



## Recording and Storing Information

### WHY DO WE KEEP RECORDS?

The practice of writing and storing accurate and detailed records in churches is essential for administrative organisation, accountability, transparency, and proficient governance. Whilst there are many records that churches are recommended to keep and some that they are legally required to retain, Breaking the Silence (BTS) is particularly concerned with records that relate to safe ministry practises.

High quality records and recordkeeping practises help to promote the safety of children and young people, as they play a significant role in “preventing, identifying and responding appropriately to child sexual abuse” (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017). Churches need to be organised with their documentation, so they are prepared to provide records and information at any time. There are also minimum retention periods in place (outlined below) to allow for accurate and just responses to child sexual abuse, particularly in situations where disclosure of abuse by victims is delayed.

Diligently recording and storing information is a practice that aligns with the mandatory NSW Child Safe Standards mandated by The *Children’s Guardian Amendment (Child Safe Scheme) Bill 2021*. Recordkeeping helps promote the safety of children in churches by meeting Child Safe Standard 1: ‘Child safety is embedded in institutional leadership, governance and culture.’ The Presbyterian Church is committed to implementing these Standards as part of BTS.

### WHAT RECORDS NEED TO BE KEPT IN RELATION TO SAFE MINISTRY?

- Registration forms/Attendance rolls/data for children’s and youth ministry activities, including but not limited to:
  - sign in/sign out records for congregational programs,
  - holiday programs,
  - congregational family camps,
  - camps,
  - PY activities,
- Consent forms for children’s and youth ministry,
- Documents relating to disclosure of abuse,
- Risk of harm reports,



- Attendance lists of in-house Breaking the Silence (BTS) training – (Submitted to the CPU),
- An annual list of persons in a position of authority within the congregation and all persons working with children and young people, and the BTS representative. This is part of the CPU Annual Compliance list process.

Churches should have a plan and systems in place to ensure that all these records are accounted for. It is also important that all individuals with a responsibility to keep records (e.g. children's ministry and youth leaders) are aware of the need to accurately record and retain data.

## **HOW LONG SHOULD WE KEEP THESE RECORDS FOR?**

The governing legislation for retention is the Statute of Limitations which indicates that records should be kept for 7 years.

**If the record is concerning a child or young person the record must be kept for 7 years, or 7 years past when a child turns 18 (i.e. age of 25), whichever is greater. If the record is concerning child sexual abuse it will be retained for 50 years or indefinitely if the record is digital.**

In any situation where there has been information pertaining to abuse or any allegation of abuse, regardless of the form that such abuse is alleged to have taken, the ordinary procedure in relation to records apart shall not apply and records must be kept for the full period of 50 years. Any such record must be transmitted to the CPU when the case is closed and digitalised before it is disposed of.

In 2018, the NSW Government amended laws surrounding disclosures of child sexual abuse, in response to recommendations by The Royal Commission into Institutional Responses to Child Sexual Abuse. These laws involved the removal of any time limits for child sexual abuse claims to be made. Therefore, if records and data are stored digitally, they are to be kept indefinitely to help with responding to disclosures of abuse.

## **WHERE SHOULD THESE RECORDS BE KEPT?**

At a local level, with an ever-increasing quantity of records requiring retention for large periods of time, it is essential that all records are organised logically and stored safely, to allow for retrieval in the future. It is preferable that records (and backups of records) are stored digitally, but any paper records should still be retained. Non-current documents should be deposited in the Ferguson Memorial Library. Digital storage will need to be constantly monitored for changes in software and updated when necessary.



When storing documents locally, all paper records should be stored securely in a locked metal (not wooden) cabinet to protect them from temperature changes, humidity and pest infestation.

All records created by a congregation are the property of the NSW Trustees of the Presbyterian Church and should be lodged with the Ferguson Memorial Library, Archives of the Presbyterian Church, Australia. All non-current records should be deposited as set out in the Ferguson Memorial Library deposit schedule.<sup>1</sup>

## **WHAT RECORDS CAN BE ACCESSED FROM THE CPU?**

Individuals whose childhoods are documented within CPU records should have a right to access records about them. When such requests are made to the CPU, the CPU will seek to understand what is required and obtain legal guidance in responding to the request.

All records held by the CPU are in accordance with the Data Protection Principles endorsed by the NSW Privacy Commissioner and Federal Privacy Legislation.

**If you have any questions about the topic of recording and storing information in relation to BTS, please contact the CPU.**

## **REFERENCES**

Presbyterian Church of Australia in NSW/ACT, *Ferguson Memorial Library*, Archives of the Presbyterian Church.

[pcnsw.org.au/the-ferguson-memorial/archives/](https://pcnsw.org.au/the-ferguson-memorial/archives/)

Presbyterian Church of Australia in NSW/ACT, *Breaking the Silence Manual*, Conduct Protocol Unit.

[breakingthesilence.org.au/wp-content/uploads/2023/09/Breaking-the-Silence-Manual-2023-Edition.pdf](https://breakingthesilence.org.au/wp-content/uploads/2023/09/Breaking-the-Silence-Manual-2023-Edition.pdf)

Presbyterian Church of Queensland. (2016). *A Guide to Church Record Keeping*.

[pcq.org.au/pcq\\_pdf/pcq-archiving-procedures-02-16.pdf](https://pcq.org.au/pcq_pdf/pcq-archiving-procedures-02-16.pdf)

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<sup>1</sup> The Code PCNSW Parts I, II and III: 4.54 Records to be produced. For further information regarding the deposit schedule, contact [archives@pcnsw.org.au](mailto:archives@pcnsw.org.au)



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# BREAKING THE SILENCE

## INFORMATION SHEET

Royal Commission into Institutional Responses to Child Sexual Abuse. (2017). *Volume 8, Recordkeeping and information sharing.*

[childabuseroyalcommission.gov.au/sites/default/files/final\\_report\\_-\\_volume\\_8\\_recordkeeping\\_and\\_information\\_sharing.pdf](https://childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_8_recordkeeping_and_information_sharing.pdf)

Safe Ministry Representative. (2023). *Storage and Retention of Safe Ministry Records.*

[safeministry.org.au/wp-content/uploads/SM\\_Storeage-and-retention-of-records-April2023.pdf](https://safeministry.org.au/wp-content/uploads/SM_Storeage-and-retention-of-records-April2023.pdf)