

Employer Record Keeping Policy

Introduction

With very few exceptions, every person who working in Guernsey must hold a document confirming they are eligible to live and work in Guernsey. People starting their first job after the 3rd of April 2017 will hold a Certificate or Permit. People who have been working since before this date, are more likely to hold a Declaration or Licence. All of these documents show the residential status of the person they relate to.

Employers must hold information about the document held by each of their employees, so that they can be sure that they employ people who are eligible to work in Guernsey.

The information employers must hold about the residential status of their employees is set out in [The Population Management \(Employment Records\) Regulations, 2017](#).

What information do employers have to keep?

Employers must keep a record for each employee that shows their: full name; date of birth; social security number; the reference number of the document showing their residential status (this will be their Certificate; Permit; Declaration; or Licence); the document's expiry date; and any conditions attached to the document.

How long do employers have to keep this information for?

Employers must keep information about their employees' residential status for the whole time the employee works for them and for 28 days after a person leaves their employment. There is no need to keep employee records for longer than this. All employers need to be aware that holding records for longer than they are required to might mean they are not complying with their responsibilities under the [Data Protection Law](#).

How and where must employee records be held?

We have created an [Employer Portal](#) and one of its features is that it can manage employee record keeping for you. You can find out more about this in the section below. If you don't use the Employer Portal, you will have to keep your records in a certain way.

The employee records must be held at – or must be capable of being inspected from – the principal premises from which the business operates in Guernsey.

If the business employs more than 30 employees, the employee records must be held in alphabetical order, or with an alphabetical index.

Keeping Employee Records on the Employer Portal

All Guernsey employers can use the Population Management [Employer Portal](#). Via the 'Employees' tab on the Employer Portal, with your employee's permission, you can enter their: Social Security number, date of birth, and document reference number. This will link their document to your portal account, and display all the information you need to hold about their residential status.

Once you have linked an employee's document, when the time comes, you will be able to enter the date they are going to leave your employment, and the record will be removed from your record. You must enter the end date within 28 days of their employment ending. If you enter the end date in advance, the record will continue to show, but will be removed automatically on the 29th day after their employment ends.

What are the advantages of keeping records on the Employer Portal?

Using the Employer Portal for employee record keeping ensures you are holding all the information you need to hold and that you are holding it in the right way. Because the Portal always displays the most up to date version of the document, employers using the Portal can be sure that, for example, if a person's situation changes and this means their document becomes invalid, the record on the Portal will show this.

The Employer Portal will also warn employers when document expiry dates are approaching, so it makes it easier for the employer to manage their workforce.

Inspecting Employee Records

From time to time, employers will be 'spot checked' by the Population Management Office, to make sure they are keeping employee records properly. The employer will usually be told in advance that their records will be inspected, but there might be times when an unannounced inspection will happen.

An Inspector will be have photo identification confirming that they work for the States of Guernsey, and will always act in a way that complies with their powers under the [Population Management \(Guernsey\) Law, 2016](#).

Policy Review

This policy will be reviewed on 2 April 2019. The Administrator reserves the right to review this policy before the published review date if there is good reason to do so.