



**Institute  
for Education**

members of  **ATEE**  
Association for Teacher Education in Europe

# **Employee Records Retention and Access Policy**

**Version 1.2**

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**HR Department**

## 1.0 Policy Statement

All employee and contractor records are the property of the Institute and shall be retained by the Human Resources department with access by authorized individuals and in the performance of their duties.

It shall be deemed a serious offence to breach confidential information to unauthorised individuals and similarly the removal or destruction of information or data contained in employee files shall be considered a serious offence under this policy.

## 2.0 Principles

The Institute must retain certain information on its employees and contractors as is required by law to administer the terms and conditions of employment / contractual obligations effectively.

The individual employee or contractor must feel confident that their personal information is retained in a secure fashion and only accessed by officials who need this information to perform their authorised job duties.

The individual has the right to know what is retained by the Institute in its records should they wish to see the file and its contents.

This policy is intended to address security and access of personal information.

## 3.0 Application and Scope

All information pertaining to employees and contractors of / for service, which is of a personal nature including resumes/CVs, contracts, recruitment, and any correspondence related thereto which may include disciplinary correspondence, and any documents required by Maltese Law are covered by this policy.

Performance data shall normally be retained with the direct supervisor according to policy until expiry or termination of the employment relationship at which time it will be forwarded to HR for storage.

## 4.0 Responsibilities

### Human Resources.

Receives and maintains any information on commencement or during the life of the employment relationship of each employee or contractor.

Accesses information only as required and by those individuals who require this information for their authorised duties.

Ensures the security retention of all data and information of a personal nature.

#### Manager/Senior

Forwards copies of any employment related correspondence with or to their employees or contractors to HR for filing.

Retains only working copies of employee related information required to perform their managerial duties.

Are entitled to review employee files of those employees or contractors under their direct line supervisory authority where it is deemed necessary to perform their assigned duties.

#### Employees / Contractees

Forwards any information required or requested by HR to administer the terms and conditions of employment or service.

May request that information is placed on their file relevant to their employment circumstances.

## 5.0 Retention Format

Employee files are retained with the following components:

Master	Personal Records Sheet, Contract of Employment, Qualifications, Academic certificates, Good conduct police certificate, Declaration of the Code of Conduct, Recommendations, Performance contracts and remarks, Copy of Driving License or Copy of Identity Card, Copy of NI card, FS4's, Job Description, Electronic Equipment contract, Maternity Leave
General	ETC form, application for position with internal calls, discipline, grievances, termination, reports, other miscellaneous reports.
Performance	Appraisals, reviews and related information.
Health	Medical certificates and related information.
Training	Details of training courses and conferences attended, Attendance in Internal and External Training.

## 6.0 Access

Employees / contractors may access their own file upon arranging with HR to do so in writing. Review shall be in the presence of an official of the Institute from HR and no information will be removable or destroyed without the express consent of the HR Manager.

Managers may access the file of their direct line employees and contractors for review purposes only.

## 7.0 Employment document retention timeframes

### Employment document retention timeframes

Category	Location	Retention Period	Justification for Retention Period
<b>Recruitment &amp; Career Progression</b>			
Application form for the filling of posts in IfE.	HR Department	Application form for the filling of posts in the Public Service 1) In the case of appointed persons 2) Industrial Relations Unit (IRU*) – Ten (10) years from age of retirement (IRU*) see Related Documents	Provision of references and requests for confirmation of employment.
Copy of Contract of Engagement, CV, Police Conduct, Academic Certificates, References, etc.	HR Department /Administration	Ten (10) years from age of retirement.	Provision of documents and requests for confirmation of employment.
Application forms for the filling of positions co-financed from EU funds	HR Department / Administration	1) In the case of appointed persons: a) Ten (10) years from age of retirement; 2) All others, to be retained for the period stipulated in the regulations governing the relative EU programme/s	Provision of references and requests for confirmation of employment.
Applications for External Training	HR Department	Two (2) years from conclusion of selection process	Provision of references and requests for confirmation of employment.
Declaration on Employment/Appointm ent	HR Department	a) Ten (10) years from age of retirement.	Provision of references and requests for confirmation of employment.
Confirmation of Appointments (PS&D)	HR Department	a) Ten (10) years from age of retirement.	Provision of references and requests for confirmation of employment.

Annual Performance Reports (including PMPs)	HR Department	Ten (10) years	Good practice
<b>General Employee Records</b>			
Approval to perform private work	HR Department	Ten (10) years from age of retirement;	Good practice
Direct deposit of salary form	Payroll, Finance	Current	Good practice
Pension Form	HR Department	a) Ten (10) years from age of retirement; b) Line ministries and departments – Ten (10) years from date of termination of employment	Good practice
Exit of Employment Form	HR Department	Ten (10) years.	Good practice
<b>Discipline</b>			
Admonishments	HR Department	Destroyed by supervisor after six months; no record retained	Good practice
Written warnings (P&SD Regulation 19)	HR Department	Attached to the Personal Record Sheet (PRS) and an appropriate note made in pencil on the PRS; after one (1) year, all references to such warning should be deleted	Good practice
Minor Disciplinary Cases Serious Disciplinary Cases	HR Department	a) after conclusion of case: if found guilty, documents retained for ten (10) years from termination of employment and record shown permanently in Personal Record Sheet - if found not guilty, documents retained for two (2) months from conclusion of case and no record kept thereafter b) if case is inconclusive and the employee has terminated employment, documents are retained until the	Good practice

		employee concerned reaches retirement age.	
<b>Absence Management</b>			
Attendance sheets	HR Department	Four (4) years	Good practice
Telework Applications	HR Department	Four (4) years	Good practice
Vacation leave application forms	HR Department	Four (4) years	Good practice
Vacation leave records	HR Department	Four (4) years	Good practice
<b>Telework records</b>			
Telework Attendance sheets	HR Department	Four (4) years	Good practice
<b>Health and Medical records</b>			
Sick leave certificates	HR Department	One (1) year from issue of certificate	Good practice
Health and medical records	HR Department	One (1) year from issue of certificate	Good practice

*Contractee documentation retention timeframes*

<b>Category</b>	<b>Location</b>	<b>Retention Period</b>	<b>Justification for Retention Period</b>
<b>Contractee Records</b>			
Applications for Expression of Interest	HR Department	Letter of Application including, Motivation letter, CV, Copy of Certificates. (10) years from date of termination of contract for Service.	Provision of references and requests for confirmation of CfS.
Contract for Service (CfS): Signed contracts for Service	HR Department	Ten (10) years from date of expiry of contract.	Good practice

Letter of Engagement: Signed (LOE).	HR Department	Ten (10) years from date of expiry of contract.	Good practice
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## 8.0 Related Documents

- [General Data Protection Regulation 2016/679 \(GDPR\)](#)
- [Chapter 477 National Archive Act](#)
- [Chapter 586 Data Protection Act](#)
- [Chapter 496 Freedom of Information Act](#)
- [Industrial Relations Unit\(IRU\)-Manual for Public Sector Entities -](#)

## 9.0 Version History

Originator	Version	Date	Changes Done
HR Department	1.0	01/05/2018	Initial Release
HR Department	1.1	29/05/2018	Included Section 6.3, 7 and 8 ♣ Included location of Records and Reason for Length of Retention Period
HR Department	1.2	17/07/2020	Updated retention timeframe.