

Guidance: UK Personnel Security Clearances for access to International Classified Information

Version 3.0 – October 2016

Version History

Document Version	Date Published	Summary Of Changes
1.0	April 2014	First version published on GOV.UK
1.1	July 2014	'Version History' added and minor editorials throughout.
2.0	July 2015	Most of content redrafted and reorganised. Main change is the removal of a hardcopy option for submitting PSC applications and the introduction of FCO e-form for those not using Cerberus.
3.0	October 2016	Most of content redrafted and reorganised to reflect the launch of NSVS. Content also clarified as to when HMG can consider undertaking national security vetting.

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Introduction

- 1. This guidance document explains the procedures to be followed in respect of UK nationals who require national security vetting in an international context. This document is only applicable for:
 - i. UK nationals working for the institutions, agencies or bodies of NATO, OCCAR, the EU, or ESA who have a requirement to access international classified information at the level of CONFIDENTIAL or above to fulfil their duties; or
 - Contractor personnel who have a requirement to access international classified information at the level of CONFIDENTIAL or above in order to fulfil a classified contract.
- 2. This document is not applicable to HMG officials or UK contractors awarded HMG classified contracts which only involve access to HMG assets.
- 3. This document is not applicable to non-UK nationals working for UK companies. UK companies that employ non-UK nationals and require them to be security cleared to access international classified information at the level of CONFIDENTIAL or above should contact their Security Officer, who should then contact the UK NSA for advice on how they can apply for a Personnel Security Clearance (PSC).
- 4. Any enquires about this document should be addressed to:

Email: UK-NSA@cabinet-office.x.gsi.gov.uk

Address: UK National Security Authority

Cabinet Office Room 335 70 Whitehall London SW1A 2AS

United Kingdom

Section 1: Personnel Security Clearance Requests

- 5. Under HMG policy National Security Vetting can only be carried out in specific defined circumstances. Individuals working for International Organisations who have a genuine and confirmed requirement to access international classified information at the level of CONFIDENTIAL or above in order to fulfil his/her duties can apply for vetting.
- 6. Contractor personnel can apply for vetting if a classified contract is held which requires access to international classified information at the level of CONFIDENTIAL or above and if there is a specific obligation under international treaties or arrangements for HMG to undertake the vetting.
- 7. Requests for vetting need to be accompanied by independent confirmation from the relevant International Organisation or Government Security Authority (i.e. a NSA, DSA or other Competent Security Authority) that a PSC is required. Speculative vetting requests, requests made directly by the subject of the proposed vetting, requests from organisations without confirmation that a PSC is required, or requests that fall outside the scope of international treaties or arrangements are not accepted by HMG.

Vetting scenarios

- 8. HMG currently does not have a single system for processing vetting applications. DBS NSV and FCO Services both operate different electronic processes. Note: Hardcopy vetting applications are not accepted by either organisation.
- 9. Whilst not exhaustive, the following table sets out how vetting applications are to be submitted in several scenarios:

Security vetting scenarios		
A.	UK national directly employed by NATO Agencies and NATO organisations that sits within the Military structure (e.g. International Military Staff, ACO, ACT).	and page
B.	UK national directly employed by the Organisation for Joint Armament Co- operation (OCCAR).	Section 2 – Page 6
C.	UK national directly employed by the European Defence Agency (EDA).	
D.	UK national directly employed by a NATO organisation that sits within the Civilian structure (e.g. the International Staff).	Section 3 –
E.	UK national directly employed by a EU institution, agency or body.	Page 7
F.	UK national directly employed by the European Space Agency (ESA).	
G.	Contractor participating in a NATO classified contract.	
Н.	Contractor participating in an OCCAR classified contract.	Section 4 -
I.	Contractor participating in a EDA classified contract.	Page 8
J.	Contractor participating in a non-UK defence international classified contract.	
K.	Contractor participating in a EU GNSS programme classified contract.	
L.	Contractor participating in a EU classified contract.	Section 5 -
M.	Contractor participating in a ESA classified contract.	Page 10
N.	Contractor participating in a non-defence international classified contract.	

Section 2: Submitting PSC requests for officials directly employed by International Defence Organisations (IDOs)

Applicable vetting process

- 10. Vetting applications for UK nationals directly employed by a NATO organisation that sits within the Military structure (e.g. International Military Staff, ACO, ACT), a NATO Agency, OCCAR or the European Defence Agency (EDA) are processed using NSVS.
- 11. Staff seconded from HMG to IDOs are vetted by their UK parent department/agency, not the IDO. If a secondee requires a new PSC or a renewal the Security Office of the IDO should contact the secondee's parent UK department/agency.

Requesting new PSCs or renewals - Registering as a new sponsor

- 12. NSVS requires a sponsor to be able to confirm the requirement for vetting and the level of PSC required. When registered the sponsor will log into NSVS and submit a vetting application for the subject who requires a PSC.
- 13. Normally the sponsor should be a representative of the IDO's Security Office, but exceptionally it can be another suitable official (e.g. Head of Procurement, Head of Human Resources, etc.). Note: the sponsor cannot be the subject of the proposed vetting.
- 14. IDOs requiring a NSVS sponsor account should email the UK NSA the following:
 - i. A short cover letter¹ that explains and confirms the need to have staff vetted; and
 - ii. A completed 'International NSVS sponsor account application' form completed by the Sponsor.

Once these two items have been received the UK NSA will submit the sponsor request to DBS NSV for further processing.

Requesting new PSCs or renewals - NSVS sponsors

- 15. IDOs that hold NSVS sponsor accounts can submit new PSC requests or renewals by logging into their account.
- 16. Note that if the subject has a lack of residency in the UK the subject and/or sponsor may be asked by the UK vetting authority to provide additional information in support of the vetting application.

¹ An example can be found in Annex B

² Form available here: https://www.gov.uk/government/publications/international-classified-information-security-clearance

Section 3: Submitting PSC requests for officials directly employed by NATO organisations within the civilian structure, the EU and ESA

Applicable vetting process

- 17. Vetting applications for UK nationals directly employed by a NATO organisation that sits within the Civilian structure (e.g. International Staff), a EU institution, agency or body, or the European Space Agency (ESA) are currently processed using an electronic system facilitated by FCO Services.
- 18. It should be noted that the process described in this section does not apply to the EDA, which is covered in Section 2 of this guidance. Nor does the process apply for Europol which has a separate arrangement with the National Crime Agency.
- 19. Staff seconded from HMG to International Organisations are vetted by their parent UK department/agency, not the International Organisation. If a seconded member of staff requires a new PSC or a renewal the Security Office of the International Organisation should contact the secondee's parent UK department/agency.

Requesting new PSCs or renewals

- 20. The Security Office of the requesting International Organisation should email the UK NSA the following:
 - i. A <u>short cover letter</u>³ that explains and confirms the need for the individual(s) to hold a PSC;
 - ii. A completed 'International E-form request' form; and
 - iii. A completed 'Subject non-UK residency history' form (only if the subject has resided outside the UK during the past 5 years).

Once all the relevant documents are received the UK NSA will submit these to the responsible UK vetting authority for further action. If the case is accepted by that vetting authority an email will be sent to the proposed vetting subject asking them to log in to their account and complete the E-form.

Timeframe for completing E-Form

21. The subject of vetting should be reminded by their local Security Office that they have 14 days to log in and unlock their account once emailed by FCO Services. Once logged in they have 30 days to complete their E-form. If the period expires a new request will need to be submitted and any data already input will be lost.

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³ An example can be found in Annex B

⁴ Forms available here: https://www.gov.uk/government/publications/international-classified-information-security-clearance

Section 4: Submitting PSC requests for contractor personnel participating in international defence classified contracts

Applicable vetting process

- 22. Vetting applications for UK nationals working on international defence classified contracts are processed using an online system known as NSVS.
- 23. National security vetting can only be considered by HMG in the following situations:
 - i. A UK based company has been awarded a classified contract requiring access to UK, NATO, OCCAR, EU or foreign government⁵ classified information at the level of CONFIDENTIAL or above:
 - ii. UK nationals working for a non-UK based company that has been awarded a defence classified contract requiring access to NATO, OCCAR, or EU classified information at the level of CONFIDENTIAL or above:
 - iii. UK nationals working for a non-UK based company that has been awarded a defence classified contract requiring access to both UK and foreign defence classified information at the level of CONFIDENTIAL or above⁵.

As an exception, HMG can consider the case for vetting contractors who require access to international classified information at the level of CONFIDENTIAL or above during the tender stage. However, in such cases the UK NSA would need to discuss and confirm the vetting requirement with the relevant Contracting Authority to ensure the request is justified. It is UK policy not to undertake speculative vetting.

Requesting new PSCs or renewals – Registering as a new sponsor

- 24. NSVS requires a sponsor to be able to confirm the requirement for vetting and the level required. When registered the sponsor will log into their NSVS account and submit a vetting application for the subject who requires a PSC.
- 25. For classified contracting the sponsor should be either a representative from the Security Office of the company or a representative from the Security Office of the Contracting Authority. The sponsor cannot be the subject of the proposed vetting.
- 26. In order for a company representative to hold a NSVS sponsor account the UK NSA requires the following from the Contracting Authority or relevant NSA/DSA/CSA of the company:
 - i. A <u>short cover letter</u>⁶ from the International Organisation or NSA/DSA/CSA that explains and confirms the need for the individual(s) to hold a PSC;
 - ii. A 'International Classified Contract Confirmation', form completed by the Contracting Authority or NSA/DSA/CSA of the company; and
 - iii. A completed 'International NSVS sponsor account application' form completed by the sponsor. The sponsor should be a security officer or other suitable individual (e.g. Managing Director, Head of HR, etc).

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⁵ Only if the UK has signed a bilateral Security Agreement or Arrangement with the foreign government concerned.

⁶ An example can be found in Annex B

⁷ Forms available here: https://www.gov.uk/government/publications/international-classified-information-security-clearance

Once these three items are received the UK NSA will submit the sponsor request to DBS NSV for processing.

Requesting new PSCs or renewals - NSVS sponsors

- 27. Companies that hold NSVS sponsor accounts for defence classified contracts can submit new PSC requests or renewals by logging into their NSVS sponsor account. Note: if a company already holds a NSVS sponsor account but this is for a non-defence classified contract then the company must reapply for a new NSVS sponsor account for this international defence classified contract and not use their other sponsor account.
- 28. Note that if the subject has a lack of residency in the UK the subject and/or sponsor may be asked by the UK vetting authority to provide additional information in support of the vetting application.

Section 5: Submitting PSC requests for contractor personnel participating in international non-defence classified contracts

Applicable vetting process

- 29. Vetting applications for UK nationals working on international non-defence classified contracts are currently processed using an electronic system facilitated by FCO Services.
- 30. National Security Vetting can only be considered by the UK in the following situations:
 - i. A UK based company has been awarded a classified contract requiring access to UK, NATO, EU, ESA or foreign government⁸ classified information at the level of CONFIDENTIAL or above;
 - UK nationals working for a non-UK company that has been awarded a classified contract requiring access to NATO, EU or ESA classified information at the level of CONFIDENTIAL or above; or
 - iii. UK nationals working for a non-UK company that has been awarded a classified contract requiring access to both UK and foreign government classified information at the level of CONFIDENTIAL or above⁸.

As an exception HMG can consider the case for vetting contractors who require access to international classified information at the level of CONFIDENTIAL or above during the tender stage. However, in such cases the UK NSA would need to discuss and confirm the vetting requirement with the relevant Contracting Authority to ensure the request is justified. It is UK policy not to undertake speculative vetting.

Requesting new PSCs or renewals

- 31. Apart from in the context of EU GNSS classified contracts (see below) the UK NSA requires the following from the Contracting Authority or the relevant NSA/DSA/CSA of the contractor:
 - i. A <u>short cover letter</u> from the International Organisation or NSA/DSA/CSA that explains and confirms the need for the individual(s) to hold a PSC;
 - ii. A 'International Classified Contract Confirmation' form completed by the Contracting Authority or relevant NSA/DSA/CSA of the company;
 - iii. A completed International E-form request 10 form; and
 - iv. A completed 'Subject non-UK residency history' form (only if the subject has resided outside the UK during the past 5 years).
- 32. Once all the necessary documents have been received the UK NSA will submit them to the responsible UK vetting authority. If the request is accepted by that vetting authority an email will be sent to the proposed vetting subject asking them to log in to their account and complete the E-form.

⁸ Only if the UK has a bilateral General Security Agreement or arrangement with the foreign government concerned.

⁹ An example can be found in Annex B

¹⁰ Forms available here: https://www.gov.uk/government/publications/international-classified-information-security-clearance

Timeframe for completing E-Form

33. The subject of vetting should be reminded by their local Security Office that they have 14 days to log in and unlock their account once contacted by FCO Services, and once logged in they have 30 days to complete their E-form. If this period expires then a new request will need to be submitted and any data already input will be lost.

EU GNSS classified contracts

34. UK companies participating in the EU GNSS Programmes currently do not follow the process set out in this section. They should consult the UK DSA for Galileo directly for information on how to submit PSC requests and renewals for GNSS classified contracts.

Europol classified contracts

35. UK companies participating in the Europol classified contracts do not follow the process set out in this section. They should consult the National Crime Agency for information on how to submit PSC requests and renewals

Section 6: Additional vetting considerations

Types of Personnel Security Clearance

- 36. Before submitting vetting requests using NSVS or the FCO E-form sponsoring organisations need to be aware of the two levels of UK National Security Vetting which permit access to international classified information. These are:
 - Security Check (SC) Permits access to international classified information up to and including the level of international SECRET; and
 - **Developed Vetting (DV)** Permits access to international classified information up to and including the level of international TOP SECRET.
- 37. A Counter-Terrorist Check (CTC) does not permit access to any international classified information at the level of CONFIDENTIAL or above.
- 38. The Baseline Personnel Security Standard (BPSS)¹¹ is not a personnel security clearance and the BPSS does not permit access to international classified information at the level of CONFIDENTIAL or above.

PSC decisions

- 39. Vetting requests at the level of SC can take a minimum of 30 calendar days to process once both the subject and sponsor have submitted their parts of the application. However, if the subject does not have sufficient UK residency, or further checks are required, or there are unforeseen administrative delays this can take considerably longer. Vetting requests at the level of DV typically take between 3-6 months to process. Given how long vetting can take PSC requests and renewals should therefore be submitted by the sponsor in good time.
- 40. After a vetting application has been processed by the appropriate UK vetting authority a decision will be taken. If a PSC has been granted the relevant UK vetting authority will usually send an e-mail to the sponsor and provide a NATO, EU or ESA PSC certificate (if requested and if applicable) and/or send a letter to the subject. If a PSC is refused the UK vetting authority will usually send a letter to the subject and/or sponsor. Please note that the sponsor will not be given the reasons for the refusal of a PSC.
- 41. Applicants should note that the UK NSA does not take vetting decisions and cannot question or influence the outcome of the vetting process. Any issues or questions regarding a vetting decision should be addressed directly to the relevant UK vetting authority.

Ongoing personnel security – employer's responsibilities

42. Any PSC issued by a UK vetting authority only provides a level of assurance at the time of the vetting decision, so should be subject to continuous review to ensure that the necessary level of assurance is maintained. UK vetting authorities are therefore reliant on the organisations where the subject works to undertake the ongoing personnel security function (i.e. aftercare).

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¹¹ Previously called the BC (Basic Check).

43. In order to maintain accurate PSC records Security Officers of the organisation where the subject works will need to inform the relevant UK vetting authority, and potentially the UK NSA, should they become aware of any adverse information.

Change in personal circumstance

- 44. Individuals granted a PSC have a responsibility to report any changes in their personal circumstances that may affect the status of their PSC. If the subject has recently got married, entered into a civil partnership or started living with a partner as a couple then that individual should complete the form 'Change of Personal Circumstances' questionnaire and submit this to the UK vetting authority which issued the PSC without delay.
- 45. If an individual granted a PSC has any other change in their personal circumstances not specifically listed in the previous paragraph (e.g. a change in nationality, a new criminal conviction, change of gender, change of home address, entering into financial difficulties, etc.) they should contact and inform the relevant UK vetting authority in writing without delay. Note that DBS NSV also have additional 'Change in Personal Circumstances' forms listed on GOV.UK¹³

Departures of employees holding a PSC

46. In order to maintain accurate vetting records the UK vetting authorities should be informed without delay if employees granted PSCs leave the employment of an organisation/company. Should an individual holding a PSC leave the employment of an organisation/company then the responsible Security Officer (or sponsor) should inform the relevant UK vetting authority of the departure as soon as is practicable. If it is not clear which is the relevant UK vetting authority for the former employee the UK NSA can be contacted instead.

Transferring an existing PSC

- 47. International Organisations/companies might consider employing UK nationals whom they believe may hold a current PSC from their previous employment. PSCs granted by the UK are role specific and time limited, therefore it should not be assumed that any previously issued PSC remains valid. The Security Officer of the employer should first check with the relevant UK vetting authority to confirm whether a previously granted PSC is still valid.
- 48. Assuming a PSC is still valid, and assuming no more than 12 months have passed between the subject working for their previous employer and joining the new employer requiring the PSC, a transfer request should be submitted by the new employer as follows:
 - Defence transfers Only NSVS sponsor account holders can submit transfer requests. Such sponsors should log into their NSVS sponsor account and submit a 'transfer' request.
 - ii. Non-defence transfers The Security Officer of the employer should email the <u>UK NSA</u> stating the following:
 - Full name, date of birth and place of birth of the subject;
 - Date the subject joined the organisation requiring the PSC;
 - Date the subject left their previous employer where the PSC was held;

¹² https://www.gov.uk/government/publications/change-of-personal-circumstances

https://www.gov.uk/government/collections/national-security-vetting

- Level of PSC held, including any reference numbers (if known); and
- The UK department/agency that granted the PSC (if known).
- 49. If a transfer request is authorised then the PSC will remain valid for the current employment. It should be noted that transfer requests can be denied because of restrictions/limitations associated with the PSC.
- 50. Any previously issued PSC that is not transferred within 12 months of the subject leaving their previous employment will automatically lapse and cannot be reinstated. It is essential therefore that transfer requests to be submitted in a timely manner.

Sharing an existing PSC

51. Occasionally it may be necessary for an organisation/company to share an existing PSC of an individual rather than to transfer it. An example of this is a consultant who may occasionally undertake classified work for one organisation, but is contracted by another organisation that also requires the PSC. In that scenario the PSC should be requested to be 'shared' rather than 'transferred'. The process described in the previous sub-section applies but a 'share' should be requested rather than 'transfer'.

NATO, EU or ESA PSC certificates

- 52. The UK can consider issuing NATO, EU or ESA PSC certificates if they are required. Such certificates are not issued by the UK NSA but by the UK vetting authority which took the PSC decision. Note: contractors cannot self-issue NATO, EU or ESA PSC certificates.
- 53. NATO, EU or ESA PSC certificates can be requested as follows:
 - i. Defence organisations/contractors NSVS sponsor account holders should log into their sponsor account and submit a request for a certificate or contact the Helpdesk.
 - ii. Non-defence organisations/contractors The Security Officer of the employer should email the relevant UK vetting authority responsible for the PSC to ask for a certificate.
- 54. Note that NATO, EU or ESA PSC Certificates issued by a UK vetting authority may have an expiry date before the actual SC or DV expires.

Annex A: UK PSC applications using NSVS

Eligibility for holding a NSVS sponsor account

1. As stated in this document NSVS sponsor accounts can only be requested by an organisation/company which has a genuine and confirmed requirement for their staff to hold PSCs.

Registering for a NSVS sponsor account

- 2. Once a NSVS sponsor account has been requested, following the process set out in Sections 2 and 4 of this document, the UK NSA will submit the forms onto DBS NSV for further processing. DBS NSV, not the UK NSA, manages NSVS and processes vetting applications submitted using the system.
- 3. When DBS NSV has created a NSVS sponsor account an email will be sent to the nominated sponsor prompting them to activate the account through the NSVS portal. Additional guidance on how to register is available on GOV.UK¹⁴.

Guidance on using NSVS

4. Guidance on using NSVS is available on GOV.UK for both the sponsor¹² and subject¹⁵.

Applicable Personnel Security Clearance levels

- 5. As set out in Section 6 of this document there are only two applicable National Security Vetting levels for international purposes: 'SC' (for access up to SECRET) and 'DV' (for access to TOP SECRET).
- 6. NSVS Sponsors must only select the necessary level of vetting required for the subject to undertake their duties or the classified contract. Given the cost, the resources involved, and the level of intrusion into an individual's privacy any application for a DV will be scrutinised by DBS NSV to ensure they are being correctly requested. Unjustified requests for a DV may be considered a violation and may result in an account being terminated.
- 7. NSVS sponsors should not select a 'CTC', as this has no equivalence where it concerns access to international classified information.

Terms of use for NSVS sponsors

- 8. PSC requests can only be submitted for an individual when there is a genuine and confirmed requirement for that individual to be vetted. Therefore NSVS sponsors are entrusted to use their account responsibly. Speculative requests or vetting requests submitted when no access to classified information is actually required by the subject is considered a violation and may result in the account being terminated.
- 9. NSVS sponsor accounts are to be used solely by the individual who has requested and registered the account. The access and use of a NSVS sponsor account by any other individual is considered a violation and may result in the account being terminated.

https://www.gov.uk/government/publications/dbs-national-security-vetting-solution-guidance-for-subjects

¹⁴ https://www.gov.uk/government/publications/defence-business-services-national-security-vetting-e-form-portal-sponsor-guidance

Additional sponsor accounts or new accounts to replace previous sponsor

- 10. If an organisation requires a new NSVS sponsor account because the previous holder has left employment, or the organisation needs to set up an additional NSVS sponsor account (e.g. for a deputy personnel security officer), then a new NSVS sponsor application is to be submitted as described by Sections 2 or 4 of this guidance.
- 11. If the new NSVS sponsor account request is to replace an existing account holder the NSVS sponsor ID number of the previous holder should also be quoted in the application to ensure existing PSCs are mapped to that account.

Withdrawing vetting applications on NSVS

12. If a subject currently undergoing the vetting process leaves employment, or no longer requires access to international classified information at the level of CONFIDENTIAL or above to fulfil their duties, the sponsor is responsible for withdrawing their vetting application on NSVS as soon as is practicable. Please log onto the NSVS portal in order to action this.

DBS NSV Helpdesk contact details

Opening Times: Monday to Friday, 08:00 – 17:00

Email: DBS-NSV-Customerenquiries@mod.uk

Telephone: +44 (0)1904 662 644

Address: Defence Business Services National Security Vetting

Building 107, Imphal Barracks

Fulford Road

York

YO10 4AS

United Kingdom

Annex B: Sample cover letter for PSC request

What follows is a sample cover letter that can be used by International Organisations and Government Security Authorities to confirm a PSC requirement for a UK national. International Organisations and governments authorities are free to use their own templates for their cover letters provided the minimum information listed below is included.

If this sample is used it needs to be amended and modified depending on the circumstances and nature of the request. It should also be appropriately headed, signed and include contact details so that the letter can be verified by the UK authorities.

UK National Security Authority Cabinet Office Room 335 70 Whitehall London SW1A 2AS United Kingdom

Dear Sir,

Subject: APPLICATION FOR PERSONNEL SECURITY CLEARANCES FOR ACCESS TO [NATO / OCCAR / EU / ESA] CLASSIFIED INFORMATION

- 1. [Company name (full company address)] is conducting work for [NATO / OCCAR / EU / ESA] on [Insert name of contract, subject, brief details of the tender/contract, any contractual reference number(s), etc].
- 2. This [tender/contract] requires this contractor's personnel to have access to classified information at the level of [NATO / OCCAR / EU / ESA CLASSIFICATION LEVEL] and [access to [Insert details of establishments where access is needed to fulfil the classified contract if applicable]].
- 3. It is requested that the personnel listed in the attached Contractor PSC Confirmation form be vetted in order to obtain a Personnel Security Clearance (PSC):

Full name:
Date of birth (Day/Month/Year):
Place of birth:
Level of PSC needed:

[Signed and dated by an appropriate security representative of the requesting International Organisation / Government]

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