

## Sensitive Information Protocol

1. This is a public document detailing an information handling protocol in respect of the Undercover Policing Inquiry; this protocol covers:

Information Management – how the Inquiry deals with the evidence it has to provide assurance to all those giving the Inquiry evidence that their information and their details will be looked after.

Procedures for Releasing Information into the Public Domain – what evidence will and will not be released into the public domain.

## Information Management.

2. The Inquiry has a duty to provide secure storage of all electronic and hard copy information it receives and holds on behalf of another person or body, or information it creates. The Inquiry has put both the physical security and the processes in place to ensure that:
  - a. information is handled with care to prevent loss or inappropriate access, and deter deliberate compromise or opportunistic attack;
  - b. Inquiry staff are security cleared to a minimum of 'Security Cleared';
  - c. all staff complete information handling training to understand that they are personally responsible for securely handling any information that is entrusted to them;
  - d. systems are in place to prevent accidental or deliberate compromise or damage during storage, handling, use, processing, transmission, transport or disposal of material; and
  - e. systems are in place to detect actual or attempted compromise and make it likely that those responsible will be identified.
3. How the Inquiry deals with any personal data it holds is prescribed by the Data Protection Act 1998. The Inquiry follows the Data Protection principles to ensure that information is:
  - obtained, held, used and disclosed fairly and lawfully;
  - obtained, held, used and disclosed for specified and lawful purposes (in this case, to enable the Inquiry to fulfil its Terms of Reference and to comply with the right of public access under section 18 of the Inquiries Act 2005, the Chairman's duty to maintain an inquiry record and to preserve it for archiving under paragraph 18 of the Inquiry Rules 2006);
  - obtained, held, used and disclosed in a way that is adequate, relevant and not excessive to these purposes;
  - accurate;
  - kept for no longer than is necessary for the purposes for which it is held
  - handled according to people's data protection rights;
  - kept safe and secure; and
  - not transferred outside the UK without adequate protection

4. There is stronger legal protection for more sensitive information, such as:
  - ethnic background;
  - political opinions;
  - religious beliefs;
  - health;
  - sexual health; and
  - criminal records.

### **Releasing Information into the Public Domain**

5. Publication of relevant evidence given to the Inquiry is regulated by the statutory framework provided by the Inquiries Act 2005 and, in particular, sections 17 to 20 of the Act. The Inquiry will decide what evidence is relevant and necessary having regard to the terms of reference set by the Home Secretary and the discretion afforded to the Chairman of the Inquiry in paragraphs 8 & 9 thereof. Evidence will only be relevant and necessary if it advances the work of the Inquiry. The intention is that documents and written evidence determined to be relevant and necessary by the Inquiry will be made available to the public unless and to the extent that publication is restricted by a restriction order made under section 19 of the Inquiries Act 2005. The manner and timing of release of evidence into the public domain will be decided by the Chairman.
6. Transcripts of all public hearings will be published on the Inquiry's website. Transcripts of private or closed hearings will not be released into the public domain. The presumption is that hearings will be held in public. Whether, in relation to any particular evidence the Inquiry should hear such evidence in private or closed session will be a decision for the Chairman. Such decisions will be made in accordance with section 19 of the Inquiries Act 2005.