



Security Vetting Policy and Procedure

Scottish Information Commissioner

Policy

1. Under Section 45 (1) of the Freedom of Information (Scotland) Act, 2002 (FOISA) a person who is or has been the Commissioner, a member of the Commissioner's staff or an agent of the Commissioner must not disclose any information which-
 - (i) has been obtained by, or furnished to, the Commissioner under or for the purposes of this Act; and
 - (ii) is not at the time of the disclosure, and has not previously been, available to the public from another source,
 - (iii) unless the disclosure is made with lawful authority.
2. Section 45 (3) states that a person who knowingly or recklessly discloses information in contravention of subsection (1) is guilty of an offence.
3. The Commissioner mitigates the risk of unauthorised disclosure of information by requiring all staff¹ to undergo security vetting. This entails completion of a security questionnaire which is processed in confidence by the Scottish Parliament on the Commissioner's behalf.
4. There are three types of security clearance:
 - (i) Security Check (SC) – access to secret information
 - (ii) Developed Vetting (DV) – access to top secret information
 - (iii) Counter Terrorist Checks (CTC) – proximity to public figures at risk of attack by terrorist organisations
5. The Commissioner's staff are cleared using the SC clearance type which requires to be refreshed every 10 years.
6. This policy also provides assurance to public authorities which are required to submit sensitive or secret information to the Commissioner in the course of her investigations.

¹ The Commissioner may also require the staff of some suppliers to undergo security vetting

Procedure

7. The security vetting arrangements, which are the same as those used by the Scottish Parliamentary Corporate Body (SPCB). They are processed by the Scottish Parliament's Security Office on the Commissioner's behalf.
8. The Parliament operates a system of security vetting in line with the programme of national security vetting used by all Government Departments, Agencies and Devolved Administrations.
9. Each member of staff is required to complete a Security Questionnaire which incorporates a Statement of HM Government's Personnel Security and National Security Vetting Policy. Notes providing guidance on completion of the questionnaire are appended. Further information about each of three types of security clearance is provided in the Statement.
10. The Security Questionnaire must be accompanied by acceptable identification (Passport or EU Driving Licence). It has been agreed with the Scottish Parliament's Security Office that, rather than send original identification with the Questionnaire, the identification may be presented to the Head of Corporate Services (HOCS) who will take a photocopy of it and return it with a completed 'Identity Confirmation Form'.
11. Once completed the Security Questionnaire, Identity Confirmation Form accompanied by the the photocopy of the identification should be placed in the envelope provided, then sealed and passed to the HOCS who will in turn pass it the Parliament's Security Office together with a covering letter.
12. Once the check has been completed the Scottish Parliament's Security Office will communicate the outcome to the member of staff and provide a copy of the communication to the HOCS which will be retained in a file accessible by only the Commissioner and the HOCS. The completed Security Questionnaire will also be returned to the HOCS in a sealed envelope with the individual's name and security clearance review date endorsed on the envelope, and this will be retained with the outcome notification.
13. Once the check has been completed the Scottish Parliament's Security Office's record will be anonymised and archived.

Contact us

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Appendix

Guidance Note: Completion of Security Questionnaire

1. You are asked to complete and return the enclosed Security Questionnaire. Before completing this questionnaire, please read the policy and procedure above.
2. Please also note to pass the sealed envelope containing the completed Security Questionnaire and certified copy of the identification to the HOCS who will in turn pass it to the Parliament's Security Office. This will enable a log to be maintained of Questionnaires sent and replies received.

Do you need to complete all sections of the Security Questionnaire?

3. Yes, you must complete all sections of the questionnaire. If you are unable to answer a particular question, you should write "N/A" (not applicable) or "N/K" (not known). Please do not leave any blanks.

What should you do if you have any questions about this Security Questionnaire?

4. If your question is regarding the Commissioner's policy or procedures please contact the HOCS.
5. If you have any questions regarding completion of the questionnaire itself, please contact the Parliament's Security Office. Their contact details are:
6. Telephone: 0131 348 6559/8/7/6 or ext 86562
They welcome calls from textphone users via the RNID Typetalk service.
Fax: 0131 3486571
Email: Security Pass@scottish.parliament.uk

To assist you further, we have also provided some additional notes below which relate to specific questions in the Security Questionnaire:

Questions 6, 13,20 and 26: Dates of addresses

7. In the relevant section for each of these questions, where the form states "since", please state when the relevant individual first lived at the address given. (For example, if the person first started living at this address in September 2002, please write "9/02".)

Questions 7 and 14: Previous addresses

8. If you and/or your partner have lived at any other addresses over the past 5 years, please give details of these addresses, including dates, on the continuation pages (pages 10 and 11).

Questions 15 to 26: Details about your parents

9. If you have any step-parents; adoptive parents or other legal guardians, please provide the details of all of these individuals. You should use the continuation pages (pages 10 and 11) if this information does not fit into the space provided on page 5.

Questions 27 and 28: Criminal convictions

10. As indicated in this section of the questionnaire, you must disclose all convictions whether or not these are 'spent' convictions. This is because criminal convictions, including spent convictions, may be taken into account where national security is concerned. The accuracy of this section of the form will also be verified with the Scottish Criminal Records Office. Any information you provide in this section about convictions will be taken into account; however,

it will not necessarily prevent you from receiving security clearance. Please note that any information provided will be treated in strict confidence.

Pages 7 and 9: Signing the form

11. Please remember to sign and date the boxes at the bottom of page 7 after you have completed questions 27 and 28. Also, remember to sign and date the form at the bottom of page 9 before you send the completed form.

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