

Reference: 2024-058

Thank you for your email in which you requested the following information under the Freedom of Information Act 2000 (FOIA):

- 1. I formally request the Serious Fraud Office (SFO) policy on using the Police National Computer (PNC) system from the date you started using it and any changes to this present day.**
- 2. I also request the Serious Fraud Office (SFO) policy on National Security Vetting process at this present time and previously.**
- 3. Please include whether the PNC system is part of your vetting/ security process.**

Response

Questions 1 & 3

I can confirm that the SFO does hold this information. However, the information you have requested is exempt from release under section 31(1) of the FOIA, which provides that:

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,*
- (b) the apprehension or prosecution of offenders,*
- (c) the administration of justice.*

How the exemption is engaged

As a law enforcement agency, the SFO holds highly sensitive information, which is of interest to others, including those we investigate. Releasing detailed information about the way in which the SFO ensures the security clearance of our staff would be contrary to the protections which section 31 exemption is designed to protect. The SFO has to ensure that the staff who work here are securely vetted; this is essential to our law enforcement functions due to the sensitive nature of the investigative and prosecution work within our remit.

Information released via FOIA is released into the public domain. Releasing information such as this could be exploited by criminals, which would therefore impede our law enforcement functions by preventing us from effectively vetting new starters if criminals knew details of how to circumvent the vetting process. This could therefore compromise our ability to protect SFO investigative material and information systems and prejudice the interests at (a), (b), and (c) above.

The public interest test

Section 31(1) is a qualified exemption and requires consideration of whether, in all the circumstances of the case, the public interest in exempting this data outweighs the public interest in disclosing it. More information about exemptions in general and the public interest test is available on the ICO's website at www.ico.org.uk.

It is recognised that there is a general public interest in publicising information about the SFO, so that the public knows that serious fraud, bribery, and corruption are being investigated and prosecuted effectively, and so that the public can be reassured about the general conduct of our organisation and how public money is spent.

However, following our consideration of the public interest in releasing this information, we consider that the stronger interest lies in maintaining the exemption at section 31(1) of the FOIA. Primarily, the risk that this information could pose to the SFO security against which it is essential to safeguard given the highly sensitive nature of the information held as a law enforcement agency. Releasing sensitive information regarding the security clearance process and the systems involved pose risks which could compromise the SFO's ability to provide and maintain security for the cases at pre-investigation, investigation, prosecution stages and beyond.

Having considered the opposing arguments, I believe that the stronger public interest lies in exempting the information from release.

Question 2

The SFO complies with the standards and controls on GOV.UK, to which all government departments must adhere. Please see the following relevant information on GOV.UK: [HMG personnel security controls - GOV.UK \(www.gov.uk\)](#) & [Government baseline personnel security standard - GOV.UK \(www.gov.uk\)](#).