

Where can I get more information?

Acas advisory booklet *Personnel Data and Record Keeping* – to order, call Acas Publications on 08702 42 90 90 or order online at www.acas.org.uk.

DTI *Factsheets for small firms: Written statement of employment terms; Employing Staff – a Guide to Regulatory Requirements: URN 00/1312* – available at www.dti.gov.uk/publications.

More information on Statutory Sick Pay is available from the Department for Work and Pensions www.dwp.gov.uk/lifeevent/benefits or visit your local social security or inland revenue offices.

The Information Commissioner can provide information on the Data Protection Act 1998, tel 01625 545745, www.dataprotection.gov.uk.

Acas runs charged training for small firms and has a national helpline – 08457 47 47 47 – which gives free advice on employment matters.

This information is intended to be a brief introduction to the subject. Legal information is provided for guidance only and should not be regarded as an authoritative statement of the law.

Acas can help with your employment relations needs

We inform

We answer your questions, give you the facts you need and talk through your options. You can then make informed decisions. Contact us to keep on top of what employment rights legislation means in practice – before it gets on top of you. Call our helpline **08457 47 47 47** or visit our website www.acas.org.uk.

We advise and guide

We give you practical know-how on setting up and keeping good relations in your organisation. Look at our publications on the website or ask our helpline to put you in touch with your local Acas adviser. Our Equality Direct helpline **08456 00 34 44** advises on equality issues, such as discrimination.

We train

From a two-hour session on the key points of new legislation or employing people to courses specially designed for people in your organisation, we offer training to suit you. Look on the website for what is coming up in your area and to book a place or talk to your local Acas office about our tailored services.

We work with you

We offer hands-on practical help and support to tackle issues in your business with you. This might be through one of our well-known problem-solving services. Or a programme we have worked out together to put your business firmly on track for effective employment relations. You will meet your Acas adviser and discuss exactly what is needed before giving any go-ahead.



What if I get it wrong?

Inadequate personnel records can lead to problems with:

- recruitment and selection
- labour turnover and absenteeism
- promotion
- production of goods or services
- discipline and dismissal.

What are the legal requirements?

Your workers, under the Data Protection Act 1998, are entitled to have access to their personal details held as computerised and manual records. They may seek compensation in the courts for damage because of inaccuracy or unauthorised disclosure.

Employers should be careful to differentiate between sickness records and absence records. Sickness records – which are classed as sensitive personnel data under the Act and require the consent of the employee – include details of illness; while absence records note the incidence of absence but do not include details of illness.

The Information Commissioner – responsible for the enforcement of the Data Protection Act – has published a Code of practice on Employment Records which gives guidance to employers.

The Access to Medical Reports Act 1988 gives workers a right of access to any medical report supplied by a medical practitioner which relates to them.

Some records are required to fulfil legal requirements such as those for statutory sick pay, tax and national insurance contributions.

Most employers already keep some records covering tax and national insurance contributions, but it is essential to comply with the legal minimum requirements.

Why have personnel records?

Personnel records can help you to:

- base decisions on fact rather than guesswork or the last impression gained
- match production/service schedules with available staff resources
- maintain levels of productivity by assessing unit labour costs more accurately
- monitor individual levels of performance
- detect and have better control over problems of recruitment, labour turnover, lateness, discipline, sickness, accidents and absenteeism
- deliver fair and consistent promotion and discipline policies
- develop and monitor a successful equal opportunities policy.

How do I get it right?

- ✓ Keep it simple. Personnel records kept on a card index can be effective but there are also computerised systems that may be suitable.
- ✓ Establish what is needed. Ask all users what personnel information they need to operate effectively. This may show that valuable information is not being recorded or that some current records are unnecessary.

- ✓ Design a clear application form. It aids the selection of candidates and provides a basis for the interview and selection, especially where previous experience or formal qualifications are important.
- ✓ Keep workers in the picture. Discuss plans with those who are to operate the system.

What information should be kept about workers on personnel records?

- Personal details – name, date of birth, address, qualifications, previous experience, tax code, national insurance number, emergency contact number.
- Employment details – date employment began, date present employment began, job title.
- Details of terms and conditions – rate of pay, hours of work (including overtime), holiday entitlement.
- Absence details: sickness, lateness – authorised or unauthorised.
- Details of accidents.
- Details of disciplinary action.
- Training and development courses.