

## §150 CLERICAL PERSONNEL RECORD KEEPING POLICIES

### Introduction

*The purposes of the Clerical Personnel Record Keeping Policies and the Diocesan Clerical Personnel File Access Procedures are three fold: 1) to insure that the Bishop of Springfield in Illinois, his designates and his successors are able to consider the complete record of a priest in making ministerial assignments; 2) to document decisions and actions pertaining to assignments and suitability for ministry; and 3) to safeguard the privacy rights of individuals.*

*The Clerical Personnel Record Keeping Policies take into account the administrative need of various Diocesan Offices (e.g. Bishop, Vicar Genral, Vicar for Priests, Chancellor's Office, Vocation Director, and Archives) to compile and/or maintain records at their respective locus of operation in a single share point of store. The Clerical Personnel Record Keeping Policies endeavor to standardize the retention of records, to provide appropriate access to those records, and to insure the systematic access of appropriate information to those Diocesan Officials who must make well-informed ministerial decisions within the framework of existing Diocesan Record Keeping Policies and Procedures.*

*All Agencies and Offices in the Diocese of Springfield in Illinois that maintain personnel files on diocesan priests, deacons and candidates in formation had their files surveyed by the Office of Archives and Records Management. File groupings known as Classifications have been identified and titled; and the contents of those files described. Retention Periods for those classifications have been established that consider federal, state, and/or canonical statutes or citations which may be applicable. Administrative use will also be considered when determining the appropriate retention period. All Retention Schedules are submitted for approval to the Records Conservation Board (RCB). The RCB reviews all Retention Schedules for Legal and Fiscal considerations and consider the potential historical research value of the record.*

*All existing analog (eye readable) clerical files (of living clerics or those in formation) will be digitized into searchable PDF/A format where applicable (n.b. some photos or handwritten documents may not be content searchable). The complete file will be digitized, and only duplicate records will be removed. All items digitized are stamped indicating date and office involved. The original analog clerical files will be boxed, sealed and stored in the Archives and Records Center. The digitized files will be entered into an Electronic Document Records Management System (EDRMS)<sup>1</sup>.*

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<sup>1</sup> *The EDRMS system has automatic audit features that documents access, and document manipulation to those granted permission. It also provides various levels of security and access to individuals based on Diocesan requirements.*

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*The EDRMS system is configured with the appropriate classifications. Security on the records and classification will be restricted to the Bishop and his designates. The EDRMS systems allows those designated users to catalog all records pertained to clerics into the system at the point of creation or reception, including email. New analog records will not be maintained.*

*The following policies and procedures are intended to safeguard the privacy rights of individuals and insure that the Bishop of Springfield in Illinois and his designates can consider the full record of a priest in making ministerial assignments.*

## §151 FILE MAINTENANCE

**151.1. Policy** All records related to the formation, placement and treatment (excluding medical bills) of Diocesan clerics shall be maintained according to existing Diocesan Record Policies and only in the EDRMS system.<sup>2</sup>

**151.2. Policy** All records containing personal identifying information shall be kept in a secure location.

**151.3. Policy** All recorded information gathered in the process of evaluating a candidate's fitness for ministry or placement within ministry shall be maintained for the duration of that candidate's ministry training and clerical ministry. The records of candidates in the formation process who leave voluntarily or are asked to leave, shall be maintained in their entirety for twenty years after their separation date. After twenty years a summary of vital information should be maintained documenting the reason for their separation.

**151.4. Policy** Upon completion of ministry training, the Rector's File, the Formation File and all evaluation documents from the cleric's formation institution (seminary) shall be sent to the Bishop for review with the Chancellor, Vicar General and Vicar for Priests, along with a Certification Certificate signed by the Rector. The entire file shall be digitized into the EDRMS system.

**151.5. Policy** From the date the Clerical Personnel Record Keeping Policy is promulgated no record shall be permanently placed in a Diocesan Clerics' Personnel File under the promise of confidentiality.

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<sup>2</sup> Book V, §2600 Diocesan Records Policy

## §152 ACCESS TO FILES OF CANDIDATES FOR MINISTRY TRAINING AND DIOCESAN CLERICS

**152.1. Policy** Access to personnel files of candidates for ministry training and Diocesan Clerics shall be governed by the following conditions:

- (1) In order to protect the confidentiality of those individuals named in the file, all personnel files shall be restricted from unwarranted access by individuals other than the Bishop and his designates. Each Bishop must designate who has access (e.g. Vicar General, Chancellor, Vicar for Priests, the Director of Archives and Records (for file maintenance), and on occasion Legal Counsel, Fitness Review Coordinator etc.)
- (2) Diocesan clerics and those in ministry training have a right to periodically review their files consistent with Diocesan Clerics Personnel File Access Procedures.
- (3) Full and complete access to all diocesan clerics and candidates for ministry training personnel files, excluding those exempted by all legal privileges, shall be granted to appropriate civil authorities only when a court order, subpoena, or summons properly served through the Diocesan Director of Legal Services warrants such action.
- (4) The Bishop may designate other diocesan officials to receive clerics personnel files, as needed on a case by case basis. These requests (from diocesan officials) shall be accompanied by a letter from the Bishop.

### DIOCESAN PRIEST PERSONNEL FILE ACCESS PROCEDURES

*The following procedures are designed to protect the privacy of the individual and the confidentiality of the record, while providing access to information to properly designated persons.*

#### **PROCEDURES FOR ACCESS**

- a) The care and maintenance of diocesan clerics personnel files are the sole responsibility of the Director of Archives and Records whose charge it is to maintain such records. He/she shall maintain those records consistent with the Diocese of Springfield in Illinois's *Clerical Personnel Record Keeping Policies*. He/she must identify in writing those individuals charged with the daily care and maintenance of those records, and those individuals must be trained in all policies and procedures related to those records prior to granting access.
- b) Requests for personnel files by those appropriate Diocesan officials shall be in writing or email and a copy of the request shall be placed in the file.
- c) Request for review of an individual's own personnel file should be in writing and that request should be placed in the appropriate file. Access should then be given consistent with the following conditions:

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- 1) The individual should then be given access to the file without unnecessary delay, at a time mutually convenient to the individual and the Chancellor or his designates.
- 2) The Chancellor or his designate should review the file prior to granting access. Access to material deemed “confidential” shall be governed depending on their date of creation:
  - A) Any material placed in the file prior to the effective date of these policies and procedures, with a promise or expectation of confidentiality must have the permission of the author before it can be disclosed. If the author of such confidential information does not grant permission for access or is not available to grant such permission, the document must have all identifying information pertaining to author redacted prior to disclosure in order to protect the promised or expected confidentiality.
  - B) After the effective date of these policies and procedures, no material shall be placed in any priest’s file with a promise or expectation that the contents will not be shared with the subject of the material. Authors of written material who request such confidentiality shall be informed that the subject of the written material will be given access to the documents(s). If the author of the written material is not agreeable to granting such access, the document(s) shall be returned to the author. Exception: The Bishop shall retain the right, however, to request confidential information or place confidential information in a priest’s file (sealed only for his authorized review) if such information pertains to a priest’s suitability for an ecclesiastical office or ministerial position.
- 3) The individual cannot remove or alter any information in the file.
- 4) The individual cannot photocopy any portion of the record without permission of the person responsible for the records.

**THOSE AUTHORIZED TO ACCESS CLERICS PERSONNEL RECORDS:**

- a) The Bishop, the Vicar General, the Chancellor, the Vicar for Priests, and when the situation warrants, other persons as designated by the Bishop (e.g. Legal Counsel, Professional Fitness Review Administrator, Director for Archives and Records Management, etc.)
- b) The individual whose name appears on the personnel file.
- c) Appropriate civil authorities only when a court order, subpoena, or summons properly served through the Diocesan Director of Legal Services warrant such action.

**RIGHTS OF THE INDIVIDUAL**

- a) The individual may submit a written comment or rebuttal to be included in the file. This comment or rebuttal may be written by the individual or someone at his request; it may serve to refute or give testimony that something exists in the file which the individual believes to be factually incorrect or subject to a different interpretation.
- b) The individual may take appropriate Canonical or Civil Legal action to remove any factually incorrect information in the file.

**§153 FILES OF DECEASED CLERICS**

<p><b>153.1. Policy</b> All records of deceased clerics shall be stored in the Diocese of Springfield in Illinois's Archives and Records Center. These documents are all in analog (eye readable) format and will only be digitized when required by diocesan officials.</p>
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