount of money paid out of the account, the date of withdrawal and to whom payment was made; and interest earned on the account of each scheme in respect of which money is deposited | At least 6 years | Any | Statutory compliance ¹² . |
| Any documentation relating to the following: <ul style="list-style-type: none"> • monies received or owing to the scheme • investments or assets held by the scheme • payments made by the scheme • contracts to purchase a lifetime annuity in respect of a member of the scheme; and • the administration of the scheme | 6 years from end of the tax year to which they relate | Any | Statutory compliance ¹³ . |
| Details of jobholders and workers who become members, including: <ul style="list-style-type: none"> • Name • NI number • Date of birth • Gross earnings in each relevant pay period by employer (and amount paid if different) • Date contributions paid to scheme | 6 years from the day on which the record must first be kept | Any | Statutory compliance ¹⁴ . |

¹² Relevant provision is Reg. 11 Occupational Pension Schemes (Scheme Administration) Regulations 1996.

¹³ Relevant provision is Reg.18 The Registered Pension Schemes (Provision of Information) Regulations 2006.

¹⁴ Relevant provisions are Regs. 5 to 8 Employers' Duties (Registration and Compliance) Regulations 2010.

| Record description | Retention period | Form in which to be kept | Reason and comments |
|--|---|--------------------------|--------------------------------------|
| Additional information for jobholders, including: <ul style="list-style-type: none"> • Date of automatic enrolment • Contributions to which the jobholder is entitled under the scheme rules | 6 years from the day on which the record must first be kept | Any | Statutory compliance ¹⁵ . |
| Jobholder's opt-in notice | 6 years from the day on which the record must first be kept | Any | Statutory compliance ¹⁶ . |
| Jobholder's opt-out notice | 4 years from the day on which the record must first be kept | Any | Statutory compliance ¹⁷ . |
| Date worker became active member | 6 years from the day on which the record must first be kept | Any | Statutory compliance ¹⁸ . |
| Worker's joining notice | 6 years from the day on which the record must first be kept | Any | Statutory compliance ¹⁹ . |
| Details of defined contribution, defined benefit or hybrid scheme | 6 years from the day on which the record must first be kept | Any | Statutory compliance ²⁰ . |
| Details regarding any personal pension schemes | 6 years from the day on which the record must first be kept | Any | Statutory compliance ²¹ . |

¹⁵ Relevant provisions are Regs. 5 to 8 Employers' Duties (Registration and Compliance) Regulations 2010.

¹⁶ Relevant provisions are Regs. 5 to 8 Employers' Duties (Registration and Compliance) Regulations 2010.

¹⁷ Relevant provisions are Regs. 5 to 8 Employers' Duties (Registration and Compliance) Regulations 2010.

¹⁸ Relevant provisions are Regs. 5 to 8 Employers' Duties (Registration and Compliance) Regulations 2010.

¹⁹ Relevant provisions are Regs. 5 to 8 Employers' Duties (Registration and Compliance) Regulations 2010.

²⁰ Relevant provisions are Regs. 5 to 8 Employers' Duties (Registration and Compliance) Regulations 2010.

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