

# Briefing On HMG Personnel Security Controls

## Purpose

- Government employees, temporary staff, and contractors potentially have access to a range of sensitive assets at risk from a wide range of threats.
- The purpose of personnel security controls is to confirm the identity of individuals and provide a level of assurance as to their trustworthiness, integrity and reliability.

## The Baseline Personnel Security Standard

- All those with access to government assets are subject **on recruitment** to the requirements of the Baseline Personnel Security Standard.
- To verify identity departments and agencies will ask candidates to provide, **in advance of any final offer of employment**, a selection from the following: Confirmation of name, date of birth and address; National Insurance Number; details of previous employers over the last three years; confirmation of necessary qualifications or licenses; educational details and references; confirmation of permission to work in the UK where appropriate.
- Departments are not required to seek references from previous employers as part of the Baseline Standard but some may choose to do so as part of pre-employment checks.
- The BPSS represents best practice in recruitment controls and similar personnel security measures are recommended by the Centre for the Protection of National Infrastructure for individuals who are employed across the national infrastructure.

## National Security Vetting

### **The Vetting Process**

- National security vetting may be carried out on recruitment and at any point subsequently when changes in duties or responsibilities require it.
- **It is government policy that individuals should not be expected to hold an existing security clearance in order to apply for posts or contracts that require vetting, except in exceptional circumstances where such posts are short term and need to be filled urgently.**

- No one is obliged to be subject to national security vetting. However, the occupation of a vetted post will be contingent upon successful completion of the process. **Subject to a risk assessment conditional appointments may be made, pending satisfactory completion of the process.**
- Security questionnaires may be processed by the organisation that requires the clearance (the sponsor) or passed to an accredited national security vetting provider to carry out the checks on their behalf.
- Overall the objective is to ensure that the vetting subject is a fit and proper person to hold a national security clearance, and is unlikely to be in a position where they may abuse their access, submit to pressure or be suborned.

### Component Checks

- At each level of clearance (CTC, SC, DV) there will be checks against relevant Police and Security Service (MI5) records. Depending on the level of clearance, these checks will relate to:
  - The individual, their partner and recent former partners
  - Their parents (and those of their partner)
  - Other family members or people the subject lives with (e.g. co-residents)
- The security questionnaires will ask vetting subjects to declare any association with individuals about whom they have security concerns. **In these circumstances the subject should not inform the individual(s) of this.**

### Residency

- A lack of UK residency is not necessarily a bar to security clearance, however decision makers will need to consider what checks can be carried out and the information available upon which to make the decision. Depending on the level of clearance being carried out this may range from 3 to 10 years.

### Information handling

- Information gathered for national security purposes **will be held securely, and only for as long as it is required.**
- The department sponsoring the clearance will maintain records of those individuals who have been security cleared, and may keep records of those refused a clearance or who have had their clearance withdrawn. **If and when an individual changes jobs, these records may be shared**

**with the prospective new employer if a national security vetting requirement to do so exists.**

- Vetting records will be used to support ongoing personnel security management, for example prompting renewals of clearances when these fall due, or to provide for periodic further checks against records.

### **National Security Vetting Considerations**

- The process seeks to provide decision makers with an assurance that the vetting subject is suitable to exercise the responsibilities of the role for which the clearance is required, and does not present an unacceptable risk to national security. **The process is not intended to catch individuals out or exclude any particular group of people other than those who present such a risk.**

### **Records**

- A range of considerations may be relevant to a vetting decision:
  - Employee records
  - Criminal record information
  - Traces in Security Service Records
  - Financial irregularities
- Due consideration will also be given to the vetting subject's personal circumstances, personality and lifestyle. The process does not require individuals to conform to a given template and recognises that everybody's situation will be different.

### **Decision Making**

- The purpose of vetting is to determine whether the subject may present a security risk such that they should not be employed in a sensitive post. Vetting decisions will be taken by the department or police force which requires the clearance.
- These factors are all carefully considered along with the security requirements of the post in order to reach a reasoned conclusion as to the subject's suitability for the level of clearance in question.
- The process will consider whether or not any adverse information that arises is serious enough in itself to justify refusing or withdrawing a security clearance.
- The assessor will consider a range of factors, including, where relevant, whether the subject has been as open about the information and has resolved or appears likely to resolve the concerns to which it gives rise.
- The assessor will not allow personal or cultural bias to affect their judgement.

- **There is no requirement to inform applicants for employment of the reason why they have been refused employment.** Where the decision is on security grounds, the individual should preferably be told of the reasons, although considerations of national security or confidentiality may prevent this.

### **Ongoing Personnel Security Management**

- National security vetting clearances will be reviewed on a regular basis to ensure that they reflect changes in circumstances, so periodically individuals will be asked to complete the Security Questionnaire again, and **information held by the vetting authorities may be rechecked against updated records.**
- Depending upon the potential damage that could arise from the compromise of sensitive assets, individuals and their line managers may be asked to carry out an annual security appraisal process, requiring the vetting subject to declare any changes in personal circumstances or any other matters that could be relevant.
- **In some circumstances it will be possible for valid clearances to be confirmed and transferred between government departments and the police.** It is for the receiving department or police force to review and consider whether or not they are able to confirm or accept a existing clearance.

### **Review and Appeal Mechanisms**

- If an individual believes that they have been unlawfully discriminated against, they may take action in the relevant statutory tribunal.
- **If an individual considers that personal data used in the vetting process is incorrect or has been incorrectly handle s/he may complain to the Information Commissioner.** An individual also has the right to apply to a Court for an order that inaccurate personal data about the individual be rectified, blocked, erased or destroyed.
- These mechanisms are separate from an individual's right to seek a Judicial Review of their case when other remedies have been exhausted.