

Record Keeping Policy



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Document version numbering convention will follow the following format. Whole numbers for approved versions, e.g. 1.0, 2.0, with decimals being used to represent the current working version, e.g. 1.1, 1.2. The initial draft of a first version policy will be version 0.1 with 0.2 forward indicating progressions of the initial draft

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1 Introduction

- 1.1 This Record-keeping Policy (this Policy) sets out requirements for the creation, maintenance, use, and retention of documentary records relating to the activities of the Franciscan Friars of the Holy Spirit Province (the Province), which is the Franciscan ecclesiastical and administrative territory comprising Australia and Aotearoa-New Zealand (Region of St Andrew).
- 1.2 This Policy applies to all Franciscan communities and ministries throughout the Province, and to the Province's corporate entity in Australia, the Franciscan Order of Friars Minor. All friars, and all employees¹ or volunteers² appointed to any position administered by the Province or (in Australia) the Franciscan Order of Friars Minor, must comply with this Policy.
- 1.3 This Policy does not apply to the Friars Minor of New Zealand Trust Board (FMNZTB), or its employees or volunteers. As the separately constituted Franciscan corporate civil entity in Aotearoa-New Zealand, the FMNZTB is responsible for developing its own policies and procedures, specific to its own operation.
- 1.4 This Policy also does not apply to the dioceses, parishes, universities, schools, or other external institutions where some Franciscan friars work in ministry. These entities have their own record-keeping policies. Where friars are engaged or participate in external ministries which do not fall under the governance of the Province, they must adhere to the record-keeping policies of the entity to which the ministry belongs.
- 1.5 This Policy is not intended to direct Franciscan Personnel to act in contravention of any laws that apply to the creation, maintenance, use, and retention of documentary records in particular cases. In circumstances where compliance with this Policy would result in a breach of applicable law, Franciscan Personnel are to comply with the applicable law.
- 1.6 This Policy has been approved by the Provincial Minister and his Definitory acting also in their capacity as directors of Franciscan Order of Friars Minor, which is the corporate entity associated with the Franciscan Friars Holy Spirit Province in Australia. The Province administration will review the Policy at least once every three years, or as required by legislative changes. When such changes are made, the updated Policy will be published on our website, with the date of the last update noted.

1 That is, anyone appointed to a paid position administered by the Province or by the Province's corporate entity in Australia, the Franciscan Order of Friars Minor, on a full-time, part-time, or contract basis.

2 That is, anyone appointed to a position administered by the Province or the Province's corporate entity in Australia, the Franciscan Order of Friars Minor, on an unpaid or voluntary basis.

2 Record-keeping Principles

- 2.1 Good record-keeping is an essential part of good governance and transparent, ethical and accountable practice. The Franciscan Friars recognise that they owe a duty to the individuals and communities they serve, and to history, to keep appropriate records of their activities.
- 2.2 Proper records must be kept in order to:
- ensure documentation of the work and other activities undertaken by or on behalf of Franciscan personnel;
 - maintain such written records as are necessary and appropriate as part of the duty of care owed to those served by the Franciscan Friars;
 - support the effective and efficient management of the affairs of the Province, including the documentation of decisions and determinations made by Province leadership;
 - ensure financial accountability within the Province;
 - comply with applicable legal and regulatory requirements;
 - preserve the history and organisational memory of the Franciscan Friars.
- 2.3 The essential elements of good record-keeping³ are that:
- full and accurate records should be created and maintained about all important incidents, responses and decisions made in the course of administering the work and activities of the Province, including at the level of individuals providing ministry;
 - records should be accurate and complete, and sufficiently detailed and relevant for the purpose for which they are kept;
- 3 The essential elements of good record-keeping, as outlined in this Policy, closely reflect the five principles for records and record-keeping outlined by the Royal Commission into Institutional Responses to Child Sexual Abuse in its Recommendation 8.4. They are:
- Creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture.
 - Full and accurate records should be created about all incidents, responses, and decisions affecting child safety and wellbeing, including child sexual abuse.
 - Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately.
 - Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of according to law and policy.
 - Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

See Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report*, Vol 8, Record-keeping and Information Sharing, Commonwealth of Australia, 2017, pp 106-109.



2 Record-keeping Principles (Cont'd)

- records should be titled, organised, and filed in a logical manner;
- records should be securely stored and able to be located and retrieved when needed;
- records that include personal, sensitive or confidential information should be subject to an appropriately high level of security;
- records should be accessible, where lawful and appropriate, to those with a legitimate need to access the information they contain;
- records should be retained for as long as they are required for lawful purposes, and otherwise securely disposed of according to law and policy.

2.4 All Franciscan Personnel are responsible for ensuring that they follow appropriate record-keeping practices in relation to their own activities and those activities within the Province for which they have oversight or responsibility.

2.5 The Province has designated personnel with specific responsibilities for overseeing or managing matters concerning the safety and wellbeing of children and vulnerable adults in Provincial contexts. These personnel are required to document and respond to safety and wellbeing matters in accordance with their specific safeguarding responsibilities. However, it should be noted that all Franciscan Personnel have a responsibility to document and report matters concerning the safety and wellbeing of children and vulnerable adults in Provincial contexts which may come to their attention. All Personnel should refer to the Province's **Professional Standards Code of Conduct and Safeguarding Policy** for direction and guidance on their responsibilities in this regard.

2.6 In relation to the collection, use, disclosure, storage and disposal of personal information, Franciscan Personnel should be aware of the requirements of applicable privacy legislation and comply with the Province's **Privacy Policy**.

3 The Scope of Record-keeping Within the Province

3.1 The record-keeping obligations of Franciscan Personnel extend to the full range and scope of activities within the Province. This includes the ministry and pastoral care provided by individual friars in ministries that fall under the governance of the Province, the formation and supervision of friars, the role of the Province as an employer, and all associated management and financial responsibilities.

3.2 Accordingly, the record-keeping requirements set out in this Policy cover all records held by the Province, whether in digital, hard copy, or both. In terms of their content, this includes the following types of records⁴:

- **Constitutions and Statutes of the Order;**
- **Definitory records** (comprising agendas, minutes, reports and correspondence);
- **Correspondence files** (Provincial Secretary and Minister Provincial);
- **Official documentation of the Order of Friars Minor** (decrees, authorisations from Rome);
- **Records of Provincial Chapters;**
- **Legal documents – civil** (such as property deeds, wills, contracts, insurance policies, etc.)
- Province policies and protocols (Code of Conduct and Safeguarding Policy, Record-keeping Policy, Privacy Policy, etc);
- **Personnel records for all friars** (including friars' personnel files and professional files - see Section 6, below);
- **Personnel records for lay personnel** (employees and volunteers);
- **Professional Standards and Safeguarding records;**⁵
- **Records of individual Houses** (including House Chronicle, House Chapter, visitation books etc);
- **Records kept by individual friars** (including personal appointment diaries);
- **Records of specific Franciscan offices** (JPIC⁶, Holy Land Commissariat, Vocations etc);
- Publications and newsletters (including Directory of Communities, Directory of Friars, etc);
- **Financial records** – permanent (including audited and internal financial statements, employment records, donation-related records, and minutes of Advisory Committee on Economic Management, etc);
- **Property records** (such as purchase and sale, renovations, development, etc);

4 While this is a comprehensive list, it is not an exhaustive list.

5 Including records of any disclosure, concern, complaint, or allegation related to the safety or wellbeing of a child or vulnerable adult, and any disclosure, concern, complaint or claim related to the (alleged) conduct of any Franciscan Personnel. It should be noted that, in some cases, safeguarding records may relate to the (alleged) conduct of individuals who are not Personnel.

6 Justice, Peace and the Integrity of Creation



3 The Scope of Record-keeping Within the Province (Cont'd)

- **Records of material heritage** (heritage reports, caveats, etc)
- **Records of associated entities** (such as FMU⁷, Padua College [e.g. Board Minutes], etc)
- **Records of partnerships** (including University of Divinity, St Francis Social Services, House of Welcome).

3.3 From time to time, the names and types of records may change, and this Policy should be revised to reflect such changes.

4 The Creation, Maintenance and Storage of Records

4.1 Records relating to the activities of Franciscan personnel and the affairs of the Province are an important institutional resource that must be carefully and responsibly managed.

4.2 Records created by Franciscan Personnel must:

- be clear, accurate and factual;
- document relevant events, complaints, responses, decisions and other matters fairly and impartially;
- contain sufficient detail for the purpose for which they are kept;
- include the name and position title of the person who created the record;
- specify the day, month and year when the record was created;
- where appropriate, identify the source of the information being recorded (for example, whether the information was gathered through direct observation by the person making the record, observed or reported by another person, or from another records);
- where appropriate, include or attach any relevant supporting records;
- use language that is fair and respectful of all persons referred to, noting that the record may later be accessed by others, including any person who is the subject of the record.

4.3 As far as possible, records should be created contemporaneously and stored in the form in which they were created. In circumstances where a full record cannot immediately be created, quick, legible notes should be made and expanded upon as soon as possible to create a complete record.

7 Franciscan Missionary Union

4 The Creation, Maintenance and Storage of Records (Cont'd)

- 4.4 Handwritten records must be legible and kept in a form that enables them to be filed systematically and retrieved when necessary.
- 4.5 Emails that need to be saved as records should be saved in pdf form on the Province's computer database and, if required, also in hardcopy.
- 4.6 In so far as it is practicable, in order to facilitate the orderly and effective filing and retrieval of records, Franciscan Personnel should avoid creating records that deal with multiple events, issues or people in the same record. Wherever practicable, a separate record should be created for each such event, issue or person.
- 4.7 There must be clear assignment of responsibility for creating each relevant category of records, and for maintaining those records, as set out in the Schedule to this Policy.
- 4.8 Records must be stored in a suitable location (either digital or hard copy, or both) in order that they can be located and used as necessary by those authorised to do so. The filing system used should be well-ordered, consistent and understood by all relevant personnel.
- 4.9 Record storage must be secure with an appropriate level of confidentiality protection. Digital records must be regularly backed up and protected against cybersecurity risks.
- 4.10 At appropriate intervals, records must be transferred to the Province Archives for permanent storage, as specified in the Schedule.



5 Record-keeping by the Provincial Administration

- 5.1 The General Constitutions of the Order of Friars Minor assigns to the Provincial Secretary the responsibility for creating and maintaining records pertaining to the governance and administration of the Province, and depositing those records in the Archives once daily access to them is no longer required.⁸
- 5.2 The Office of the Provincial Secretary has responsibility for storing and maintaining records which are current and those which have ongoing administrative use. Such records – either digital or in hard copy – will be stored in the Secretary’s Office. Once normal administrative use has ceased, or on the change of each elected administration, these records will be transferred to the Provincial Archives for permanent retention, as per the Schedule to this Policy.

8 GS, 218: *In addition to whatever else is entrusted to him, [it is] the duty of the Secretary to make records of all that is done by the Definitory or by the Minister Provincial alone, or, respectively, by the Custodial Council, or by the Custos alone, to review all documents and acts pertaining to the whole Province or Custody, the individual Houses, or Friars, and to file them in the Archives.*

6 Personnel Records

- 6.1 The Province will maintain a personnel file on all Franciscan Personnel, which will be retained permanently. In relation to each friar, the Province will maintain a personnel file and a professional file.
- 6.2 Each friar's personnel file should contain evidence of a friar's identity and membership of the Order, together with records relating to official events in the friar's religious life, including religious community placements, and any leave of absence.⁹
- 6.3 Each friar's professional file should contain records of the friar's work and professional activities, including official letters of ministerial appointments, any sabbaticals, training and pastoral supervision records, and working with children checks.
- 6.4 Following the death of a friar, his personnel file and professional file should be transferred to the Archives for storage. These records must be retained permanently.
- 6.5 Personnel records pertaining to lay personnel should be transferred to the Provincial Archives on cessation of the individual's employment or volunteer engagement with the Province. Personnel records for lay personnel must be retained permanently.
- 6.6 Complaints records will be centrally maintained by the Director of Professional Standards and Safeguarding in accordance with the Province's **Professional Standards Code of Conduct and Safeguarding Policy**¹⁰. They will be stored both digitally and in hard copy and retained permanently.
- 6.7 Where a friar's personnel file was opened prior to 2017 (when the system of separate professional files was introduced), the integrity of the existing personnel file must be maintained. While material pertaining to the friar's religious life may be added to the file, material already on the file should not be removed, re-ordered, or deleted.

⁹ This includes letter of application to join the Order, birth certificate, baptismal and confirmation certificates, references/testimonial letters, psychological assessment reports, letter of acceptance, admission declarations, formation records, records relating to simple profession and solemn profession, community placements, documentation relating to admission to diaconate/priesthood, immigration records, records relating to a friar's departure from the Order, death certificate.

¹⁰ Franciscan *Professional Standards Code of Conduct and Safeguarding Policy*, v 1.3, 22/02/2021, 5.64-5.65.



7 Record-keeping by Franciscan Personnel

- 7.1 All Franciscan Personnel, including all friars in active ministry, should maintain a daily appointment diary in which they record all key work and professional activities, such as formal meetings, ministerial engagements, any significant issues or concerns that arise, and any significant action taken. All Franciscan Personnel should store their own records securely, safely and confidentially.
- 7.2 Franciscan Personnel should be aware of relevant privacy legislation in relation to the collection, use and disclosure of personal information, and the Province's **Privacy Policy**. Where friars propose to keep a written record of personal information received from another person in the course of providing ministry, this should be explained to the person concerned so that they are aware that records will be kept and can make an informed decision about what information they are comfortable to disclose or have recorded.
- 7.3 Franciscan Personnel who have management or supervisory responsibilities within the Province must ensure that appropriate records are maintained in relation to these functions in accordance with this Policy and any applicable laws and procedures.

8 Provincial Archives

- 8.1 The provision of Archives for the Order of Friars Minor is mandated by its General Constitutions, which establish the Office of Protocol and General Archives as one of the offices of the General Curia.¹¹ This also applies to individual provinces.
- 8.2. The Archives of the Franciscan Province of the Holy Spirit was established in 1953. It exists to capture and retain the records of the Province which are deemed to have on-going value for administrative, legal and historical purposes. The Archives has twin functions:
 - It is a safe and secure repository for archival records of the Province.
 - It provides access to those records (or the information contained therein) to the Provincial Minister, Provincial Secretary and Definitory, and to other bona fide researchers.
- 8.3 The Provincial Archives is in the care of a professionally qualified Archivist. The Archivist manages access to the records in accordance with section 9, below, and the Schedule to this policy. The Archivist accepts routine deposits of Provincial records in accordance with the Schedule to this Policy. The Archivist is empowered to follow up non-deposit of records with Province communities, individuals, and administrative offices.

9 Access to Records

- 9.1 All records created by Franciscan personnel and held within the Province should only be accessible to those people who have a legitimate need to use or know the information they contain, in accordance with the Schedule to this Policy. Some records, such as complaints files, will be subject to a high level of confidentiality protection and very limited rights of access, while others, such as historical archival records, may be widely accessible upon request.
- 9.2 In determining rights of access to particular records, due regard must be given to requirements and obligations for protection and disclosure of such records under applicable privacy laws or other legislation, as well as any applicable policies of the Province.¹²
- 9.3 With respect to records listed in the Schedule to this Policy, access is limited to those persons specified in the Schedule. Access to other persons not specified in the Schedule may only be granted with the approval of the Provincial Minister or Provincial Secretary. In all cases where access to records is given other than as provided for in the Schedule, a record must be made of the date, content, purpose, and manner (including the form and conditions) of access, and clearly identifying the person(s) to whom access was granted and the person authorising that access.
- 9.4 With respect to records not listed in the Schedule, access may be granted only where lawful and appropriate, and with the approval of the Provincial Minister or the Provincial Secretary.

11 Order of Friars Minor, *General Constitutions*, General Curia, Rome, 2016

12 For example, the Province's Privacy Policy, Data Breach Response Plan, and Professional Standards Code of Conduct and Safeguarding Policy, as well as this Policy.



10 Amendment of Records

- 10.1 Any amendment of records should be by way of notation on the original contemporaneous record and should indicate the date of the amendment, the reason for it, and the identity of the person making the amendment.
- 10.2 Individuals may request that an update or correction be made to records of their personal information held by the Province. As outlined in the Province's **Privacy Policy**, such requested amendments generally will be made, unless there are reasonable grounds to believe that the amendment cannot, or should not, be made.
- 10.3 Individuals wishing to update or correct their personal information (or the personal information of a person they are authorised to represent) should contact the Province's Administrative Officer at admin@franciscans.org.au or **+61-2-9369 9300**.

11 Retention and disposal of records

- 11.1 All records must be retained and disposed of in accordance with the requirements of this Policy and any applicable laws.
- 11.2 Records that are required to be retained permanently must be transferred to the Archives in accordance with the Schedule.
- 11.3 Records of personal information should only be retained for as long as they are required for legitimate operational or other legal purposes (see **Privacy Policy**. For the reasons outlined below, it is important that personnel records and professional standards and safeguarding records are retained permanently, and are accessible as authentic, informative, and reliable records, if and when required.
- 11.4 The Province has determined that personnel records (including the personnel and professional files of friars, and the personnel records of employees and volunteers) and professional standards and safeguarding records must be permanently retained. In providing for permanent retention of personnel records and professional standards and safeguarding records, the Province has taken into account the following considerations:
 - Beyond the period in which they are required to meet immediate operational or administrative needs, such records have ongoing value for the fulfilment of the Province's legal and ethical obligations to protect the rights of victims and survivors of abuse, as well as to manage risk and safeguard children and vulnerable adults.

11 Retention and Disposal of Records (Cont'd)

- Historically, poor record-keeping – including failure to create records, destruction, and loss of records – by institutions has created great difficulties for victims and survivors seeking justice and redress, and for the institutions themselves, in terms of their response to allegations of abuse, risk management, and the safeguarding of children and vulnerable adults. In this context, it is particularly important to ensure the preservation of relevant records, including personnel records and professional standards and safeguarding records. Such records can provide critical corroborating evidence or contextual and supporting information in respect of current and future disclosures, complaints, concerns, allegations, incidents, investigations or claims related to abuse (or the risk of abuse) of children and vulnerable adults.
- Some of these records – such as work rosters and records of attendance, absence, work and study placements, travel or visits, and leave records – may not appear connected to incidents or risk of abuse at the time they are made. Nevertheless, such records may become highly relevant to identifying, preventing, and responding to alleged incidents and risks of abuse. For example, such records may become critical as contextual records and sources of information about the whereabouts of an alleged abuser or alleged victim at the time of the alleged abuse. They may, when considered together with other records, help to identify concerning patterns of behaviour.
- The timeframe during which personnel records and professional standards and safeguarding records may need to be relied upon, is indefinite. Given that there is often a delay of many years before victims/survivors disclose abuse, records which may be relevant to identifying (alleged) incidents or risks of abuse have ongoing evidentiary value. Related to this, in some parts of the Province, civil proceedings may be commenced at any time due to the removal of statutory limitation periods for claims related to child abuse.¹³ Even where statutory periods remain, our general position is that we will not rely on those limitation periods to defend civil claims related to abuse of children or vulnerable adults.
- In addition to removing statutory limitation periods for civil actions in child abuse matters, some Australian jurisdictions have introduced laws reversing the onus of proof in relation to the exercise of the duty of care that institutions have to keep children safe. This means that in future cases of child abuse, institutions may be found to have breached their duty of care unless they can demonstrate that they took all reasonable steps to put safeguarding measures in place, including in relation to the recruitment, training, and supervision of personnel.

13 There is some variation in the types of child abuse which this applies to, depending on the jurisdiction.



11 Retention and Disposal of Records

(Cont'd)

- Finally, commencement of criminal proceedings for serious offences, including those involving abuse, is not time limited. Where proceedings are current or anticipated, destruction of records relevant to those proceedings may constitute a criminal offence.
- 11.5 Other records listed in the Schedule include records related to governance and administration of the Province and its associated entities, financial affairs, property matters and contracts, and partnerships with other bodies. Permanent retention of these records is required for accountability and transparency, and to support and demonstrate compliance with legal (civil and canonical) obligations. Some records have also been listed for permanent retention based on their historical value.
- 11.6 Records which are not listed on the Schedule must be retained for as long as necessary for legitimate operational purpose and in accordance with any applicable legal obligations. Some types of records not listed in the Schedule must be retained for a minimum period specified by law – for example, some financial records and records related to personnel salary, taxation, and superannuation.
- 11.7 Ephemeral records are also excluded from the Schedule. These are records which are only used for a short period of time, have no continuing value, and are not subject to any legal requirements for retention – for example, routine drafts of working papers and duplicates used for reference purposes only. Ephemeral records may be destroyed once their use has ceased.
- 11.8 At the end of any applicable retention period, records must be permanently and securely destroyed or deleted. For permanent deletion of electronic records, all existing copies of the records, including system backups, must be located and destroyed.
- 11.9 In some cases where ongoing retention of records containing personal information is required, an assessment may be made that de-identification of those records is both appropriate, reasonable, and necessary (see **Privacy Policy**). Any such assessment should be made in consultation with the Provincial Secretary and/or the Director of Professional Standards and Safeguarding.
- 11.10 The archiving, de-identification, destruction or deletion of records must be documented, including a description of the action taken, the reason for the action, the date of the action, and the name and position of the person who took (or authorised) the action. The destruction or deletion of an ephemeral record does not have to be documented unless it was previously entered as a record in a Provincial record-keeping system.

11 Retention and Disposal of Records

(Cont'd)

11.11 Responsible personnel must ensure that any Franciscan personnel they supervise understand and comply with the applicable laws and the requirements of the Schedule for retention and disposal of records.



Definitions

Abuse (of a child or vulnerable adult):

means:

- abuse of a child or vulnerable adult – that is, sexual, physical, psychological, emotional or spiritual harm or ill-treatment of a child or vulnerable adult. This includes conduct amounting to misconduct, regardless of whether or not it also constitutes a criminal offence.
- neglect of a child or vulnerable adult – that is, a significant failure to provide necessary care for, or assistance to, a child or vulnerable adult (including adequate food, clothing, shelter, hygiene, medical care, or supervision) by a person(s) responsible for such care and supervision. A significant failure is one that causes, or is likely to cause, harm to the child or vulnerable adult.¹⁵

Child, children:

means a person (or persons) under the age of 18 years.

Complaint:

means a report, allegation or disclosure about behaviour by Franciscan Personnel that may constitute a breach of professional standards, or about an experience of harm or abuse.

Concern:

means a suspicion about the safety, welfare or wellbeing of a child or adult, or a worry or suspicion about the behaviour of a Franciscan friar, employee, or volunteer.

Definitory (Definitors):

means the council of friars who are elected by friar-delegates at the Provincial Chapter to advise the Provincial Minister on certain matters, and to approve certain matters, as required by the constitutions and statutes of the Franciscan Order of Friars Minor. The Provincial Minister and the Definitors are also Directors of the company, Franciscan Order of Friars Minor.

Document:

means any record of information, including (a) anything on which there is writing; (b) anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; (c) anything from which sounds, images and/or writings can be reproduced with or without the aid of anything else; or (d) a map, plan, drawing or photograph.

15 See the Province's **Professional Standards Code of Conduct and Safeguarding Policy** for further guidance on the meaning of abuse.

Definitions (Cont'd)

Employee:

means anyone who is appointed to a paid position administered by the Franciscan Friars Holy Spirit Province or the Province's corporate entity in Australia, the Franciscan Order of Friars Minor, on a full-time, part-time, or contract basis.

Ephemeral record:

means a record of little value which only needs to be kept for a limited or short period of time and which is not subject to any legal requirements for retention. Records that are ephemeral have no continuing value and, generally, are only needed for a few hours or a few days – for example, working papers, routine drafts, duplicate records, and computer input records.

Franciscan Personnel (or Personnel):

means all friars (as defined below), and all employees and volunteers appointed to any position administered by the Franciscan Friars Holy Spirit Province or its corporate entity in Australia, the Franciscan Order of Friars Minor.

Friar:

means any professed member of the Franciscan Friars Holy Spirit Province, any visiting Franciscan friar, any Franciscan friar on loan to the Holy Spirit Province, and any candidate or trainee to become a friar (postulant or novice).

Ministry:

means all work done by friars to provide any form of pastoral assistance to others. Ministry takes many forms (for example, the provision of liturgical and sacramental services, spiritual guidance, teaching at a school or university, chaplaincy at a prison or hospital, therapy or counselling in a professional setting, and practical assistance and support). Within the Franciscan context, the most visible form of active ministry occurs within a parish setting.

Personal information:

means any information or an opinion (whether true or not) about a person that identifies that person, or from which that person's identity can reasonably be determined.

Privacy:

means an individual's right to control the exposure of information about themselves, their views, or their behaviours, to others.

Provincial Minister:

means the leader of the Franciscan Friars of the Holy Spirit Province.



Definitions (Cont'd)

Provincial Secretary:

means the friar elected by the Provincial Minister and Definitory for a specific role defined by constitutions, statutes and civil law (company secretary). The principal role of the Secretary is to record all that is done by the Definitory and the Provincial Minister, to review all documents and acts pertaining to the whole Province, and to maintain the Archives (GGSS Art. 218). The Provincial Secretary is accountable directly to the Provincial Minister and also acts as the Company Secretary for the corporate entity, the company known as Franciscan Order of Friars Minor.

Record:

means any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means.

Volunteer:

means anyone who is appointed to a position administered by the Franciscan Friars Holy Spirit Province or the Province's corporate entity in Australia, the Franciscan Order of Friars Minor, on an unpaid or voluntary basis.

Vulnerable adult:

means a person over the age of 18 who is in need of care and support, or at risk of harm, abuse, exploitation or neglect, or unable to protect themselves against harm or exploitation, due to their age, illness, disability, trauma, homelessness, displacement, or any other reason. Any person may be vulnerable in certain circumstances - for example, a refugee or asylum seeker, a person who has experienced a major catastrophe or life within a war zone, a person who is intoxicated by alcohol or drugs, a person who has recently suffered bereavement, marriage breakdown, or other such adversity, that causes them to be in particular need of pastoral support. Vulnerable adults may include any persons who participate or engage in the Province's ministries or activities, or who otherwise are or have been involved with the Province – including as friars, employees, or volunteers.

Schedule

Category of record	Responsibility for creating	Responsibility for maintaining	Where current records are stored	When to be sent to Archives	Right of access	Retention period
Constitutions and Statutes of the Order	Provincial Secretary	Provincial Secretary	Distributed to all Franciscan Personnel	To Archives upon publication or as revised versions are published	Public documents	Permanent
Definitory records (comprising agendas, minutes, reports and correspondence)	Provincial Secretary	Provincial Secretary	Provincial Secretary's office	To Archives +3 years ¹⁶	Provincial Secretary	Permanent
Correspondence files (Provincial Minister and Provincial Secretary)	Various	Provincial Secretary	Provincial Secretary's office	To Archives +3 years	Provincial Secretary	Permanent
Official documentation of the Order of Friars Minor (decrees, authorisations from Rome)	Various	Provincial Secretary	Provincial Secretary's office	To Archives +3 years	Provincial Secretary	Permanent
Records of Provincial Chapters	Provincial Secretary	Provincial Secretary	Provincial Secretary's office	To Archives +3 years	Provincial Secretary	Permanent
Legal documents - civil (such as property deeds, wills, contracts, insurance policies, etc)	Provincial Secretary	Provincial Secretary	Permanently stored in Provincial Secretary's office	N/A	Provincial Secretary	Permanent
Province Policies and Protocols (including Professional Standards Code of Conduct and Safeguarding Policy, Privacy Policy, Record-keeping Policy etc)	Provincial Secretary, Director, Professional Standards and Safeguarding	Provincial Secretary	Distributed to all Franciscan personnel, published on Province website	To Archives upon publication or as revised versions are published	Public document	Permanent
Personnel records for all friars (personnel file and professional file)	Provincial Secretary	Provincial Secretary	Provincial Secretary's office, and digital	To Archives once deceased	Individual friar, Provincial Secretary, Director of Professional Standards and Safeguarding	Permanent

Schedule (Cont'd)



Category of record	Responsibility for creating	Responsibility for maintaining	Where current records are stored	When to be sent to Archives	Right of access	Retention period
Personnel records for lay personnel (employees and volunteers)	Provincial Secretary	Provincial Secretary	Provincial Secretary's office, and digital	To Archives once left	Individual employee/volunteer, Provincial Secretary, Director of Professional Standards and Safeguarding Permanent	
Professional Standards and Safeguarding records	Director of Professional Standards and Safeguarding, Provincial Delegate for Professional Standards and Safeguarding	Director of Professional Standards and Safeguarding, Provincial Delegate for Professional Standards and Safeguarding	Permanently stored in office of the Director, Professional Standards and Safeguarding, the Provincial Delegate's office, and digital. Outcome of complaint investigation to be recorded on relevant personnel file.	N/A	Provincial Secretary, Provincial Delegate for Professional Standards and Safeguarding, Director of Professional Standards and Safeguarding	Permanent
Records of individual Houses (including House Chronicles, House Chapters, visitation books, etc)	Various	Guardian	Guardian's office	To Archives +3 years		Permanent
Records of specific Franciscan offices (JPIC ¹⁷ , Holy Land Commissariat, Vocations, etc)	Various	Various	Securely stored by individual Franciscan office	To Archives +3 years		Permanent
Publications and newsletters (including annual Directory of Friars and annual Directory of Communities, etc)	Issued from the Provincial Office	Provincial Secretary	Distributed to all Franciscan personnel	To Archives upon publication	Available to the public on request	Permanent

16 **To Archives +3 yrs** = files should undergo orderly transfer to Archives at the end of each three-year administrative term, unless required for ongoing administrative use.

17 Justice, Peace and the Integrity of Creation

Schedule (Cont'd)

Category of record	Responsibility for creating	Responsibility for maintaining	Where current records are stored	When to be sent to Archives	Right of access	Retention period
Financial records – permanent (including audited and internal financial statements, employment records, donation-related records, and minutes of Advisory Committee on Economic Management, etc)	Director of Finance, Provincial Secretary	Director of Finance, Provincial Secretary	Office of Director of Finance	To Archives +3 years	Director of Finance, Provincial Secretary	Permanent
Property records (such as purchase and sale, renovations, development, etc)	Various	Provincial Secretary	Provincial Secretary's office	To archives +3 years, or once administrative use ceases	Provincial Secretary, Director of Finance	Permanent
Records of Material heritage (heritage reports, caveats, etc) Various	Various	Archivist	Archives		Available to the public on request	Permanent
Records of associated entities (such as FMU ¹⁸ , Padua College [e.g. Board Minutes], etc)	Various	Various	Provincial Secretary's office	To Archives +3 years	Provincial Secretary	Permanent
Records of partnerships (including University of Divinity, St Francis Social Services, House of Welcome).	Various	Provincial Secretary	Provincial Secretary's office	To archives +3years	Provincial Secretary	Permanent



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