Clergy Personal File Policy

Policy summary

This Policy is designed to assist archbishops, bishops, and other file holders in managing the personal files relating to clergy for whom they are responsible. It is intended to promote good and consistent practice across all dioceses in record keeping and file management.

It outlines the essential requirements for complying with relevant legislation, including confidentiality, discipline, safeguarding and the provisions of the National Register of Clergy

The Policy also advises on contents, file management and retention, access to files by internal and external parties, and associated issues such as security and settlement agreements. It is supported by additional guidance, a retention schedule, a model privacy notice and template documents.

Other relevant policies, codes of practice, practice guidance or legislation are referenced where they directly relate to the management of the files or their contents.

Where a legal obligation arises as a result of a statute, statutory instrument or other legal requirement, this is clearly indicated by placing the text within a blue box.

The words 'must' and 'should' are also utilised; however, unless they accompany a stated legal obligation, they should not be interpreted as imposing one. In this context, the word 'must' indicates the expectation of a high degree of compliance; whereas 'should' indicates an advisory course of action.

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Introduction

1. All living clergy within the CoE must have a Clergy File (previously known as a 'Clergy Personal File' and informally known as a 'blue file') that contains a record of their training, appointment, work history, duties, and performance. Clergy who are granted OPTO are in the same position as a Clerk in Holy Orders of the CoE and must have a Clergy File.

2. The Policy does not apply to deceased Clergy Files, except in relation to location, and retention and disposal.

3. It is the main source of information about their work history for bishops, archbishops and registrars. As such, it is important that it is well maintained to ensure it is accurate, comprehensive and well organised, and that documents and data are kept only for as long as needed.

4. The management of these files must comply with all applicable legislation, including data protection, clergy discipline and safeguarding legislation and with codes of practice and applicable policies and guidance.

Purpose

5. The purpose of this Policy is to promote good and consistent practice in record keeping and file management across the CoE.

Scope

6. This Policy is applicable to, and must be followed by, all parties who hold and are responsible for Clergy Files, for instance: archbishops and bishops.

7. This Policy does not cover files relating to readers and other licensed lay workers.

8. This Policy does not cover files relating to those who are exploring a vocation to ministry or who are in training for ordination or other types of lay ministry.

9. This Policy does not cover files relating to deans of royal peculiars, although the same general principles apply.

Legal status

10. This Policy is intended to assist File Holders in managing Clergy Files relating to clergy for whom they are responsible. Where a legal obligation arises as a result of a statute, statutory instrument or other legal requirement, this is clearly indicated by placing the text within a blue box.

11. The words 'must' and 'should' are utilised; however, unless they accompany a stated legal obligation, they should not be interpreted as imposing one. In this context, the word 'must' indicates the expectation of a high degree of compliance, whereas 'should' indicates an advisory course of action.

This Policy must be read in conjunction with the Policy Guidance to ensure a complete understanding of how to maintain the Clergy File.

This version of the Policy and Guidance supersedes all previous editions.

Definitions

12. The following terms are used throughout the Policy and the Policy Guidance, and have the meanings described here.

- **1967 Measure** – means Overseas and Other Clergy (Ministry and Ordination) Measure 1967 (as amended).
- **2003 Measure** – means the Clergy Discipline Measure 2003 (as amended)
- **2009 Measure** – means the Ecclesiastical Offices (Terms of Service) Measure 2009 (as amended)
- **2009 Regulations** - means the Ecclesiastical Offices (Terms of Service) Regulations 2009 (as amended).
- **2020 Regulations** – means the National Ministry Register (Clergy) Regulations 2020 (as amended).
- **Bishop** – means diocesan bishop, or area bishop where there is a formal area scheme, or the bishop to the armed forces.
- **Caution List** – means the original list of clergy who were under discipline, sometimes known as the Archbishops' Caution List. This List is no longer in use.
- **HM Chapel(s) Royal** – means a particular type of Royal Peculiar that serves the spiritual needs of the monarch and the royal family.
- **Clergy File** – means the clergy personal file.
- **Common Tenure** – means a form of tenure for clergy office holders which took effect on 31 January 2011. It was introduced by the 2009 Measure.
- **Data Controller** – means the natural or legal person, agency or body which, alone or jointly with others, determines the why, what and how of the processing of personal data.
- **Employment Tribunal** – means the judicial body responsible for workplace justice.
- **File Holder(s)** – means Bishop(s) and/or archbishop(s) who are responsible for Clergy Files.
- **File Note** – means a record of any interchange or behaviour which may be relevant to the ministry, wellbeing or conduct of the cleric.
- **Formal Complaint** – means a complaint brought under the disciplinary legislation, including any code of practice/rules.

- **Informal Complaint** – means a complaint not brought under the formal CDM processes.
- **L&B Register** – means the Lambeth and Bishopthorpe Register that superseded the Caution List in the mid-1990s. This L&B Register is no longer in use and has been superseded by the Archbishops' List.
    - **Part 1 of the L&B Register** – means a record of those on whom a censure has been passed under the provisions of the EJM. It also includes those who have signed a Deed of Relinquishment of Holy Orders. Clergy listed on Part 1 were migrated to the Archbishops' List when the CDM came into force after 2006.
    - **Part 2 of the L&B Register** - means a record of those clergy who are under pastoral discipline.
    - **Part 2 misconduct** - means behaviour or actions that would be considered to be misconduct under the CDM.
- **Information Sharing Framework** – means the overarching framework governing data sharing between independent church bodies in the CoE and CiW.
- **National Register** – means the National Ministry Register, commonly referred to as the Clergy Register / National Register of Clergy under the 2020 Regulations.
- **Policy** – means the Clergy File Policy.
- **Policy Guidance** – means the Clergy File Policy Guidance.
- **People System** – means the national HR/Payroll system.
- **Practical Guidance** – means the Clergy File Practical Guidance provided in Appendix 1.
- **Retention Schedule** means details of retention periods and disposal actions for data in the Clergy File.
- **Return to Ministry Assessment** – means an Assessment under the CDM - Code of Practice on Return to Ministry (November 2023).
- **Royal Peculiar** – means a Church of England church exempt from the jurisdiction of the diocese and the province in which it lies and subject to the direct jurisdiction of the monarch.
- **Tribunal** – means a disciplinary tribunal or the vicar general's court in accordance with sections 22 and 23 respectively of the 2003 Measure.
- **UKGDPR** - means all applicable data protection and privacy legislation in force from time to time in the UK including the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (UK GDPR), the DPA (and regulations made thereunder) or any successor legislation, and all other legislation and regulatory requirements in force from time to time which apply to a party relating to the use of personal data (including, without limitation, the privacy of electronic communications).

Abbreviations

13. The following abbreviations are used throughout the document and have the meaning described here:

- **CCSL** – means the Clergy Current Status Letter including the Episcopal Reference.
- **CDF** – means Confidential Declaration Form, included in the Safer Recruitment requirements.
- **CDM** – means the 2003 Measure, Clergy Discipline Rules 2005, and the Code of Practice.
- **CiW** – means Church in Wales.
- **CMD** - means Continuing Ministerial Development (2009 Regulations changed from Continuing Ministerial Education)
- **CMS** - means the diocesan Contact Management System.
- **CoE** – means Church of England.
- **CV** – means Curriculum Vitae
- **DBS** – means Disclosure and Barring Service.
- **DDO** – means Diocesan Director of Ordinands
- **DPA** – means the Data Protection Act 2018
- **DSA/O** – means Diocesan or Cathedral Safeguarding Advisor/Officer.
- **EJM** – means the Ecclesiastical Jurisdiction Measure 1963.
- **HAB** – means Honorary Assistant Bishop
- **HR** – means Human Resources
- **ICO** – Information Commissioners' Office, the independent regulatory and advisory office dealing with the UK-GDPR and the Privacy and Electronic Communications (EC Directive) Regulations (PECR) across the UK.
- **ISA** – means Information Sharing Agreements
- **LPL** – means Lambeth Palace Library
- **MDR** – means ministerial development reviews
- **NCIs** – means the National Church Institutions
- **NSCMS** – means the National Safeguarding Case Management System.
- **NST** – means the National Safeguarding Team
- **OPTO** – means Overseas Permission to Officiate
- **PTO** – means Permission to Officiate
- **ROM** – means Register of Ministers form
- **SAR** – means Subject Access Request (UK-GDPR Article 15)
- **SPOC** – means a Single Point of Contact.
- **TEI** – means Theological Education Institution

Policy

Access to Clergy Files

14. There must be a clear policy setting out who may have access to the Clergy Files and for what purpose amongst members of a File Holder's senior or administrative staff.

15. The DSA/O's, NST caseworkers and the safeguarding lead at Lambeth Palace always have access to the Clergy File.

16. In accordance with the UKGDPR the cleric must be given suitable and appropriate access to their information via a SAR. The CCSL and any other confidential references must not be disclosed in any individual rights request, including a SAR, unless the Data Controller chooses to waive the exemption in the DPA.

17. Insurers or legal advisors acting for the cleric, the PCC or the Bishop should only be given supervised access to the Clergy File of the person against whom the claim is made, for the purpose of obtaining data relevant to defending a legal claim. The cleric whose Clergy File is shared must be informed that such sharing is intended. See guidance on information sharing.

Biographical

18. A Clergy File must include the biographical information specified in the Policy Guidance.

19. The ROM must not solely be relied upon as a CV for the purpose of appointments.

Capability

20. As stated in the Capability Code of Practice Supporting Advice Annex 4, all records relating to capability, including where this relates to health, must be kept in a sealed envelope which should only be opened by the Bishop, the HR adviser or the appointed person

21. All records relating to capability and health must be managed in accordance with the Capability Code of Practice Supporting Advice Annex 4 and kept in a sealed envelope with start and end dates, which should only be opened by the Bishop and the HR adviser.

22. A record of how capability issues have arisen and have been addressed must be kept in the Clergy File, including any discussions and meetings between the cleric and the Bishop or a member of the Bishop's senior staff.

23. In accordance with Annex 4 (see paragraph 20 above) when any warning ceases to be in effect, the records relating to the capability proceedings should be placed in sealed envelopes in the Clergy File and retained for as

long as the cleric remains in post. After that time, these records should be destroyed, unless the next post to which the cleric is appointed is designated as a probationary post, or there are other circumstances which justify retaining them.

CCSL

24. If the cleric has not served all their ministry in one diocese, a copy of all CCSLs or 'safe to receive' letters (the predecessor to CCSL) obtained on a move between dioceses must be kept.

Confidentiality

25. As described in this Policy, various records are confidential, therefore File Holders must ensure that confidentiality is maintained where a duty of confidence arises,-unless an exception applies.

26. Decisions about sharing confidential information must be made on a case-by-case basis, unless otherwise specified in this Policy.

Criminal cautions or convictions

27. Records of criminal cautions or convictions must be held in the Clergy File.

28. Where a record of a caution or conviction exists in the Clergy File, the File Holder must ascertain whether this has been 'filtered' in accordance with the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013, 2020 and 2023). The 'filtering rules' can be found in the Safer Recruitment and People Management Guidance 2021. Where the caution or conviction has been 'filtered', this information must not be retained.

Current appointments

29. In relation to the current appointment, copies of the application form and references, including CCSL (where applicable), copy licences or deeds of institution and, where the post is subject to Common Tenure, a copy of the statement of particulars must be retained.

30. Previous applications or documents required by the Safer Recruitment and People Management Code of Practice must be retained.

31. Unsuccessful applications must not be retained in the Clergy File.

32. Deeds or letters of resignation must be retained in the Clergy File.

Data protection

33. Under the UKGDPR, archbishops, diocesan bishops, and some area bishops are Data Controllers and must comply with the principles and requirements of data protection law when deciding what information should be kept in a Clergy File. They can also decide whether information should

be shared and with whom, and how data subject rights requests will be managed in accordance with their data protection policy.

File management

34. File Holders must ensure that Clergy Files are regularly reviewed and kept up to date. This review must ensure that documents are filed in the correct section, and documents that require disposal are removed and confidentially destroyed.

35. The File Holder must put in place a process to keep data up to date and accurate. Clergy must be asked to check and update their biographical details from time to time.

36. When a role ends, the cleric retires, or moves to another diocese, all relevant documents must either be printed out or collected from other colleagues or offices and added to the Clergy File to ensure that the Bishop can complete the CCSL (when required), and that the Clergy File is complete when it is transferred.

File Notes

37. File Notes must be signed, dated (day, month, year) and legible. The owner/author of the File Note must be clear, so that any follow up queries or actions may be made or taken.

Finance

38. A record must be kept in the Clergy File of any significant unresolved financial problems of which the Bishop is aware.

39. A File Note must be made regarding financial problems that have been resolved, for example, short-term debt or overdraft.

40. A description of the material that must be held in the Clergy File is contained in the Policy Guidance.

Discretionary Grants

41. Where the cleric has been in receipt of grant(s) from the Bishop's discretionary fund (or another similar fund within the knowledge of the Bishop) a File Note of the amount(s) and reason(s) for the grant(s) must be placed on the Clergy File. Very minor grants of less than £100 need not be recorded.

Formal Complaints

42. A record of any Formal Complaint against the cleric, and the outcome, under the relevant legislation, must be kept in their Clergy File in sealed envelopes marked with instructions that this may be opened only by the File Holder or as authorised by the File Holder. If any documents are sent to Lambeth Palace or Bishopthorpe to support an entry on the Archbishops' List, copies should be kept on the personal file so that the bishop retains a full record of the complaint

and how it was handled. The documents must be retained in the Clergy File when transferring the file to another File Holder.

43. Certain information must be recorded on the envelope. See Policy Guidance for list of information to be recorded on the envelope and documents to be retained.

44. If a Clergy File is not located within a deciding Bishop's office, relevant original CDM papers must be sent to the office which holds the Clergy File.

45. The Return to Ministry Assessment report must be retained in a separate sealed envelope and may be opened only by the File Holder or as authorised by the File Holder. The date of the Return to Ministry Assessment report must be recorded on the envelope.

46. The original and wider documents in relation to any Formal Complaint must be retained in the diocese which dealt with the Formal Complaint. A File Note must be added to indicate that such documents exist and where they are held.

Access to Formal Complaints

47. The provisions on confidentiality contained in the CDM Code of Practice are not intended to exclude officers of the Bishop and archbishops. To carry out their statutory function of advising the bishop, the DSA/O's should be given access to CDM (or EJM) papers where there are concerns that a case may involve a child or vulnerable adult. NST caseworkers and the safeguarding lead at Lambeth Palace have similar access rights.

48. However, where a document has been created solely for the purposes of a tribunal or court hearing the permission of the court or tribunal should be first obtained before sharing the document with the safeguarding advisors listed in paragraph 47.

49. CDM/EJM or Part 2 misconduct (see Guidance) data held in the Clergy File cannot be shared with non-CoE bodies or organisations except law enforcement agencies where this meets a policing/law enforcement purpose, or there is a warrant or order from a court or tribunal. Therefore, safeguarding auditors or independent reviewers will not be given access to Formal Complaints papers.

50. The CDM (or EJM) process and related data held in the Clergy File is exempt from Articles 5 and 12-21 of the UKGDPR, pursuant to the DPA, Schedule 2, Part 2, para 14 and therefore must not be included in individual rights requests such as a SAR unless the Data Controller chooses to waive the exemption in the DPA.

Disciplinary registers

51. Conduct (pastoral discipline/Caution List) records prior to the EJM which resulted in the cleric being placed on the Caution List or L&B Register must not

be retained, except as follows.

- Part 1 L&B Register – the Bishop must confirm that the cleric's details have been migrated to the Archbishops' List. All records must be retained in accordance with paragraph 42 above.
- Part 2 L&B Register relates only to pastoral discipline. The records must be retained in the Clergy File only if they contain proven evidence of misconduct or are used to instigate formal disciplinary proceedings, in a sealed envelope.

Grievance

52. A record must be kept in the Clergy File of both the complainant and the respondent (where applicable) of grievances raised under Regulation 32 of the 2009 Regulations, or any other formal process or procedure.

53. All records relating to the grievance procedure must be managed in accordance with the Ecclesiastical Terms of Service legislation and must be kept securely in a sealed envelope, with start and end dates, and opened only by persons authorised by the Bishop in accordance with the Grievance Procedure Code of Practice Supporting Advice Annex 1.

Health and wellbeing

54. All records relating to health and wellbeing must be retained in the Clergy File.

55. When there are significant issues relating to a cleric's health, sufficient evidence to indicate how those issues have been managed in the context of their ministry must be held on the Clergy File. Where capability and health matters are dealt with together, see Capability section above para 22-25 and managed in accordance with the 2009 Regulations.

56. Where the cleric applies for ill health retirement, correspondence with the Church of England Pensions Board must be held in the Clergy File.

Housing

57. Records relating to housing needs, or housing provided to the cleric must be retained including permission to live outside the benefice and any eviction-related documents.

Informal Complaints

58. If allegations of misconduct are made but no formal complaint is brought under the relevant legislation, a File Note of the allegations, issues and how the matter was handled/resolved must be retained in the Clergy File of both the complainant (if a cleric) and the respondent.

59. Details of very minor informal complaints that do not require any intervention or further action need not ordinarily be recorded on the Clergy File. This will

always be a matter of judgement for the Bishop, taking into account the specific circumstances of the case.

60. Where a diocese has a local complaints procedure (either under Appendix A of the Procedure for the Resolution of Informal Complaints (CDM Code of Practice), or their own procedure), the documents to be retained are listed in the Guidance.

Information sharing

61. The sharing of information between CoE bodies, and with the CiW, must be done in accordance with the CoE Information Sharing Framework and related ISAs, or as required by legislation, statutory codes, guidance or CoE policy.

62. The sharing of information between CoE bodies and the police must be done in accordance with the national police Safeguarding Data Sharing Agreement.

63. The File Holder must obtain the consent of the cleric to share personal information with third parties who are not party to the ISAs or the national police Safeguarding Data Sharing Agreement, unless such sharing is in the legitimate interests of the File Holder, or is required by legislation, statutory codes, guidance or policy, or where it is not appropriate to obtain consent.

Location

64. All information, or a cross-reference to other relevant files, about clergy must be held in the Clergy File and be managed by the File Holder and their staff.

65. The staff who contribute information to Clergy Files who are not based in the Bishop's office (for example, archdeacons) must be informed about where the file of any cleric is kept and the arrangements for keeping it updated.

66. Where separate material/information is held by archdeacons, HR, or suffragan bishops which belongs in the Clergy File, such papers should be transferred periodically to the main Clergy File. Each File Holder must have in place a process to ensure that this happens regularly and systematically.

67. Clergy Files must not be removed from their secure location, except when required for relevant purposes as authorised by the File Holder, or when Clergy Files are being transferred to another diocese.

68.

Role of cleric	File is held by	If the cleric retires and holds no licence, the file is held by	If the cleric retires and takes up PTO/HAB, the file is held by	Deceased
Archbishop	The archbishop of the other Province	The archbishop of the other Province	Diocesan bishop	Archive (LPL and Borthwick) Institute
Diocesan and acting diocesan bishops	The archbishop of the relevant Province	The archbishop of the relevant Province	Diocesan bishop	Archive (LPL and Borthwick Institute)
Clergy with Provincial or Archbishops' license	The archbishop of the relevant Province	The archbishop of the relevant Province	Diocesan bishop	Where the cleric was last authorised to minister
Suffragan bishops	Diocesan bishop	Diocesan bishop	Diocesan bishop	Archive (LPL and Borthwick Institute)
Cathedral deans	Diocesan Bishop	Diocesan Bishop	Diocesan bishop	Archive (LPL and Borthwick Institute)
Diocesan clergy	Diocesan or Area bishop (where there is an area scheme)	Diocesan or Area bishop (where there is an area scheme)	Diocesan or Area bishop (where there is an area scheme)	Diocesan or Area bishop (where there is an area scheme)
Cathedral clergy	Diocesan bishop	Diocesan bishop	Diocesan bishop	Diocesan bishop
Deans of Windsor and Westminster	Archbishop of Canterbury	Archbishop of Canterbury	Diocesan Bishop/Dean of Peculiar	Archive (LPL and Borthwick Institute)
Clergy serving in a Royal Peculiar	The Dean of the relevant Peculiar	The Dean of the relevant Peculiar	Relevant File Holder	Relevant File Holder
Clergy serving in one of HM Chapels Royal	Dean of the HM Chapels Royal (currently the Bishop of London)	Dean of the HM Chapels Royal (currently the Bishop of London)	Relevant File Holder	Relevant File Holder

69. For any cleric with PTO (or for Bishops, HAB status) held concurrently in more than one diocese: the Clergy File will be held by the relevant File Holder in the diocese where most of the cleric's ministry is exercised. Where this cannot be ascertained due to geographical or other circumstances, the relevant File Holders must decide where the File is to be retained and managed.

Clergy outside the CoE or CiW

70. Where a cleric at any level or in any position moves to a post outside the CoE or CiW, the Clergy File is retained in the diocese where the cleric last held a post.

Deceased Clergy

71. The Clergy Files of deceased clergy remain with the File Holders, where the cleric was last authorised to minister. Files must not be passed to Diocesan Records Offices e.g. local record offices or archives, except as stated in paragraph 72.

72. When a cleric dies, the Church of England Pensions Board must inform the diocesan bishop where the cleric last resided, and it is responsibility of the diocesan bishop to inform the File Holder where relevant.

Archiving

73. Archbishops', diocesan /HABs, suffragan bishops', retired bishops' and deans' files must be transferred to LPL or the Borthwick Institute (as appropriate) at the end of the retention period, in accordance with the Retention Schedule.

Ministerial development and training

73. A written record of the outcome of any MDRs and of any relevant matters relating to the MDR, which must be signed by the office holder and the person conducting the review, must be retained in the Clergy File, in accordance with Regulation 18(5) of the 2009 Regulations.

74. Office holders on Common Tenure must participate in arrangements made by the Bishop for CMD in accordance with Regulation 19 of the 2009 Regulations.

National Register of Clergy

75. The Clergy File must contain the data specified in Regulation 2 of the 2020 Regulations Registration Information. Refer to the Policy Guidance for a detailed list of the information required.

New appointments (including PTO) in another diocese

76. Where a priest or deacon moves to take up a new appointment or PTO, including specialist ministry, in another diocese in the CoE (or to the CiW), the

Clergy File must not be transferred by the sending Bishop until the priest or deacon's ministry in the sending diocese has formally ended. The Clergy File should not be transferred until after the formal act of institution, collation, licensing, or the granting of PTO in the receiving diocese.

77. Where a cleric takes up a licensed or incumbency appointment in a diocese which is not part of the CoE or the CiW, the Clergy File must be retained by the relevant File Holder listed in the Location section of this policy. If the cleric served in the CiW the file will be retained there.

78. Clergy Files may be transferred to the CiW but to no other province in the Anglican Communion. Such a transfer may be retrospective in relation to clergy who moved to a new post in Wales prior to this Policy coming into force. The Clergy File must be transferred to CiW when a request is received. When a cleric moves to a CoE diocese from the CiW, if this is the first appointment in the CoE, a new Clergy File must be created and the information from the CiW moved across. If the cleric already has a CoE Clergy File which was sent to Wales, the file must be returned to the CoE.

79. The Bishop's office needs to ensure that data has been collected and is up to date on the Clergy File as part of the preparation for sending to another diocese, especially where data may be held elsewhere e.g. in archdeacon's offices.

80. If a cleric is appointed to serve in any capacity without a licence, or PTO, the Clergy File should remain in the diocese where the cleric last served.

81. When a cleric is appointed as a regular chaplain to the armed forces the Clergy File will be sent to the Bishop to the Armed Forces.

82. The Clergy Files of chaplains in schools, prisons, hospitals, etc. must be retained in the Bishop's office where their licence is issued.

83. A note must be kept on the Clergy File as to which other dioceses have issued a licence or PTO. Arrangements must be put in place for the appropriate staff authorised by the Bishop of those dioceses to have access to the Clergy File as necessary.

84. Where a secondary licence or PTO is given, the required paperwork must be kept by the Bishop of the secondary diocese with a note signposting where the primary post and Clergy File are held. When the PTO ends the papers must be returned to the original diocese and added to the Clergy File.

85. Where an OPTO is granted in accordance with the 1967 Measure, the Clergy File must be treated in the same way as any other Clergy File and documents relating to the OPTO must also be retained.

86. A copy of biographical information and vocational history can be shared with another province on an episcopal request from that province, with the consent

of the cleric. Confidential data including references, CCSLs, CDM, informal complaints, safeguarding and HR paperwork cannot be shared.

Ordination and curacy

87. Material must be retained in the Clergy File that demonstrates that the ordaining Bishop was satisfied as to the person's suitability for admission to holy orders, as required by the Canons

88. Evidence of the cleric's ordination and first appointment to their ministerial post must be retained. The list of relevant documents to be retained is in the Policy Guidance.

Pre-ordination

89. In relation to selection and training, documents must be retained in the Clergy File to demonstrate the candidate's suitability for ordination. The list of relevant documents to be retained is in the Policy Guidance.

Relinquishment of Holy Orders

90. Documentation relating to the Relinquishment of Holy Orders under the Clerical Disabilities Act 1870 must be retained in the Clergy File.

91. Documentation relating to the vacation of a Relinquishment (Clerical Disabilities Act 1870 (amendment) Measure 1934) must be held in the Clergy File.

Retention and disposal

92. The File Holder must comply with the Retention Schedule which contains details of retention periods for data in Clergy Files.

93. Working copies of Clergy Files must not include CCSLs, confidential references, Formal Complaints or safeguarding records.

94. Working copies of any records which belong in the Clergy File must be added to the Clergy File regularly e.g. every 3 years in accordance with DBS check cycle, and working copies securely destroyed. Any working copies still held when the cleric moves to another diocese, or at the permanent end of ministry must be either added to the Clergy File (if applicable) or securely destroyed.

95. Paper records must be securely destroyed, depending on the confidential waste arrangements that exist in the File Holder's location.

96. Electronic files still held when the File is transferred to another diocese, or at the permanent end of ministry must be either added to the Clergy File (if applicable) or securely destroyed unless otherwise specified in the Policy e.g. safeguarding, DDO and Formal Complaint files.

97. Such electronic records must be fully and completely deleted to ensure that they cannot be reinstated.

Safeguarding

98. A record of any safeguarding allegations and concerns, and how these are handled, how the information was followed up; actions taken; decisions reached, and eventual outcomes must be kept on the Clergy File. This is to ensure that the Bishop is aware of the existence and location of relevant records to be equipped to provide information to the police or other statutory authorities, to the Bishop of another diocese when a request for a CCSL is received, or to facilitate necessary safeguarding audits and safeguarding practice reviews. A suggested template is provided in Appendix 7.

99. All relevant information relating to safeguarding reviews/audits, DBS checks and the most recent safeguarding training records must be retained in the Clergy File.

100. A cross-reference to any files held on a relevant case management system or in paper form must be added to the Clergy File, with a note that such material must also be consulted if a request for information about safeguarding issues is received.

101. Where a cleric moves diocese, the original safeguarding records must be retained in the diocese which dealt with the allegation or complaint. The File Holder must ensure that the File Note of the matter is up to date before transferring the Clergy File to a new diocese.

Security

102. Clergy Files must be managed in a manner that ensures appropriate security including protection against unlawful and unauthorised use of information and accidental loss, destruction, or damage, using appropriate technical or organisational measures.

Settlement agreements

103. A File Note of the settlement must be placed on the Clergy File and be kept in a sealed envelope with the date of the agreement recorded on the envelope. The envelope can only be opened by authorised individuals.

104. The diocese which dealt with the matter retains the original documents.

Related policies, procedures, regulations, etc.

The Clergy File Policy works in conjunction with and is supported by other policies and documents which are listed in the Policy Guidance.

Approval and review

Approved by	House of Bishops
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2.0	Nov 2017	2013	Updated retention schedules to meet updated safeguarding requirements
3.0	May 2018	2017	Updated to ensure GDPR compliance and change sharing basis from consent to legitimate interest
3.1	August 2019	2018	Paragraph references in appendices corrected
3.2	June 2021	2019	Changes to data sharing with Church in Wales and updating Privacy Notice
4.0	April 2025	2021	Complete revision and updating of policy and guidance
4.1	May 2025	April 2025	Minor changes following House of Bishop's meeting in May 2025
4.2	April 2026	May 2025	Amendments following feedback from trial period in 2025.
4.3	June 2026	April 2026	Amendments from House of Bishops May 2026; inclusion of Legal status of Policy, addition of blue boxes indicating legal requirements.

Clergy File Policy Guidance

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Introduction to the Policy Guidance

The purpose of the Policy Guidance is to provide more detailed information about the matters that are covered by the Policy.

While the Policy states what must be kept on a file, this Policy Guidance is intended to support the Policy and help File Holders to comply with its provisions. The Guidance should be read in conjunction with the appendices.

The Policy Guidance follows the alphabetical listing of headings used in the Policy. Not every heading in the Policy has a guidance note. Where this is the case, it has been indicated under the relevant heading in Policy Guidance.

The Policy Guidance also contains the appendices, providing additional practical tips on managing Clergy Files, and some suggested templates you might find helpful.

Definitions and Abbreviations

The list of definitions and abbreviations used in the Policy Guidance and Practical Guidance are the same as those is in the Policy, in paragraphs 10 and 11.

For the introduction to the Policy, the purpose and the scope, see paragraphs 1 to 9 inclusive in the Policy.

Policy Guidance

Access to Clergy Files

Who has access to Clergy Files will vary slightly from one office to the next, so the job titles or roles have not been prescribed in the Policy. In most cases, it will be the Bishop, their chaplain, and one or more senior and administrative staff.

The File Holder should have a list of all those who are able to access the Clergy Files.

In most cases it is the File Holder's decision who may have access and for what purpose amongst members of a File Holder's senior or administrative staff, unless otherwise stated in the following documents:

- Clergy Discipline Measure 2003: Code of Practice
- Capability Code of Practice Supporting Advice Annex 4
- Grievance Procedure Code of Practice Supporting Advice Annex 1
- Clergy Discipline Measure 2003: Code of Practice on Return to Ministry (November 2023).

These individuals are referred to in the Policy and the Policy Guidance as authorised individuals.

Links to these documents can be found in the "Related policies, procedures, regulations, etc." section of the Policy Guidance, (see page 11).

It is good practice to track and monitor access to the File to ensure this is only done by appropriate individuals. An access tracking template is provided in Appendix 2.

Biographical

The ROM has been used both as a record for the Clergy File and as a CV and may contain useful historic information. The ROM can be retained for historic purposes only and must not be used as a CV.

It is not mandatory to use the ROM; the File Holder may instead create and use a standard form or checklist to collect, and periodically update, basic biographical details about their clergy for their Clergy Files.

File Holders may wish to print out a copy of the CMS or Crockford's record to add to this section.

The following biographical information must be maintained in a Clergy File, where relevant:

- Name, date of birth and contact details.
- For ordination: Canon C6 requires a person who is to be made deacon to produce to the ordaining Bishop a certificate or other evidence of the date and place of their birth, this could be a birth certificate or a passport. A copy should be kept on file as confirmation that this requirement has been met.
- For Safer Recruitment: If a copy of the passport has been obtained for Canon C6, then no additional proof of identity needs to be retained in the file for Safer Recruitment. If only a birth certificate has been obtained for Canon C6, proof of identity, such as a driving licence or passport must be provided in accordance with the Safer Recruitment requirements. It is not necessary to retain proof of identify for this purpose because the DBS check requires

proof that a person's identity has been verified; the cleric must provide this data for every renewal of their DBS check, i.e. renewal of the DBS indicates that identity has been checked and verified.

- If the cleric is not a British citizen, evidence of immigration status and permission to work in the UK.
- Records relating to marriage and divorce.
- Family/household. Care should be taken in relation to personal information about third parties such as family members. Any details kept should be relevant to the cleric's ministry (housing needs, pension, etc.) or to the Bishop's pastoral responsibility for the cleric.
- Qualifications. Information (especially in relation to degree and post-graduate qualifications) should be supported by copy certificates where possible.
- Career before ordination. The Clergy File should contain a full CV since leaving school, with explanations for any gaps in education or employment, and any other information that is relevant to the skills and aptitudes of the cleric.
- Only the most recent ROM, and CV should be retained. An application form on its own will be sufficient only if it contains all the information required above.

Capability

Bishops must retain evidence of all the relevant history, including any discussions and actions that precede the formal capability process. Clergy on Common Tenure have a right of appeal to an Employment Tribunal if they are removed from office under the capability procedure and the Bishop may be expected to provide evidence to the Employment Tribunal (see Regulation 33 of the 2009 Regulations).

Capability Procedure Code of Practice Supporting Advice, Annex 4, provides further advice on record keeping in relation to capability inquiries.

CCSL

Further information about the CCSL can be found in the CCSL guidance.

CCSLs and any other confidential references are exempt from Articles 13, 14 and 15 of the UK GDPR, pursuant to the DPA, Schedule 2, Part 4, para 24, and therefore are:

- not disclosable in a SAR, and
- not covered by the requirements for a privacy notice, and
- can be sent outside the UK without informing the data subject of any safeguards.

Bishops may find it useful to review the CCSL guidance relating to settlement agreements.

Confidentiality

The common law duty of confidentiality applies when an individual shares personal information with you in the expectation that this information will be kept confidential. Where a duty of confidence arises, such information must not be shared, except in certain circumstances:

- Where the information provider/the person to whom the information relates has consented; or
- Where there is an overriding public interest that justifies sharing information:
    - which outweighs the public interest in maintaining confidentiality
    - which is proportionate, i.e. you only share the minimum amount of information necessary
    - which is necessary, for example where the sharing is necessary for safeguarding purposes, such as when the individual is a risk to themselves or others; or

- Where there is a legal duty/requirement so to do, for example a court order or legislative provision.

Criminal Cautions or Convictions

Criminal caution or conviction information may either be revealed by a DBS check, or disclosed in the Confidential Declaration Form, or as a result of criminal proceedings.

Current Appointments

No further guidance.

Data Protection

Under data protection law, the Archbishop/Bishop is the Data Controller for data contained within the Clergy File and must therefore meet all relevant obligations.

Advice should be sought from the data protection officer/lead, or registrar about whether a particular piece of personal information should be held in a Clergy File and what the appropriate purpose and legal basis is for processing that data and update the privacy notice accordingly.

Data protection law ceases to apply when a cleric dies. However, consideration should be given to the protection of third parties if there is a request or intention to share the data.

Subject Access Requests

On receipt of a SAR, File Holders should note that it is a criminal offence to alter, deface, block, erase, destroy or conceal information with the intention of preventing disclosure of all or part of the information that the person making the request would have been entitled to receive. (DPA Section 173(3)).

The CDM (or EJM) process and related data is also exempt from Articles 5 and12-21 of the UK GDPR, pursuant to the Data Protection Act 2018, Schedule 2, Part 2, para 14(2) and 14(3) and therefore the File Holder should not include this data in individual rights requests, disclosure requests or any other form of data sharing without obtaining appropriate legal advice.

CDM (or EJM) proceedings are “judicial proceedings” and that is why the exemption applies; such proceedings would be likely to be prejudiced (or it would prejudice judicial independence if the exemption did not apply). The President also acts in a judicial capacity, as does the tribunal, so 14(2) could also apply. Whether 14(2) or 14(3) applies, will depend on the given circumstances.

Privacy Notices

The purpose of the privacy notice is to ensure that clergy are properly informed about how their personal information will be used, the legal basis for that processing and their rights in respect of that data.

Data protection law requires that a privacy notice be given to the cleric by the Bishop who holds the Clergy File. When they move to a new diocese, a fresh privacy notice should be given by the receiving Bishop

You will need to keep a record showing which privacy notice was sent to which clergy and when, in case of any queries or complaints. It is not a requirement to keep this record on their Clergy Files, but you can do this if you wish. A suggestion is that your office keeps a copy of the privacy notice with an attached list of the clergy it was sent to, with the date sent included.

A model privacy notice is provided in Appendix 10 and should be amended to suit local circumstances. This includes, as optional, the inclusion of a link to your data protection complaints policy which is now a statutory requirement under the DPA section 164A.

Any changes made to the model privacy notice, except for the addition of names and contact details or logos, are the responsibility of the relevant Data Controller who is accountable for the contents of

the privacy notice. It is essential that Bishops and their staff read and understand the privacy notice to ensure they comply with it and know what it contains.

A new model privacy notice will be issued, approved by the House of Bishops, when there are changes to Church or UK legislation, codes of practice, policy or guidance law or the processing of data that require any such amendment.

File Management

The File Holder should put in place a process for asking clergy to check and update their contact or other details. Some of this information is held on the People System, and clergy should be encouraged to check their details at least annually.

One possible way of doing this would be to link the updating exercise to the MDR cycle, thus ensuring that the data is reviewed at least once every two years (refer to r18, 2009 Regulations). For clergy on PTO, this check could be done as part of the PTO review.

Relevant material relating to Clergy Files may be held in different offices, or by other individuals (e.g. DDO). Files Holders may wish to use key dates as a prompt to move any such papers to the Clergy File, e.g.:

- Any pre-ordination papers once the person has been ordained deacon
- Any papers relating to the cleric's progress to priest ordination, where applicable
- The signed copy of notes following an MDR
- Vacancy/appointment papers once the process has been completed for any change of role/move within the diocese/to another diocese
- On retirement
- On death

The blue card folders (hence the widely accepted use of the term 'blue files' when referring to Clergy Files) are provided by the Bishoprics and Cathedrals Department in the NCIs. These folders have no official status, and Bishops are not obliged to use them.

See Appendix 1 for Practical Guidance on file management.

File Notes

A template File Note is provided in Appendix 6. You may wish to print the template on coloured paper to make File Notes easy to identify.

File Notes should be used wherever the policy requires information to be recorded where there is no other form of documentation such as an email or letter. For example, where the Policy requires a record to be kept in the following categories:

Capability
Finance
Grievance
Health and Wellbeing
Informal Complaints
Location
Safeguarding

File Holders may also want to use the File Note template for:

- Notes from a meeting or telephone call
- Notes relating to a SAR or other data subject rights request that has been undertaken.

Finance

Financial problems can materially affect a cleric's ministry. Serious financial embarrassment is one of the grounds on which a Bishop may refuse to admit or institute a priest to a benefice, and a question about financial matters is included in the CCSL. For example, an undischarged bankruptcy or arrangement with creditors disqualifies a cleric from acting as a charity trustee (including membership of a PCC) unless a waiver is granted by the Charity Commission.

If a cleric has had problems managing finances, any support and training they have had should be recorded on the Clergy File. If it has happened once, it might happen again, so holding past information might make early intervention possible.

Where grants have been given or approved by the diocese, a record must be kept on the Clergy File.

Discretionary funds
No further guidance,

Formal Complaints

Documentation to be retained in a sealed envelope in the Clergy File where a complaint is made under current disciplinary legislation at the conclusion of the process, is listed below. The sealed envelope must be retained in the Clergy File when the file is transferred to another diocese.

[Note: This list will be revised once the Clergy Conduct Measure, Clergy Conduct Rules and Code of Practice come into force.]

- Original complaint
- Original document relating to suspensions
- Original report on preliminary scrutiny
- The respondent's original answer (if any)
- Any supporting evidence for the complainant and or the respondent (e.g. witness statements)
- The outcome. Any decision by the complainant, Bishop, or archbishop, and/or the Tribunal e.g. withdrawal or dismissal of complaint, no further action, conciliation, or details of penalty imposed e.g. conditional deferment, rebuke or prohibition, etc. When a period of conditional deferment or period of prohibition expires, the documents must remain in the Clergy File.
- Any decision by the President of Tribunals i.e. the outcome.
- Any decision in relation to any appeal/review or any decision in relation to an application for leave to appeal i.e. the outcome.
- Copy of the entry on the Archbishops' List (where relevant).
- Any decisions relating to the amendment of the entry on, or removal from the Archbishops' List.

All other background papers must be retained by the deciding Bishop. In the event of a query relating to the decision, the deciding Bishop should be given access to the relevant documents in order to respond.

The Bishop or archbishop may wish to include a summary sheet at the end of the CDM process which clearly sets the outcome/s of any CDM.

A file note indicating that a cleric has been suspended, listing the date of the inception of the suspension and its duration may be added to the front of the Clergy File.

All equivalent formal paperwork under the EJM must be retained.

Where documents are held electronically, copies must also be held in the Clergy File so that a review of the file for CCSL purposes allows the bishop to see everything in one place, and when the file is transferred, the Clergy File is complete. It is not necessary to create a paper file outside the electronic file as long as access to the electronic file is suitably restricted and properly managed

Sealed envelope

The following information should be recorded on the sealed envelope marked “CDM complaint”: respondent’s name, date of complaint, date of decision, decision/outcome. (If a penalty is imposed, include wording as published on CoE website).

Return to Ministry Assessments

Return to Ministry Assessment reports are written for the Bishop only, in accordance with the CDM Code of Practice on Return to Ministry. These reports are kept separately because they may be requested by the cleric in a SAR. The Return to Ministry process is covered by a separate process and Privacy Notice.

Background papers should be retained in accordance with the Bishop’s retention schedule once the report has been issued to the Bishop.

The sealed envelope remains in the Clergy File when the file moves.

Disciplinary registers

The Caution List and L&B Register Parts 1 and 2 are no longer in use. Conduct (pastoral discipline/Caution List) records which are not specified in the Policy should not be retained.

Part 2 misconduct records provide information about the cleric’s conduct, whether formal proceedings have been instigated or not, and must be retained. These documents do not constitute an Informal Complaint and must be kept in a sealed envelope in the same way as other Formal Complaints.

Grievance

Grievance Procedure Code of Practice Supporting Advice, Annex 1, paragraphs (e) and (f) provide further advice on record keeping in relation to grievance procedures under Regulation 32 of the 2009 Regulations.

Health and Wellbeing

Records of the management of significant issues relating to a cleric’s health must include copies of occupational health reports and a note of any adjustments made to the cleric’s duties, pattern of work or work environment (e.g. equipment, software, etc.).

Capability Procedure Code of Practice Supporting Advice, Annex 4, provides further advice on record keeping in relation to health and capability issues under Regulation 31 of the 2009 Regulations.

Records, including notes of telephone conversations, relating to the wellbeing of the cleric, may be kept in the Clergy File where these are useful in the discharge of the Bishop’s pastoral responsibilities. For example, these may include pastoral discussions, counselling or actions taken, annual, maternity, paternity or adoption leave.

Informal Complaints

Where the complainant is a cleric, a File Note added to their file should contain a summary of the complaint and any decision by the Bishop or archbishop.

A File Note should also be added to respondent’s file.

The following documents should be held in the respondent's Clergy File, if relevant:

- The complaint
- The respondent's answer (if any)
- Any supporting evidence for the complainant and or the respondent (e.g. witness statements)
- Any report/assessor report
- Any decision by the Bishop, or archbishop

The File Note may be completed using the model summary form at Appendix 6.

Information sharing

The Information Sharing Framework, safeguarding ISA, national police safeguarding Data Sharing Agreement and all related documents and templates are available on the NST's SharePoint site. Access to the site and documents is provided to a nominated SPOC in each NCI, diocese, Bishop's office and cathedral.

The HR ISA and related documents and templates are available on the NCIs HR SharePoint site, and access is provided to HR SPOCs.

The ISAs and the national police safeguarding DSA have their own privacy notices which provide the purposes and lawful bases under which information sharing can take place.

Sharing the Clergy File

File Holders must take legal/data protection advice before sharing the Clergy file with non-CoE external bodies or individuals. It is usually not appropriate to share the whole file, only what is relevant to meet the specific needs of the requester.

Any sharing, including providing copies of documents to, must be necessary and proportionate to achieve the purposes, and the following should be considered:

- Is the sharing of the data strictly necessary?
- What data would meet the purposes/s (e.g. relevant parts of a Clergy File rather than the whole file).

CCSL, references, and CDM/EJM/Part 2 misconduct data held in the Clergy File cannot be shared with non-CoE bodies or organisations except police services where this meets a policing/law enforcement purpose, or there is a warrant or court order.

The cleric can only be informed that their data has been shared with the police if indicated by the police on the request form.

Location

The File Holder should, wherever possible, add the location of the Clergy File to the correct record in the People System. When a Clergy File is transferred, this data should be amended.

Clergy Files for armed forces chaplains are held by the Bishop to the Armed Forces.

If documents are found that belong in the Clergy File in the Bishop's office after the bishop has retired and left the diocese to take up another post (PTO, HAB etc), the File Holder is responsible for ascertaining where the File is held and ensuring that documents are securely transferred. The National Register will provide details of the cleric's post.

Ministerial development and training

The cleric's MDR submission and reviewer's report or summary must be retained in the Clergy File (in accordance with the 2009 Regulations, Regulation 18(5)).

Clergy who are not on Common Tenure are not covered by the Ecclesiastical Offices (Terms of Service) legislation but may participate in an MDR. In such circumstances a similar record should be kept. A record of the MDR will be helpful to the Bishop in assessing whether a cleric has complied with this duty although this is not mandatory under the legislation in assessing what CMD is appropriate for the cleric's further development.

National Register

The information that must be held in the Clergy File for the purposes of the National Register, as stated in the 2020 Regulations, is:

1. The cleric's full name.
2. The postal address, and the email address at which the cleric wishes to be contacted for purposes relating to the 2020 Regulations. This may mean that both addresses are diocesan offices or similar, and not the cleric's home address and personal email.
3. The form of authority to exercise ministry which the cleric has.

   Forms of licence (authorisation) may be:

   - Office held
   - PTO
   - General Licence (for a chaplain, or a cleric who works across a diocese)
   - OPTO
   - Extra-parochial ministry licence (chaplains in schools, prisons, etc.)
   - A provincial licence (for those working across a Province, e.g. a provincial episcopal visitor who is an honorary assistant bishop within the relevant diocese).
4. The area, place or activity to which the authority relates.
5. If the authority is subject to a limitation of time, or other variation, the date on which the authority comes to an end or details of the contingency, on the occurrence of which it comes to an end.

Failure to have the relevant information in the Clergy File means the File Holder may not be able to keep the National Register up to date and may be liable under the 2020 Regulations for failure to follow a legal requirement.

New Appointments (including PTO) in another diocese

See Mandatory documents.

See PTO policy.

Ordination and Curacy

A copy of the Letters of Orders (i.e. evidence of ordination) as deacon, and where applicable as priest, and licence should be retained in the Clergy File.

Pre-Ordination

If the individual is put forward for training, an ordinand file is created by the DDO.

The following should be transferred to the Clergy File to demonstrate the candidate's suitability for ordination:

- The candidate's registration form
- The stage 1 and stage 2 documents (equivalent to the former sponsoring papers and registration form)
  - Stage 1 - form and report
  - Stage 2 - assessment (or equivalent)
- Internal reference (equivalent to old incumbent's reference),
- External reference (equivalent to the lay, educational, and occupational references).
- The reports sent to the Bishop by the TEI in the penultimate and final years of training
- Faculties - a copy should be kept of a faculty granted under Canons C3.5 / C3.6 / C3.7 and/or C4.5 (if applicable). Background paperwork for applications for faculties should be kept separately by the DDO.

Any other documents in the DDO file remain with the DDO and should not be retained on the Clergy File, but a cross-reference to the location of the DDO file should be made.

Relinquishment of Holy Orders

Clergy who have signed a Deed of Relinquishment of Holy Orders will be listed on the Archbishops' List.

Retention and disposal

Retention Schedule

Principles

1. All Clergy Files are a single record for the purpose of retention and disposal, except where specified below.
2. All mandatory documents contained within the Clergy File MUST be retained as part of the record.
3. "Working copy or copies" means both duplicate versions of a Clergy File or documents, or original documents, used for quick reference with regards to day-to-day management at another location, whilst the original "master" or "official" version(s) continues to be held centrally or where the working copy must be transferred to a centrally held Clergy File, for example documents being used by archdeacons in their office for management purposes in relation to clerics in their diocese.
4. Optional documents may be held on the File but are subject to removal either as they become obsolete, or prior to the File being transferred to another diocese or archive, or an erasure request has been agreed.
5. The retention period starts at the end of the year in which the cleric's ministry ends permanently which is defined in this policy as:
   a. The death of the cleric
   b. The relinquishment of holy orders where no return to ministry is practically possible. (e.g. due to the age of the cleric)
   c. Prohibition for life where no return to ministry is practically possible (e.g. due to the age of the cleric)
6. Any documents that are not listed in this policy should not be retained on the Clergy File.

Retention

Type of file	When retention period starts	Retention period	Action	Justification
Archbishops, Bishops, Deans Clergy File	Permanent end of ministry	Permanent retention	Transfer to archive	Historical significance
Clergy File	Permanent end of ministry	75 Years	Destroy	IICSA recommendation

Records that must be removed from the File

Type of record	When retention period starts	Retention period	Action	Justification
Unsuccessful applications	End of recruitment process	6 months	Destroy	Equalities Act 2010 - allows 3 Months for a candidate to makes a claim. Standard practice
Settlement agreement Summary	Date of agreement	Until new appointment in another diocese (depending on terms of the agreement)	Destroy	ACAS Guidance – Settlement Agreements 2018, page 18.

Justification for Retention

- **Archbishops, Bishops and Deans** - These are senior clergy who have had a significant impact upon the Church of England and their Clergy Files are deemed to be of historical significance.
- **Clergy File** – All clergy are in regulated activity, pursuant to The Safeguarding Vulnerable Groups Act 2006 (as amended). The retention of the Clergy File, although it contains minimal safeguard information, is often necessary to provide evidence to confirm or refute an allegation of historic abuse. The retention period is based on the recommendations of the Independent Inquiry into Child Sexual Abuse (IICSA).

Mandatory Documentation

The following documents, where they exist, must be retained on the file for the life of the file and never removed. More information about these records is in the policy and guidance documents.

Biographical

Documents that contain:

- Name
- Date of birth
- Contact details
- Family/household details as relevant

Biographical documents:

- Copy of birth certificate or a passport
- Evidence of immigration status and permission to work in the UK (If not UK Citizen)
- Evidence of divorce

- Up to date DBS check status
- Full CV since leaving school
- ROM or equivalent

Capability

- File note or record of how capability issues have arisen and been addressed.

CCSL

- CCSLs and any other confidential references

Criminal Cautions or Convictions

- See DBS above

Current appointments

- Application form and references (where applicable),
- Copy licences or deeds of institution
- Copy of signed Oaths and Declaration forms
- Statement of particulars (where the post is subject to Common Tenure)
- Application documents from previous appointments
- Deeds or letters of resignation

Unsuccessful applications must not be retained.

File administration

- Access tracking sheet (Appendix 2)
- Most recent checklists (see Appendices 3-5)
- Safeguarding compliance summary sheet or equivalent (Appendix 8)

Finance

- Record of resolved or unresolved financial problems and how addressed
- Grants
- Support and training
- Discretionary funds

Formal Complaints

- Sealed envelope containing /EJM/CDM/Part 2 misconduct information
- Return to Ministry Assessment reports
- Records relating to proven misconduct or records being used to instigate formal disciplinary proceedings

Grievance

- Record of how a grievance has arisen and been addressed

Health and Wellbeing

- Sickness absence
- Records of ill health
- Occupational health reports
- Notes of any adjustments made to the cleric's duties, pattern of work or work environment (e.g. equipment, software, etc.)
- File note/record of how health and wellbeing matters have been addressed
- Leave records (e.g. annual, maternity, paternity, adoption etc)

Housing

- Records relating to housing provided by the CoE
- Permission to live outside the benefice
- Eviction notice

Informal Complaints

- File Note - complainant: Summary of complaint and decision.
- File Note – respondent: The complaint, the respondent's answer (if any), any supporting evidence for the complainant and or the respondent (e.g. witness statements), any report/assessor report, any decision by the Bishop, or Archbishop.

Location

- Cross-reference to location of other files e.g. safeguarding, disciplinary

Ministerial development and training

- Cleric's MDR submission
- Reviewer's report or summary
- Permission to attend specific training e.g. sabbatical

New Appointments (including PTO) in another diocese

- Records relating to the new appointment
- Copy of license/authorisation
- PTO records (as included in the PTO Policy Guidance)
- OPTO records (as required by the OPTO legislation or OPTO lite requirements)

Ordination and Curacy

- Letters of Orders
- Working agreements
- Initial Ministerial Education 4-7
- Training
- Annual reviews
- Curacy review

Pre-Ordination

- The candidate's registration form
- Stage 1 - form and report
- Stage 2 - assessment (or equivalent)
- Internal reference
- External reference
- Reports sent to the Bishop by the TEI
- Faculties
- Sign-off (incumbent or assistant)

Relinquishment of Holy Orders

Documents relating to relinquishment:

- Copy of deed of relinquishment
- Vacation of withdrawal of deed of relinquishment
- Incomplete relinquishment

Safeguarding

- Safeguarding File Notes
- Audit forms

- Safeguarding checklists

Settlement agreements

- File note summary (in sealed envelope). May need to be removed before the file is transferred to another diocese.

Optional documentation

The following documents may be retained on the file, however, can be removed when they become obsolete, subject to a legitimate erasure request under UK-GDPR or before the file is transferred for permanent preservation at the relevant archive.

- File review checklists
- File location checklist – sending/receiving file to/from another diocese
- CMS or Crockfords record
- Ordination checklist
- File Notes relating to Subject Access Requests or other data protection matters e.g. copy of the Privacy Notice and when issued to the cleric
- Notes from a meeting or telephone call (not on the mandatory list)
- Summary of the outcomes of a CDM
- File note indicating suspension
- Evidence of baptism and confirmation (may not be actual certificates)
- Records of pastoral discussions or actions relating to the wellbeing of the cleric.

Church of England retention schedule

Records held outside the Clergy File should be retained in accordance with the Church of England Records Retention Schedule and related guidance on the Church of England website.

Disposal

Where records are held electronically, they should be deleted from existing storage (shared drive, SharePoint, Oracle, etc.), and the recycle bin or equivalent should also be cleared to ensure complete and full deletion. If backups exist, these should be checked to ensure that the next backup overwrites any retained records. File Holders should consult with their technical or IT staff or providers to get further advice.

Paper / hardcopy files should be disposed of by shredding or a confidential waste service.

Safeguarding

The safeguarding File Note should be used to create a standardised set of information across the CoE.

All safeguarding File Notes, except checklist and audit forms (e.g. PCR1 and PCR2 sheets) must be held in a sealed envelope and may only be opened by individuals authorised by the File Holder (see Access to Clergy Files).

The Bishop must be equipped to provide information to the police or other statutory authorities, or to the Bishop of another diocese when a request for a CCSL is received.

There is no need to store all safeguarding case notes on the Clergy File. The relevant information should be included as a safeguarding File Note, containing, as a minimum:

- the nature of the safeguarding concern or allegation
- a summary of the steps taken, or the processes applied to respond to the concern

- the outcome of any such processes

A cross reference must be made to the relevant safeguarding file. The safeguarding File Note template can be used for this purpose (Appendix 7).

Failure to Act. The file note must contain the information as required in Managing Safeguarding Concerns and Allegations Code of Practice – Pathways Section 4F:

If leads to a concern or allegation (harm), then must be treated as any other allegation a full file note required in accordance with Pathways Section 4A.

Any reference to Failure to Act must be checked with the DSA/DSO before being included in the CCSL.

Where a case file exists on the NSCMS, the case will not be transferred/ made available to the new diocese – the case will be managed and resolved by the original diocese.

The Clergy File must contain the following information:

- The name of the cleric
- The date of issue of a DBS certificate
- The position for which the certificate was requested
- The unique reference number of the certificate
- Details of the recruitment decision taken (if there is a blemished disclosure), including a summary of the information provided.
- Training completed.

If this information is kept in a consolidated list for the diocese rather than on each Clergy File, there should be a clear cross reference indicating where the individual's DBS check and training history can be found.

The DBS certificates belong to the individual and It's not necessary to keep a copy of this. but you should keep a historical record chronology to evidence compliance.

The CDF completed at time of appointment must be retained in the Clergy File and if a new CDF is requested, at the time the DBS check is renewed, only the most recent CDF should be retained in the Clergy File and only viewed by those who need to see it for the initial appointment or DBS recheck process in accordance with the Safer Recruitment and People Management Code of Practice.

A safeguarding compliance checklist template is provided to record the relevant safeguarding details in the file (see Appendix 8).

Security

What is appropriate will depend on the circumstances, but good practice should be followed, including:

- Premises security - ensuring that premises are properly protected with locks, burglar and fire alarms and other environmental controls where possible, for example, pest control, humidity controls, etc.
- Where documents are held in basements which are prone to flooding, additional measures may be required. For instance, files should be stored at least 3 feet above ground.
- Storage security - keeping paper files in locked cabinets with access to keys limited to authorised staff; where documents are held electronically, storage systems should be encrypted. Where possible, fire-proof cabinets should be used.

- Cyber security - protecting electronic records with relevant permissions and security software to ensure access is restricted only to those who are entitled to see the Clergy Files, and the data is protected from external intrusion, viruses or other malware.
- Maintaining and updating access rights to remove movers and leavers who no longer need access.
- Transmitting personal data electronically only in encrypted form e.g. encrypted emails, or via other secure methods such as SharePoint, OneDrive, etc.
- If the File Holder uses cloud-based services, or any outsourced IT services for data storage (or for any other data processing), they should check that the security provisions are suitable and appropriate.
- Using secure delivery methods such as “signed for” delivery or special delivery if sending personal data through the post, or by courier.
- When transferring Clergy Files by Royal Mail or courier, the following checks should be made by the sending Bishop’s office:
    - Keep the number of Clergy Files being transferred on the same day to 5 or less, and make sure that the envelope has all the necessary labels affixed to it before it is collected by Royal Mail.
    - Alert the recipient in advance and provide a date on which the Clergy File(s) will be sent.
    - Ensure there is somebody in the recipient’s organisation to sign for and receive the Clergy File(s), and if possible, get the name of the individual.
    - The sender should check that the Clergy File(s) has been delivered to the correct recipient within 5 days after the Clergy File(s) has been sent.
- The following checks should be made by the receiving Bishop’s office:
    - Check with the sender as to when the Clergy File(s) is likely to be sent.
    - Ensure there is someone at the recipient’s location to receive the Clergy File(s), and they have been told what exactly is arriving and what to do with it/them on arrival, e.g. who should get it/them, or where it/them should be securely stored if the actual intended recipient is not present.
    - Let the sending Bishop’s office know that the Clergy File(s) has been received.
    - If the Clergy File(s) has not been received within a reasonable period, alert the sending Bishop’s office so that an investigation can be carried out as soon as possible.

Settlement Agreements

Settlement agreements are not automatically confidential but will often contain an agreed and legally enforceable confidentiality clause, whereby the parties agree to keep the agreement itself confidential and not disclose its details to third parties. Confidentiality depends on the terms of the agreement, so each agreement should be treated on a case-by-case basis.

A breach of such a confidentiality clause would be a breach of contract and could lead to a claim for damages.

Settlement agreements may be confidential for two reasons (i) the circumstances that led to the settlement agreement (dispute with the diocese, capability issues, etc.) and (ii) the terms of the settlement.

A summary should be kept in the Clergy File (the template File Note can be used for this purpose (Appendix 6)) but depending on what has been agreed this summary may have to be removed before sending the file to a receiving diocese/Bishop.

The settlement agreement is retained in the diocese in which it was agreed for as long as necessary, in compliance with the Church of England records retention schedule.

Bishops may find it useful to review the CCSL guidance relating to settlement agreements.

Related policies, procedures, regulations, etc.

- Canons of the Church of England
- Capability Code of Practice Supporting Advice Annex 4
- CCSL guidance
- Clergy Discipline Measure 2003 (as amended)
- Clergy Discipline Rules 2005 (as amended)
- Clergy Discipline Measure 2003: Code of Practice
- Clergy Discipline Measure 2003: Code of Practice on Return to Ministry (November 2023)
- Ecclesiastical Offices (Terms of Service) Measure 2009 (as amended)
- Ecclesiastical Offices (Terms of Service) Regulations 2009 (as amended) and section 5 Church of England (Miscellaneous Provision) Measure 2024 (amends 2009 Regulations)
- Grievance Procedure Code of Practice Supporting Advice Annex 1
- National Ministry Register (Clergy) Regulations 2020
- Overseas Permission to Officiate (Overseas and Other Clergy (Ministry and Ordination) Measure 1967 (as amended)
- Permission to Officiate Policy and Guidance 2026
- Safeguarding policies, guidance and Codes of Practice

Appendix 1 - Clergy File Practical Guidance

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Introduction

This appendix is intended to help you with the everyday practicalities of managing Clergy Files and should be read in conjunction with the Policy and the Policy Guidance.

Some optional template checklists are included which can be adapted to meet local requirements. Template checklists are based on the most recent format of the paper file – a table indicating the different formats can be found below.

Definitions and Abbreviations

The list of definitions and abbreviations used in the Policy Guidance and Practical Guidance are the same as those is in the Policy, in paragraphs 9 and 10.

For the introduction to the Policy, the purpose and the scope, see paragraphs 1 to 8 inclusive in the Policy.

Paper files

It is acknowledged that the standard issue 'blue file' is in many ways no longer suitable, and so in 2025 a pilot programme is underway to explore the feasibility of creating digital Clergy Files with a more suitable structure. (See Digital Future section.)

The format of the paper files currently in use is not being reconsidered and we will continue to have paper files for existing clergy for the foreseeable future.

If you find the existing structure of your paper files is not working well, you may wish to relabel the tabs and/or add extra "cover sheets" to create additional sections to better organise the papers.

Creating a new Clergy File

Following Ordination:

See the Templates section for an example of a checklist you might like to use to ensure you have the relevant pre-ordination documents as outlined in the Policy Guidance.

For another reason:

If a file needs to be created, for example where the cleric has moved in **from another denomination such as the Scottish Episcopal Church**, an amended version of the ordination checklist may help you set up the Clergy File. You can ask the cleric to provide copies of key documents such as Letters of Orders. Keep a note of which documents you have obtained (and those which you have not).

What should be where?

Currently there are several formats of the Clergy File in use, with differently labelled dividing sections:

Oldest format (1)	**Later format (2)**	**Most recent format (3)**
Biography	Biography	Personal Details
General	General	Selection and Training
Appointments	Appointments, Appraisals, and References	Appointments

Health and Family Recruitment	Health, Family, and Finance (& housing) Recruitment	Ministerial Development Review & CME Finance, Housing, and Health Other (including leave)

In all formats, the documents filed in the subsections should be in date order, with the most recent document at the top. Documents should be under the relevant divider.

The table below outlines which items should be in which sections, according to the format of the given file. Some sections have identical contents with different names, but others are slightly different, and the colours indicate which match/overlap. All items are listed as singular but there may be multiples in the actual file.

Formats 1 and 2	**Format 3**
Secured inside the front cover: *Any file reviews, safeguarding audits (PCR1 and PCR2), privacy notice* ***On top of the first divider:*** *Safeguarding compliance, e.g. DBS checks and training records* *Any cross-references to additional files held elsewhere*	
Biography Register of Ministers form CV if employment history not recorded on ROM Birth certificate and/or right to work documentation	**Personal Details** Register of Ministers form CV if employment history not recorded on ROM Birth certificate and/or right to work documentation
General General correspondence not relating to any other section.	**Selection and Training** All paperwork relating to selection and pre-ordination training. Letters of Orders (deacon and priest).
Appointments/Appointments, Appraisals, and References Paperwork relating to posts to which the minister is appointed, including but not limited to: Curacy/title post offer and acceptance letters, training incumbent support/reference for curate ordination to priesthood, curacy completion paperwork Clergy Current Status Letters and earlier 'safe to receive' letters for successful appointments	**Appointments** Paperwork relating to posts to which the minister is appointed, including but not limited to: Curacy/title post offer and acceptance letters, training incumbent support/reference for curate ordination to priesthood, curacy completion paperwork Clergy Current Status Letters and earlier 'safe to receive' letters for successful appointments Application and references (for most recent post)

<table>
<tr><td>Application and references (for most recent post)

Copy of licence/institution/collation document

Working agreement (only present post)

Statement of Particulars (only present post)

All Ministerial Development Reviews, and any correspondence on particular training/development carried out including IME

Resignation correspondence

PTO paperwork

Retirement correspondence

Papers for posts to which the minister is not appointed (including CCSLs) should <u>not</u> be retained in the clergy file, unless relating to safeguarding or the minister's development or health and wellbeing.</td><td>Copy of licence/institution/collation document

Working agreement (only present post)

Statement of Particulars (only present post)

Resignation correspondence

PTO paperwork

Retirement correspondence

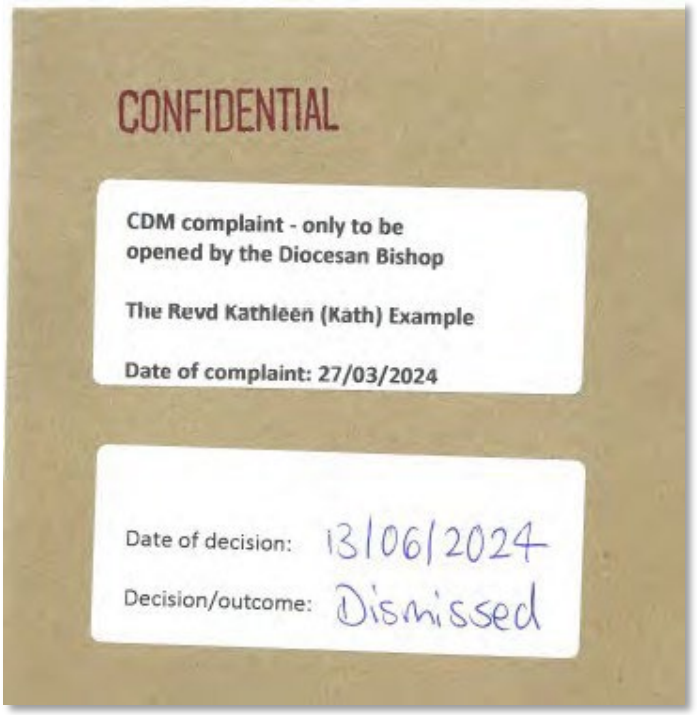
Papers for posts to which the minister is not appointed (including CCSLs) should <u>not</u> be retained in the clergy file, unless relating to safeguarding or the minister's development or health and wellbeing.</td></tr>
<tr><td>Health and Family/Health, Family, and Finance (& housing)
Any documentation relating to money, clergy housing, marriage and divorce, maternity/paternity/adoption leave, counselling, bereavement, and so on.</td><td>Ministerial Development Review & CME
All Ministerial Development Reviews, and any correspondence on particular training/development carried out including IME.</td></tr>
<tr><td>Recruitment
All paperwork relating to selection and pre-ordination training.

Letters of Orders (deacon and priest).</td><td>Finance, Housing, and Health
Any documentation relating to money, clergy housing, marriage and divorce, maternity/paternity/adoption leave, counselling, bereavement, and so on.</td></tr>
<tr><td></td><td>Other (including leave)
General correspondence not relating to any other section.</td></tr>
<tr><td colspan="2">Behind the final divider:
If there are any sealed envelopes e.g. CDM, this is usually the best place to store these.</td></tr>
</table>

Envelopes

As outlined in the Policy and Policy Guidance, certain types of documents are to be kept in sealed envelopes. These should be clearly labelled on the outside so that it is clear what the envelope contains (distinguishing it from any other envelopes in the file) and clear who can access the information inside.

For example:


CONFIDENTIAL
CDM complaint - only to be opened by the Diocesan Bishop
The Revd Kathleen (Kath) Example
Date of complaint: 27/03/2024
Date of decision: 13/06/2024
Decision/outcome: Dismissed

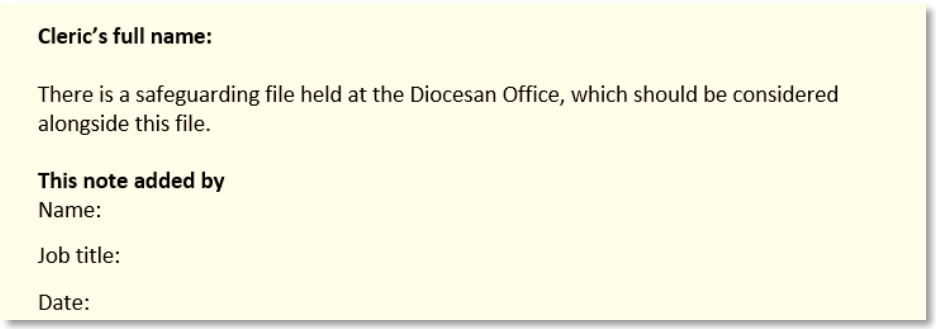
Cross-referencing to other records

The key principle is that only one file is held on a cleric, however, for practical reasons there may be records held elsewhere. Records must be regularly transferred to the main file in accordance with the Policy.

Cross-references should be used to indicate the presence of another file, for instance, you need something to show you that there is also a safeguarding file related to the cleric, or that another diocese holds some papers on them.

As a short-term temporary measure, a slip of paper or a simple exchange of emails is sufficient, and this should be added as soon as you are made aware of the issue.

Here are some examples:



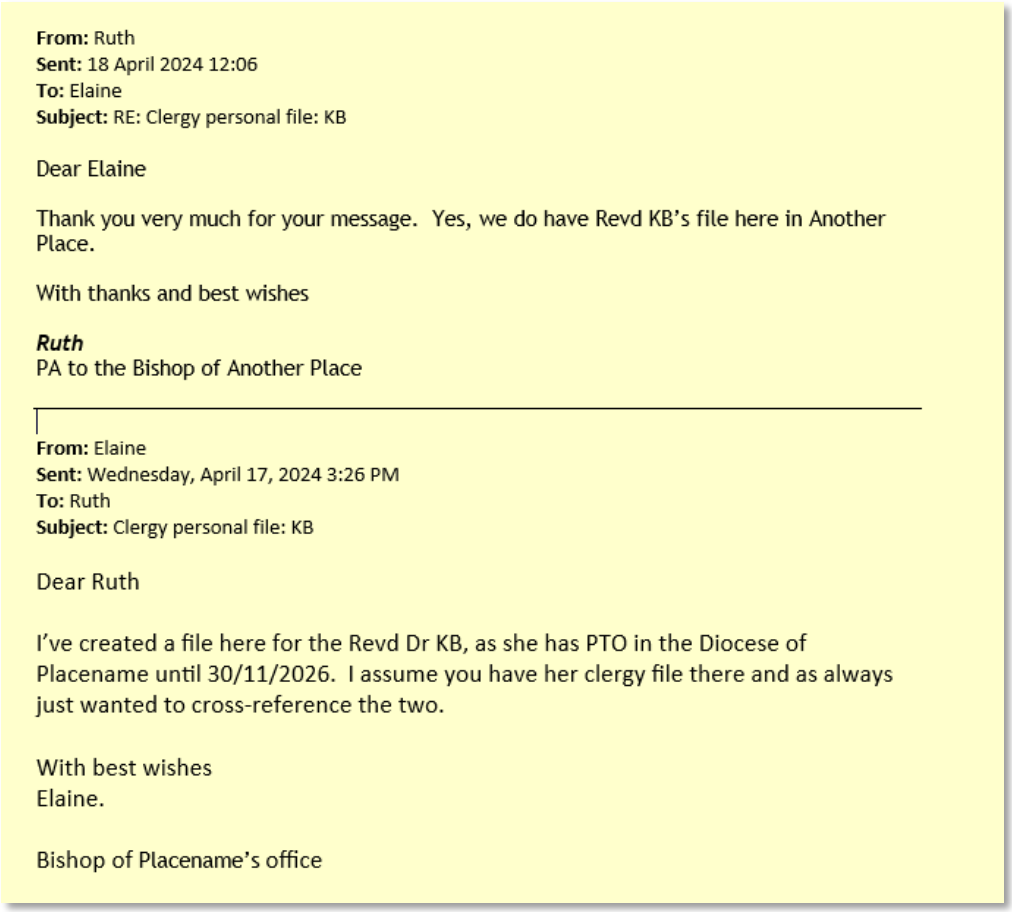
Cleric's full name:

There is a safeguarding file held at the Diocesan Office, which should be considered alongside this file.

This note added by
Name:

Job title:

Date:



From: Ruth
Sent: 18 April 2024 12:06
To: Elaine
Subject: RE: Clergy personal file: KB

Dear Elaine

Thank you very much for your message. Yes, we do have Revd KB's file here in Another Place.

With thanks and best wishes

Ruth
PA to the Bishop of Another Place

From: Elaine
Sent: Wednesday, April 17, 2024 3:26 PM
To: Ruth
Subject: Clergy personal file: KB

Dear Ruth

I've created a file here for the Revd Dr KB, as she has PTO in the Diocese of Placename until 30/11/2026. I assume you have her clergy file there and as always just wanted to cross-reference the two.

With best wishes
Elaine.

Bishop of Placename's office

A more formal File Note should be added to the File which summarises the issues and notes where the additional file is held. File Note templates are provided in Appendix 5 and 6.

General housekeeping tips

Printing

Print everything double-sided to prevent the files getting bulky.

Treasury tags

Treasury tags are not compulsory and if you find a better method then use it, but with the current file format these are the best way to ensure papers are secured to the file.

You should consider replacing metal ended treasury tags with plastic equivalents, the metal tags rust quite quickly and damage the paperwork.

File notes and other internal documents

Any notes added to a file are much more helpful if it is clear who wrote the note and when. Bear in mind that the cleric may well move to another diocese and the Bishop, personal assistant/executive assistant or chaplain there needs to be able to easily understand what they are looking at.

So, for instance, if you use a file review sheet or checklist (e.g. Appendices 4, 5 and 9) make sure you include the name of the diocese and the date of the review. It is less common now than with older correspondence, but copies of letters on blank paper with no heading or signature (these would have formerly been carbon copies of typed letters) are unhelpful.

Repairing damaged files

'Running repairs' can be made to the files where sections have come away from the staples, where elastic needs to be replaced, or where the tabs need to be re-labelled. Most sticky tape becomes brittle over time, so it is not advisable to use this.

If a file is beyond recovery, the contents can be transferred to a new file - these are available from the NCIs Bishoprics and Cathedrals team. In such a case, make sure anything that has been written or stuck on the cover of the existing file is copied across to the new one.

Keeping track of your files

Managing your files is easier if you have them listed. This needn't be a complex database - a spreadsheet will be sufficient - or there may be a way of incorporating information about the file in an existing diocesan system. It's helpful to be able to see at a glance 'have we got the file on X?' and if the nature of your space means files have to be held in different rooms (or different buildings) you can note where each one is, which makes it easier to find them.

If multiple staff can access the Clergy Files, you will want some way of tracking who has a file when it's taken out of the cabinet – this can be a tracking sheet for the cabinet, or a card you drop into the suspension file showing who has taken out which file (e.g. Appendix 2).

You might also find it helpful to keep a note of files you have sent to other dioceses. Once a cleric has left, you will not need to keep any in-depth information about them, but it can be handy to know when you passed a file on and where it went. A simple A-Z list will suffice.

Digital future

A Pilot project is underway to explore moving to digital Clergy Files.
On the following pages, the proposed structure for a digital Clergy File is laid out, with the equivalent sections from the different paper files alongside. This is in its infancy, but by sharing this information now, it may help you to organise the papers you have with this in mind.

Digital file		Paper files		
Section	**Contents**	**Oldest version**	**Later version**	**Most recent version**
Clergy Personal File (this is a sort of 'home page' summarising key information)	Identification fields, photo	*No direct comparison*	*No direct comparison*	*No direct comparison*
File administration	Any file review notes/checklists	*No direct comparison*	*No direct comparison*	*No direct comparison*
Personal details	Register of Ministers document/CV	Biography	Biography	Personal Details
Pre-ordination	All pre-ordination documents	Recruitment	Recruitment	Selection and training
Ordination	Letters of Orders	Recruitment	Recruitment	Selection and training
Curacy	Working agreement, Initial Ministerial Education 4-7, annual reviews, end of curacy sign-off	Appointments	Appointments, appraisals and references	Appointments
Appointments	Application forms, references, CCSLs, PTO certificates, movement forms, licences, OPTO	Appointments	Appointments, appraisals and references	Appointments
Non-parochial roles	Documents relating to any non-licensed role, e.g. Chair of a Diocesan Board	Appointments	Appointments, appraisals and references	Appointments
Appraisal	MDRs	Appointments	Appointments, appraisals and references	Ministry Development Review & CME
Continuing Ministerial Development	Any (post-ordination) training records	Appointments	Appointments, appraisals and references	Ministry Development Review & CME
Safeguarding compliance	DBS check, safeguarding training records, record of safeguarding audits such as Past Case Review(s)	*No direct comparison*	*No direct comparison*	*No direct comparison*

Digital file		Paper files		
Section	**Contents**	**Oldest version**	**Later version**	**Most recent version**
Safeguarding concerns	Summary of safeguarding concerns	*No direct comparison*	*No direct comparison*	*No direct comparison*
Grievance	File note(s) and/or formal grievance documents	*No direct comparison*	*No direct comparison*	*No direct comparison*
Capability	File note(s) and/or formal capability documents	*No direct comparison*	*No direct comparison*	*No direct comparison*
Finance	Grants, settlement agreement summary	Health and Family	Health, Family and Finance (& Housing)	Finance, Housing and Health
Health	Ill health, absence, reasonable adjustments	Health and Family	Health, Family and Finance (& Housing)	Finance, Housing and Health
Housing	Details of housing provided, permission to live outside the benefice	*No direct comparison*	Health, Family and Finance (& Housing)	Finance, Housing and Health
Formal complaints	Formal CDM (or older EJM) documents	*No direct comparison*	*No direct comparison*	*No direct comparison*
Informal complaints	File notes on any non-CDM complaint	*No direct comparison*	*No direct comparison*	*No direct comparison*
Vocational training	Details of other training attended	*No direct comparison*	*No direct comparison*	*No direct comparison*

Appendix 2 – Access tracking sheet

Insert “Bishop of [Diocese]’s office” OR Diocesan crest]

This form enables the tracking of changes to this Clergy File and supports the tracking of safeguarding queries or questions raised in the past. It should be used every time the files are accessed and should not be removed.

Full name of cleric:

Date file received:

Diocese file received from:

Date	Name of person accessing file	Reason for access and notes

Appendix 3 - Template Creation of Clergy File following deacon ordination

[Insert "Bishop of [Diocese]'s office" OR Diocesan crest]

Full name of cleric:

Section of paper file	Contents	☐
Personal details	Ask the cleric to complete a Register of Ministers form/print the contact details page from the Diocesan CMS/other document showing contact details, DOB, etc.	
Front of file	Document showing the DBS check and any safeguarding training undertaken	
The above may be in a combined document – whatever works best for your systems/processes		
Personal details	Copy of birth certificate/other proof of identity (e.g. passport)	
Selection and training	Canon C4 Faculty document where applicable	
Selection and training	Stage 1 form and report	
Selection and training	Stage 2 form	
Selection and training	Stage 2 internal reference	
Selection and training	Stage 2 external reference	
Selection and training	Stage 2 report and any subsequent correspondence	
Selection and training	Sometimes medical documents	
Selection and training	Sometimes financial documents	
Selection and training	College report: penultimate year – or equivalent document showing that the requisite training has been undertaken	
Selection and training	College report: final year – or equivalent document showing that the requisite training has been undertaken	
Appointments	Offer and acceptance of title post	
Selection and training	Letters of Orders as Deacon	
Appointments	Licence	
Front of file	Confidential Declaration Form	
Front of file	Privacy notice	
Appointments	Statement of Particulars	

File created by: *[Name]* **On:** *[Date]*

Papers added following priest ordination, where applicable

Section of file	Contents	☐
Appointments	Curate Assessment Panel (CAP1) report; final summary report from the Start of Ordained Ministries/Initial Ministerial Education Lead/similar role; any additional correspondence.	
Appointments	Letters of Orders as Priest	

File created by: *[Name]* **On:** *[Date]*

Appendix 4 - Template Checklist for requesting and receiving a Clergy File from another diocese

[Insert "Bishop of [Diocese]'s office" OR Diocesan crest]

Cleric's name: **Moving from Diocese of:**

Action	**Completed (by *name* on *date*)**
Make a note of the cleric's licensing/ collation /institution date and set a reminder to request the file on that date from the sending diocese.	
Prepare a suspension file in the appropriate cabinet for the file to go in when it arrives (check if some paperwork already exists which can go in the suspension file).	
Once the file arrives, acknowledge safe receipt.	
Let the Bishop, Chaplain, and safeguarding team know the file has arrived, so they can review it.	
Create an entry in a "Personal Files Database" (if used) and using the information from the file and/or the CMS and/or Crockford's, fill out all relevant columns.	
For PTOs, check there is an application form and accompanying paperwork.	
Check that a copy of the Clergy Current Status Letter (CCSL) for the post they're moving into, is on the file.	
Check that copies of the Letters of Orders are on the file (request from cleric if not present).	
Safeguarding team - check for safeguarding compliance details and areas of concern.	
Add any papers already held and put the file into the cabinet. This may well be a good opportunity to tidy through the file if it needs it.	
Send a copy of the privacy notice to the cleric.	
(Add any other local processes as required.)	
(Add any other local processes as required.)	
(Add any other local processes as required.)	

Appendix 5 - Template Checklist for sending a Clergy File to another diocese

[Insert "Bishop of [Diocese]'s office" OR Diocesan crest]

Cleric's name: **Moving to Diocese of:**

Action	**Completed (by *name* on *date*)**
Make a note of the cleric's departure/retirement date and set a reminder 6 weeks before to start the process below.	
Contact the PAs to the suffragan Bishop and archdeacon of the area the cleric has been working in, to ask if they have any working papers that should be added to the file before it is sent away.	
Check with the Bishop's chaplain to see if they hold any papers which should be added, or if they need to look at the file before it is sent away.	
Check with the diocesan safeguarding team to see if they hold any papers which should be added, e.g. safeguarding file notes, compliance documents etc before it is sent away.	
Check with the diocesan HR manager to see if they hold any finance or health-related papers which should be added to the file.	
Print out any digital documents that need to be added to the file.	
Add any additional papers as described above into the file. If needed, tidy the whole file to ensure papers are chronological and stored in appropriate sections.	
Check that sealed envelopes are still sealed and properly labelled.	
Send the file to the receiving Bishop's PA/chaplain using the "standard letter" (if relevant) and a secure envelope. Send the package securely so it can be traced.	
Advise the receiving Bishop's PA/chaplain that the file is on its way.	
Delete entry from the "Personal Files Database" (if used).	
The receiving Bishop's PA/chaplain should acknowledge safe receipt of the file – chase if not.	
(Add any other local processes as required.)	
(Add any other local processes as required.)	

Note: Very occasionally, it may be necessary to keep a small file of copy papers when the main file is sent away, for example if the cleric has PTO in more than one diocese. It is important to cross reference this on **both** files. Add a note here if this applies to this cleric.

Appendix 6 - Template File Note for Clergy File

[Insert "Bishop of [Diocese]'s office" OR Diocesan crest]

Name of cleric	

File note
Outline the issue or situation, including dates and names where relevant, and avoiding initials or abbreviations.

Summary of actions undertaken/outcomes
Please provide dates, details of individuals involved, any meetings held, decisions made, etc.

Is there any additional information related to this matter held by other departments or individuals (e.g. HR or an Archdeacon)?
If 'yes', please give details, including names and type of information (emails or files, etc.).

Name of person completing this note	
Role	
Signature	
Date	

Appendix 7 - Template Safeguarding File Note for Clergy File

[Insert "Bishop of [Diocese]'s office" OR Diocesan crest]

Name of cleric	
Date allegation received	
Received by	
Date shared with Bishop's office	

Overview of the safeguarding allegation/concern / failure to act (pathway 4F)
Please provide dates and summary of the allegation/ failure. Do not include the name of the complainant.

Overview of action undertaken as a result of safeguarding allegation/concern / failure to act (Pathway 4F)
Please provide details of dates, professionals involved, any meetings held, decisions made. Please indicate clearly if pathway 4Fand nature of action plan.

Referrals
Please list below any referrals made

Agency	
Date	
Referral reference no.	
Outcome	
Agency	
Date	
Outcome	
Referral reference no.	

Overview of decisions reached and eventual outcomes
Please provide details of the outcome. If pathway 4F, have identified actions been satisfactorily concluded?

Date case file closed	
Location of the full case record / Case management system reference	

Name of person completing form	
Role	
Signature	
Date	

Appendix 8 - Template Safeguarding compliance summary document

[Insert "Bishop of [Diocese]'s office" OR Diocesan crest]

Cleric's name:
Post:

DBS certificates

Date	Position certificate required for	Certificate number

Safeguarding Training

Leadership

Date completed

Senior Leadership

Date completed

Safer Recruitment

Date completed

PTO Pathway

Date completed

Raising Awareness of Domestic Abuse

Date completed

Appendix 9 – Template Checklist for internal file review/audit

[Insert "Bishop of [Diocese]'s office" OR Diocesan crest]

Full name of cleric:

Section of paper file	Contents	Y, N, N/A or brief comment
Secured to inside of front of file	Access tracking sheet	
	PCR1 and PRC2 summary documents	
	Any other file audits including this checklist	
	Record of privacy notice being issued	
Before first divider	Any cross-references to papers held by another office (e.g. Safeguarding)	
	Safeguarding compliance – training and DBS records	
Personal Details (Biography in older files)	Register of Ministers form/other CV document which includes full name, contact details, and date of birth	
	Copy of passport or driving licence. If no passport, birth certificate and driving licence must be held.	
	Evidence of immigration status and permission to work in the UK	
Selection and Training (Recruitment in older files)	Canon C4 Faculty document where applicable, or faculties granted under Canon C3.5, C3.6, C3.7 or C4.5.	
	Pre-ordination application documents	
	College report: penultimate year – or equivalent	
	College report: final year – or equivalent	
Appointments (Appointments, Appraisals and References in older files)	Letters of Orders as Deacon	
	Letters of Orders as Priest	
	Offer and acceptance of title post	
	Curate working agreement	
	IME 4-7 reports	
	Final curacy review report	
	Sign off (incumbent or assistant)	
	Application form for all appointments	
	References for all appointments	
	Statement of Particulars for current appointment	
	Working agreement where applicable for current appointment	
	All CCSLs or "safe to receive" letters for successful appointments	
	Licence / deed / institution / commission / permission for current and previous posts	
	Details of additional roles – e.g. Chair of Clergy	
	Additional appointment / licence / permission in another diocese	
	Retirement correspondence	
	Letter or deeds of resignation – current and past	
	PTO paperwork	
	OPTO	
	Documents relating to Relinquishment of Holy Orders	

Ministerial Development Review and CME (Appointments, Appraisals and References in older files)	Cleric's MDR submission	
	MDR reviewer's report or summary	
	Information on specific training, e.g. sabbatical	
Finance, Housing and Health (Health, Family and Finance in older files)	Record of any significant unresolved financial problems of which the Bishop is aware, including any support and training offered	
	File note of any resolved financial problems	
	Grants given or approved by the diocese	
	Sickness absence/record of ill health, including a record of how health and wellbeing matters have been addressed.	
	Occupational health reports, notes of adjustments made to cleric's duties, pattern of work or work environment	
	Correspondence relating to ill health retirement including correspondence with the Pensions Board.	
	Leave arrangements (maternity, paternity, adoption)	
	Record of housing needs and housing provided, including permission to live outside benefice where applicable.	
	Eviction related documents.	
	Evidence of divorce.	
Other (General in older files)	Informal complaints - file note of allegation/issue, and how this has been handled and resolved.	
Behind last divider	Sealed envelope – Capability	
	Sealed envelope – Formal Complaints	
	Sealed envelope – Grievance	
	Sealed envelope – Health and Capability	
	Sealed envelope – Settlement Agreements	
	Sealed envelope – Safeguarding	

Appendix 10 - Clergy Personal Files – Model Privacy Notice v4.0 2026

This privacy notice is provided by the [insert name of relevant bishop] to explain what to expect when we collect and process your personal information in accordance with the [UK GDPR / the EU General Data Protection Regulation (GDPR). *Note: The Privacy Notice must be amended where necessary to comply with the EU GDPR and local data protection legislation e.g. Isle of Man, Channel Islands, Diocese in Europe*].

Data controller(s)

The data controller is:

[insert name and contact details for relevant bishop]

For further information on the [Bishop of xxx] please go to: [insert hyperlink to website]

1. **Why we collect and use your personal data**
   - To assess your qualifications and suitability for any office or ministry where you have applied for a ministerial post or office within the diocese.
   - To exercise legal and pastoral responsibilities in accordance with the Canons of the Church of England and other relevant legislation, statutory codes, guidance and policies of the Church of England.
   - For making appropriate arrangements for your ministerial development (including ministerial development reviews or similar).
   - To share safeguarding information with an auditor or independent reviewer to facilitate necessary safeguarding audits and safeguarding practice reviews.
   - To assess and consider conduct in relation to informal or formal complaints, including the return to ministry assessment.
   - To provide details of clergy with a licence to the Archbishops' Council for inclusion in, or removal from, the National Register of Clergy.
   - To keep a record of the skills and experiences of clergy to enable these to be used to contribute to the mission and ministry of the Church.
   - To undertake relevant duties and obligations in relation to safeguarding
   - To transfer your Clergy File when you take up an appointment in a new diocese in the Church of England or the Church in Wales.
   - To archive your file for historical research purposes (senior clergy only).

2. **The categories of personal data we collect and process:**

The information we process for these purposes includes:

- Biographical details
- Information relating to contracts
- Information relating to capability
- Financial information
- Information relating to formal complaints
- Information relating to grievances
- Housing matters
- Information relating to informal complaints
- Ministerial development and training
- Ordination and curacy details
- Pre-ordination details
- Information relating to licensing, including PTO
- Recruitment and appointment

- Safeguarding information

Further details of the records held can be found in the Policy.

We also process “special categories” of information that may include:

- Race
- Ethnic origin
- Religious belief
- Political opinions
- Trade Union membership
- Health
- Sex life
- Sexual orientation
- Criminal allegations, proceedings, or convictions.

3. The lawful basis for using your information

We collect and use personal data under the following lawful bases:

3.1 Personal data

- Consent (Art 6(1)(a)) - sharing of personal data with an external body, except where such sharing is required by legislation or Church of England policies or is in the legitimate interests of the controller; for the sharing of data for the purpose of providing pastoral or therapeutic support; to obtain medical records.
- Contract (Art 6(1)(b)) - processing is necessary for the performance of a contract to which the data subject is party or to take steps at the request of the data subject prior to entering into a contract.
- Legal obligation (Art 6(1)(c)) - processing is necessary for compliance with a legal obligation to which the controller is subject, as specified in Church or UK legislation.
- Public task (Art 6(1)(e)) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, as specified in Church legislation and statutory codes.
- Legitimate Interests (Art 6(1)(f)) – to establish, exercise or defend legal claims.
- Legitimate Interests (Art 6(1)(f)) - (Isle of Man and the Channel Islands only) - the inclusion of clergy from the island jurisdictions in the National Clergy Register - national-register-of-clergy-privacy-notice-v1.0-2021.pdf (churchofengland.org).
- Legitimate Interests (Art 6(1)(f)) – for the purpose of safeguarding audits and safeguarding practice reviews.

Legitimate Interests Assessment Summary – safeguarding audits and review

We have a specific purpose with a defined benefit	The purpose of sharing data with a safeguarding audit or a safeguarding practice review is to enable the auditor to identify areas for consideration to improve safeguarding response to allegations of abuse and safeguarding working practice and thereby creating a safe environment for all.
The processing is necessary to achieve the defined benefit.	The reasons for the audit or safeguarding practice review and the necessary processing are to identify strengths and weaknesses and areas for consideration in the safeguarding arrangements, practices, leadership, governance and culture that will lead to improvements.

The processing legitimately overrides the interests of the data subject and any risks to their rights or freedoms.	The processing is necessary to achieve the intended purposes, and risks to data subjects are identified and mitigated as far as possible. There are joint interests in learning from the audit or safeguarding practice review and understanding what needs to be done to improve practice.

For a copy of the full Legitimate Interests Assessment, please use the contact details set out in section 9 below.

3.2 Special categories and criminal information

- Explicit consent (Art 9(2)(a) - sharing of personal data with an external body, except where such sharing is required by legislation or Church of England policies or is in the substantial public interest; for the sharing of data for the purpose of providing pastoral or therapeutic support; to obtain medical records
- Legitimate Activity (Art 9(2)(d) - to manage and administer internal functions in relation to membership and/or those with whom we have regular contact. Data is not shared externally outside the institutional bodies that comprise the Church of England or Church in Wales without consent except where specified in this Privacy Notice.
- Substantial Public Interest (Art 9(2)(g) - Data Protection Act 2018 s. 10(3) and Schedule 1:
  - Necessary for the exercise of a function conferred on a person by an enactment/rule of law (Schedule 1, Part 2(6))
  - Preventing or detecting unlawful acts (Schedule 1, Part 2(10))
  - Protecting the public against dishonesty etc (Schedule 1, Part 2 (11))
  - Safeguarding of children and individuals at risk (Schedule 1, Part 2 (18))
  - Insurance (Schedule 1, Part 2 (20))
- Legal claims (Art 9(2)(f) - processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
- Archiving (Art 9(2)(j) – archiving senior Clergy Files for public interest, scientific or historical research purposes or statistical purposes.

3.3 Consent

It is not always necessary or possible to obtain consent and/or explicit consent for processing and sharing data. Circumstances include but are not limited to:

- where a crime may have been committed;
- where a person is judged to be at risk of significant/serious harm or a person is considered to be a risk of harm to themselves or others;
- The function of the bishop's office would be prejudiced or prevented if a data subject withheld consent, for example in relation to the provision of medical or safeguarding records.

4. Who we collect from or share your information with:

We collect your information from:

- You
- Members of the public or parishioners
- Referees
- Church of England bodies
- Church in Wales
- Other Churches

- GPs and other medical professionals
- Educational and training organisations
- Independent or external auditors or reviewers
- Legal or other internal/external advisors

Your personal data will be treated as strictly confidential, and will be shared only when necessary, with:

- Institutional bodies that comprise the Church of England for the purposes of administrative functions, the National Register, or in connection with your role (including governance bodies and committees)
- Church in Wales, when you take up an appointment.
- Limited data with other Churches when you take up an appointment.
- Internal and external auditors, and quality assurance reviewers, independent reviewers
- Judicial, statutory, regulatory bodies
- Law enforcement and prosecution agencies pursuing security or criminal investigations
- Legal or other internal/external advisors
- The Redress Scheme administered by Kennedy's LLP in accordance with the Abuse Redress Measure 2025
- Data processors e.g. system providers (e.g. Microsoft, Pathways, Oracle)

Copies of your file or specific records created under the Clergy File Policy may be held by other relevant individuals in the diocese for the purposes of day-to-day administration or to undertake necessary legal or pastoral duties on behalf of the bishop.

A National Safeguarding Information Sharing Agreement (ISA) has been signed by Church of England bodies and the Church in Wales under the Church of England Information Sharing Framework.

A National Safeguarding Data Sharing Agreement (DSA) has been signed by the Church of England bodies and the Church in Wales and the National Police Chiefs Council.

5. Clergy Discipline Legislation – Clergy Discipline Measure 2003 (CDM)

The CDM disciplinary system is a judicial process and is governed by specific legislation and a statutory Code of Practice issued by the Clergy Discipline Commission under section 3 of the CDM. Access to CDM papers held in the Clergy File is restricted to relevant individuals in the Bishop's office and can only be accessed in accordance with the Clergy File Policy.

No CDM (and by extension Ecclesiastical Jurisdiction Measure 1963 (EJM)) papers will be shared with any external individual or body (except law enforcement agencies) unless subject to a legal order from a court or tribunal. Therefore, safeguarding auditors or independent reviewers will not be given access to the CDM/EJM papers.

The CDM (or EJM) process and related data is exempt from Articles 5 and 12-21 of the UK GDPR, pursuant to the Data Protection Act 2018, Schedule 2, Part 2, para 14 and therefore cannot be included in individual rights requests.

Return to Ministry CDM reports are not covered by this exemption.

6. Confidential References

The Episcopal Reference and Clergy Current Status Letter (CCSL) and any other confidential references are exempt from Articles 13, 14 and 15 of the UK GDPR, pursuant to the Data Protection Act, Schedule 2, Part 4, para 24, and therefore are:

- not disclosable in a subject access request, and
- not covered by the requirements for a Privacy Notice, and
- cannot be sent outside the UK without informing the data subject of any safeguards.

7. Your personal data will/will not be sent to countries outside the UK/EEA.
[Note: Insert details of safeguards in place when sending data outside the UK/EEA, including details of how to obtain details of relevant safeguards.]

8. How long do we keep your information?
We will keep your information in accordance with the retention section of the Clergy File Policy and Guidance, and the Church of England retention schedule church-of-england-records-retention-schedule-v1.xlsx

9. Your rights
You have the following rights regarding your personal data, except where a relevant exemption applies:

- The right to be informed about any data we hold about you.
- The right to request a copy of your personal data which we hold about you.
- The right to withdraw your consent at any time (if applicable).
- The right to request that we correct any personal data if it is found to be inaccurate or out of date.
- The right to request your personal data is erased where it is no longer necessary for us to retain such data; documents that are listed in the Guidance as mandatory are unlikely to meet the criteria for erasure.
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing.
- The right to object to the processing of your personal data (if applicable).

To exercise these rights, please contact: [add contact details]

10. Complaints or concerns
If you have any complaints or concerns regarding the processing of your personal data, [please contact:

[insert name and contact details] OR

[please follow our Data Protection Complaints Policy: insert hyperlink] [*Note: amend as required to suit your local complaints process].*

You have the right to make a complaint at any time to [the Information Commissioner online at: Make a complaint about how an organisation has used your personal information | ICO or by phone on 0303 123 1113 (local rate).

Under current arrangements, the ICO will generally expect you to have approached the data controller first, before making a complaint to them.] [*Note: Amend this section as required for non-UK regulators.]*

This Privacy Notice will be reviewed and amended from time to time to align with changes to Church or UK legislation, codes of practice, policy or guidance.