The National Archives

Personal information: a guide for justification wording

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This guide contains examples of the types of personal information in closed records at The National Archives. It is intended as a guide to the justifications that can be put forward to the Advisory Council on National Records and Archives.

It is not intended to be guidance on what is and is not sensitive in regards to personal information. The inclusion of an entry may indicate that a subject matter has been judged to be sensitive by other government departments, however non-inclusion does not imply that no sensitivities apply.

Closure period

Unless stated, personal information is closed for the lifetime of the identified individual; this assumes a lifetime of 100 years. See the Guide to archiving personal data [1] for further details.
There is separate guidance on calculating closure periods, however the age or assumed age of individuals should always be given as part of the justification.

Justification wording

Applications to close under section 40(2) should not include the name of individuals; the important thing is they are identifiable or named within the record. The justification must include the type of personal information to be closed. Contextual information may help as part of this, and that detail should be provided if it would assist, ie 'named benefit claimants', or for Crown court cases differentiating between the defendant and the victims.

[1] Paragraph 73, page 31, Guide to Archiving personal data

Subject / Information type	Closure detail	Notes
	Finance	
Receipt of benefits (aged 16 plus)	...contains the personal information of named benefit claimants.	
Receipt of benefits (aged under 16 - won't be the claimant)	...contains the personal information of a named benefit recipient.	
Receipt of compensation	...contains details of payments made to next of kin of military personnel killed or injured during xx. ...contains details of named claimants to the xx, including home addresses, family circumstances, medical conditions of individuals, and details of payments made	
	...contains rent paid by named tenants.	
Details of bankruptcy	...contains financial information about a named individual, including details of their bankruptcy.	
Financial information	...contains financial information about named individuals, including details of investments and loans made by them.	
	...contains personal tax data of named individuals provided in confidence. ...contains personal information of named individuals and their beneficiaries, aged at least 16. The information is of a financial nature and was provided in confidence.	Section 41 may also apply
	...contains financial and business-related information that was provided in confidence.	This is in relation to individuals, for businesses only section 41 may apply where closure would be for 'rolling 10' years
	Family life	
	...contains details of an inappropriate relationship between named individuals. ...contains comments on the morals of a named individual. ...contains personal information on a named individual, including divorce	

	proceedings and an extra-marital affair.	
Details of children - family life	... contains details of the sexual lives and personal relationships of named individuals, aged xx	
	...contains the personal details of named military personnel, including marital details and details of children.	
Residence in care homes / approved schools, etc	...contains information on individuals' resident in a care home, including their background, medical information and references to behavioural issues. The youngest aged at least xx. ...contains details of individuals in care, including their medical details and references to behavioural issues.	
	...is a social welfare report on a named individual.	
	...contains details of maintenance payments made and claims of illegitimacy, as well as identifying children who were taken into care or were adopted.	
	...contains details of individuals in care, including alleged acts of brutality and details of corporal punishment administered.	
	Crime	
Indictments	...concern victims of sexual offences, juvenile defendants or defendants suffering from mental illness. The age of many victims is unknown.	A flat 100 years closure (lifetime as ages are unknown and often not estimate-able)
Personal information in crown court case files	...are medical, police, social and probation [delete as appropriate] reports on the defendant.	
victims of crime – where re introduction of the details may harm the health of the victim	...identifies the victim of a sexual crime. The piece contains details of the crime, release would harm the mental health of the victim.	Section 38 may also apply
military (not in the public domain)	...contains information concerning court martials. The extracts name the defendants and include sentencing details. ...contains details of Courts Martial of military personnel, not in the public domain.	
Allegations (criminal or otherwise)	...contains allegations of corruption against named individuals. ...contain unsubstantiated allegations of [arms smuggling] by UK citizens.	
	...contains personal information about named individuals, whom the police	

	were keeping under surveillance on suspicion of xx.	
	...identifies individuals arrested under the Prevention of Terrorism (Emergency Provisions) Act, but who were subsequently released without charge.	
	Nationality and citizenship	
naturalisation / nationality	...identify an individual who applied for naturalisation, and includes personal information. ...contains details of an individual's naturalisation application.	
	...is a naturalisation certificate and includes extensive personal details.	
	...contains an individual's application for residency, and include extensive personal details.	
	...contains individuals' passport applications, and includes extensive personal details.	
	...contains details of the citizenship of a named individual.	
Applicants for political asylum	...contain the names and personal details of applicants for political asylum. ...contain details of named individuals applying for political asylum.	
Visa Warning list	...identifies individuals on the Visa Warning Index, and include personal information.	
	Employment	
Personnel file	...is the personnel file of a named individual.	
CVs, employment / biographical details	...contains CVs of named individuals. ...contains the employment details of xx. ...contains biographical and pay information for an individual working for xx.	
Comments on performance	...contains comments about the abilities of named British officials. ...contain personal details, including frank comments on the performance of named staff.	
Security concerns	...identifies a named individual whose employment was rejected on security grounds.	
Discipline action	...contains details of disciplinary action against named individuals.	
	Military Service	
Next of kin – contact details	...contain contact details of the next of kin of military personnel lost in the xx.	
Desertion	...contains the personal information of a named individual who deserted from	

	the Royal Navy / the Royal Marines / the Army / the Royal Air Force.	
SOE membership or clandestine activities in World War Two (applicable to HS 9s)	...contain information regarding identifiable individuals' specific activities during the Second World War, including membership of SOE, involvement in clandestine activities, or actions against these activities.	
	Health	
Medical details	...contains the medical details of named individuals. ...contains medical information on named individuals. ...contains personal information and details of the medical conditions of named individuals. ...contains personal and medical information of named individuals.	
Medical records	...contains the medical records of named individuals.	In the first instance apply a lifetime closure, however closure can extend beyond death under section 41.
Mental health	...contains information on the mental health of named individuals. ...contains allegations about the mental health of a named individual. ...contains details of the psychological condition of a named individual. ...contains references to the mental instability of a named individual.	
Suicide attempts	...identifies an individual who attempted to commit suicide.	
Exposure to substances with health implications	...contains the radiation levels individuals were exposed to.	
Religious affiliations	...contains the religious affiliations of named individuals.	
Political affiliations	...refers to a leading politician, described as active in PIRA. Links with PIRA of this kind have been consistently denied by the individual concerned.	Departments are not expected to redact the political affiliations of those who have held political office, ie the political party of a Member of Parliament.
	...contains personal details of named individuals suspected of Communist	

	affiliations.	
	...identifies suspected IRA sympathizers and members. Release would harm the physical safety of the individuals. ...contains names and addresses of detainees, the youngest aged at least 18. Release would harm the physical safety of the individuals.	For somewhere where political opinions are a heated issue, s38 may also apply.
Defectors		
Sexual orientation	...contains details of the sexual orientation of a named individual. ...contains details of the alleged homosexuality of a named individual.	
Derogatory comments	...contain critical and derogatory remarks about the personal qualities of candidates for the position of xx.	
	...contains derogatory remarks calling into question the professional competence of named individuals.	

In some instances there may be no personal information on those identified other than the contextual information, however the two together is personally sensitive. An obvious example of this would be a list within a file identifying those who provided evidence to an Inquiry

Subject / Information type	Closure detail	Notes
Wards of Court	...identifies children who were named Ward of Court.	
Illegitimacy	...identifies individuals as illegitimate. ...contains details of the illegitimacy of named individuals.	
Adoption	...identifies children were who adopted. ...identifies an individual as adopted, and includes details of their family situation.	
Juvenile defendants / convictions	...identifies a juvenile defendant [at the time of crime]. ...contains details of juvenile convictions of named individuals. ...contains juvenile witness statements.	
Victims of sexual crime - including rape and buggery	...identifies victims of sexual crime.	

Complainants	...identifies members of the public who submitted complaints to xx.	
UK intelligence officers		The identity of UK intelligence officers is classified and should be retained.
Overseas intelligence officers	...identifies a [CIA] officer, aged at least 18. Release would harm UK relations with [the USA].	Section 27(2), in many cases section 40 will not be seen as applying. A lifetime closure is 82 years, aged at least 18.

Section 38 – where there is no personal information on those named.

Subject / Information type	Closure detail	Notes
The families of the victims of crime and other events, where they may not know the full details previously.	...contains details of a murder. Release would harm the mental health of the victim's xx. ...contains details of a fatal aircraft crash. Release would harm the mental health of their next of kin.	

Section 38 – where there is personal information on those named.

In some instances, it is the identity of individuals, and their addresses are sensitive, in the context of other information. Sections 38 and 40(2) will apply in these instances.

At its May 2012 meeting the Advisory Council discussed the overlap between s38 and s40, as in some instances it has not been clear where the divide lies between what is to be closed under s38 and under s40.

Although there remains a distinction, the Advisory Council asked that s40 be used in addition to s38, where release would endanger the physical safety of the individual/s named, as names are personal information.

It remains that s38 is adequate on its own when it is used for the mental distress to an identifiable third party.

Subject / Information type	Closure detail	Notes
Informants	...identifies a named informant. Release would harm their physical safety.	
Police informants		Consult if you think this might be the case as other exemptions may apply s31 – law enforcement (the process) and s41 – information provided in confidence.
Special Branch officers	...identifies Special Branch police officers.	
Terrorists and those linked to terrorist organisations		
Military service in Northern Ireland / terrorism (commanders' diaries)	...identifies individuals throughout who are linked in many incidences to violent actions or terrorist organisations. Release would harm the physical safety of the individuals through reprisals. Aged at least 16. ...identifies soldiers who served in Northern Ireland during the troubles. Release would put the individuals at risk of retaliation from terrorists.	
Special Forces	...identifies individuals who served in the xx.	
Those involved in animal experimentation		
Judges	...contains the home addresses of judges. Release would put them at risk of reprisals from offenders.	Lifetime (aged at least 40 / 60 years)
Parole Board members	...contains names and home addresses of judges and members of Parole Boards. Given the context of the discussions covering the reasons for the refusal of parole, there is a risk of reprisals and release would harm their physical safety.	lifetime (aged at least 30 / 70 years)