



Diocese of Derby Clergy File (Blue File) Storage and Access Policy.

Clergy Files

All Clergy Files are kept at The Bishop's Office at The Bishop's House, 6, Kings Street, Duffield, Belper, DE56 4EU.

Files for all clergy holding the Bishop's Licence or Permission to Officiate are stored in locked metal filing cabinets in the secretary's office. (Note they are not in fire proof cabinets due to cost, size and weight of such cabinets).

Clergy files for deceased clergy and those living in the Diocese but not active or who have been prohibited by the archbishop from exercising their orders, and those who have left the province of Canterbury or York, are kept in locked cabinets in the Diocesan Archive, Matlock.

Files do not leave the Office at any time unless in extreme circumstances at the direct request and for use of The Bishop. Should files be removed from the office they will be signed in and out by the person authorised to remove the file.

Access to Clergy Files

The current (March 2013) Guidelines *Personal Files Relating to Clergy: Guidance for Bishops and their staff*¹ suggests (at paragraphs 46, 61 and 76) that the bishop should have a clear policy in place explaining who among the bishop's staff may have access to the files and the conditions of use.

The current 'access policy' in the Church of England, Derby, can be summarised thus:

- Clergy Personal Files are kept in locked filing cabinets at Bishop's Office.
- Such files will not be removed from the Bishop's Office.
- Those who have day to day access to files for administrative purposes are: the Diocesan Bishop, the Bishop's Chaplain, the Senior Secretary and the Assistant Secretary.
- The Bishop's Advisers for Safeguarding Children and Vulnerable Adults shall have access to files when they require it for safeguarding purposes.

¹[http://www.churchofengland.org/media/660031/clergy%20file%20guidance%20notes%20\(april%202013%20edition\).pdf](http://www.churchofengland.org/media/660031/clergy%20file%20guidance%20notes%20(april%202013%20edition).pdf)

- The Suffragan Bishop, when acting for the Diocesan Bishop, shall have access to files as required.
- The HR Director shall have access to files in the event of HR and legal advice being sought by the Diocesan Bishop.
- The Diocesan Registrar shall have access to files in the event of legal advice being sought by the Diocesan Bishop.²
- Access to files by the Archdeacons is, in each case, to be approved beforehand by the Bishop. Paragraph 45 of the Guidelines states that those who contribute to clergy files (e.g. Archdeacons) “should not keep separate files (other than day to day working papers) ... such working papers should be transferred periodically to the main file.”³
- When a cleric holds a licence or PTO concurrently in more than one diocese, and their personal file is held in Derby, appropriate staff from those dioceses shall be granted access to the file as necessary (see paragraph 76 of the Guidelines.)

Access to Clergy Files by the Cleric

- A member of clergy has a right of access to personal data held about him or her. However, they may not simply walk into the Bishops office and demand to see the file. Clergy wishing to see their file should make a subject access request in writing to the Bishop.
- An admin fee of £10 is made for processing the request.
- Once the fee has been paid, and the Bishop has received sufficient information from the applicant, the Bishop has 40 days in which to comply with the request. The information should be supplied in the form of copies unless it would involve disproportionate effort to reproduce the file.
- Not all personal data should necessarily be disclosed on a subject data access request, and the bishop will seek advice from the Diocesan Registrar so that identifiable information relating to a third party is not disclosed without their permission.

Archiving and Retention Periods for Paper Clergy Files

The following agreed common retention periods apply to particular categories of information held in clergy personal files while those files are held under the management of the bishop. Where a file is deposited in a diocesan archive office after the death of the cleric to whom it relates, it will be subject to the conditions as to retention and ultimate disposal which apply to material held in that archive.

Archiving personal information

² This would most commonly occur in the event of a Subject Access Request, when the Bishop will seek the advice of the Registrar to ensure he is complying with the provisions of the Data Protection Act 1998.

³ An obvious time for the transfer of any such papers would be at the Bishop’s monthly Senior Staff meeting.

Personal information stored in the archive is not suitable for immediate access and is subject to the guidance provided in the section 'Access to Clergy Files'.

Records held off site remain the responsibility of the bishop, and should be organised and stored safely. Before moving a file to the archive it should be reviewed, and documents such as newsletters and duplicate copies removed from the file and destroyed. Information retained in the files should follow the normal file structure as for active paper files.

Before sending the file to the archive the following information should be attached to the front cover of the file:

- A unique reference number (the year and the file number e.g. 2015- 01)
- The person's name
- Date file opened
- Dated file closed
- Parish and Deanery
- System reference – if the file relates to a record or file held on a computer system, you should record the case number or file name and path.
- Disposal date / action – date for disposal and the action that should be followed. The details regarding retention are provided in the retention table.

A simple spreadsheet should be created and maintained using the above information ensuring closed files are actively managed. The information will be managed by a member of the Bishop's staff.

Retention Periods

Although there is no statutory provision as to how long any particular category of data should be retained, the information contained within the tables below relates to guidance approved by the House of Bishops on 13th March 2013, and has been adopted as diocesan policy.

Record type	Retention period
A note of the reasons for processing sensitive personal data	Length of time the data to which the note is held
Common Application Form	Successful application forms should be held on the file for 20 years from the date of the cleric's death
Copy of birth certificate (or other appropriate evidence) required under Canon C.6 in relation to a person who is to be made a deacon	20 years from the date of the cleric's death

Evidence of immigration status and permission to work in the UK (if the cleric is not a British citizen)	20 years from the date of the cleric's death or Date of cleric becoming British citizen (<i>whichever is soonest</i>)
Copies of qualification certificates	20 years from the date of the cleric's death
Cleric's CV since leaving school	20 years from the date of the cleric's death
Copy of faculty under Canon C4.3A	20 years from the date of the cleric's death
Report of the Bishop's Advisory Panel and reports from the cleric's training institution in the penultimate and final years of training	20 years from the date of the cleric's death
Copies of cleric's letters of orders and (if relevant) permission under the Overseas and Other Clergy (Ordination and Ministry) Measure 1967	20 years from the date of the cleric's death
Copies of any 'safe to receive' or Clergy Current Status letters ('CCSL')	50 years from the date of the cleric's death
Application papers – including application form, references, copy licence, deed of institution, Statement of Particulars (where subject to Common Tenure)	Papers relating to successful applications should be held on the file for 20 years from the date of the cleric's death
A written record of any Ministerial Development Review	20 years from the date of the cleric's death
Records of any continuing ministerial education ('CME') undertaken	20 years from the date of the cleric's death
Criminal Record Check certificate	6 months from the date of the recruitment decision to which they relate Certificates can only be retained for a longer period in exceptional circumstances and where the Disclosure and Barring Service have been consulted
Record of a cleric's criminal record check history (the nature of which is noted in paragraph 27)	50 years from the date of the cleric's death
Record of safeguarding allegations and concerns – including details of how these are handled, followed-up, actions taken, decisions reached and eventual outcome	50 years from the date of the cleric's death
Evidence of clergy personal file being independently scrutinised under the Past Cases Review Protocol – including a note of any action resulting	50 years from the date of the cleric's death

Copies of records relating to safeguarding allegations and concerns (this refers to papers being retained in a diocese following the movement of the cleric to another diocese)	50 years from the date of the cleric's death
Record of CDM complaints – including copies of the complaint, report on preliminary scrutiny, respondent's answer, supporting evidence, letter recording bishop's decision	20 years from the date of the cleric's death
A brief summary of an allegation of misconduct (not resulting in a formal CDM complaint)	20 years from the date of the cleric's death
Records of capability inquiries raised under the Capability Procedure – including a record of discussions between a cleric and a member of the bishop's senior staff, evidence of how health issues have been managed (e.g. copies of occupational health reports, note of adjustments made)	20 years from the date of the cleric's death As noted in the Capability Procedure code of practice – spent warnings should be retained on file in a sealed envelope for as long as the office holder remains in post, but should then be destroyed, unless the next post to which the office holder is appointed is designated as a probationary post, or there are other circumstances which justify retaining them
Record of capability issues (where there is no formal capability inquiry)	20 years from the date of the cleric's death
Record of grievances raised under the Grievance Procedure – including details of the grievance, the process followed and the outcome	20 years from the date of the cleric's death
Record of significant unresolved financial problems	Keep the record until financial problems have been satisfactorily

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