#Security clearance appeals policy

The Cluster 2 Security Unit (C2SU) forms part of the Transforming Government Security programme, which aims to standardise and strengthen operational security across Government.

The Ministry of Justice (MoJ) is part of Cluster 2, and so must adhere to this policy.

This policy applies to permanent members of staff and contractors’ employees employed on the work of the MoJ, and those organisations for which the Cluster 2 Security Unit holds the responsibility for vetting, including non-departmental public bodies (NDPBs).

It also applies to:

* Existing contractors’ employees or other non-permanent staff, who are already engaged in the work of the MoJ.
* Existing permanent members of staff of other government departments and organisations who have applied for a security clearance with the MoJ.
* Existing contractors’ employees already engaged on government work in other departments and organisations who have applied for a security clearance with the MoJ.

It *does not apply* to individuals on initial recruitment to the Civil Service seeking a first security clearance for permanent employment or contractual work with the MoJ.

It *does* include existing employees of a contractor who are newly deployed to contracted work for the MoJ.

**Parent topic:** [Personnel security clearances](personnel-security-clearances.md)

##Policy

The MoJ provides a right of internal appeal to the Permanent Secretary where an individual who falls within the scope of this policy has a security clearance refused or withdrawn by the Cluster 2 Security Unit. The appeal **SHOULD** be submitted within 15 working days of notification of the refusal or withdrawal decision.

Where the Permanent Secretary upholds the vetting decision to refuse or withdraw security clearance, there is a further avenue of appeal to the independent Security Vetting Appeals Panel (SVAP). This appeal **SHOULD** be submitted within 28 days of notification that the vetting decision has been upheld.

To achieve this requirement, the Cluster 2 Security Unit must:

* Ensure that the decision to refuse or withdraw national security clearance for an existing permanent or contracted employee (as identified previously) is communicated to the individual promptly and in writing.
* Ensure that the individual is given the full reasons for the decision, and the relevant facts upon which it was based, as far as considerations of security and confidentiality allow.
* Provide the employee with a clear explanation of their right to an internal appeal and the mechanisms by which they can make that appeal, and of their entitlement, should they remain dissatisfied with the outcome, to appeal to the Security Vetting Appeals Panel (SVAP).
* Ensure the appeal process will be carried out independently from the vetting decision makers and anyone involved in the original decision to refuse or withdraw clearance. The process will also - as far as issues of national security and confidentiality allow - be undertaken with transparency, providing a fair opportunity for the appellant to address the reasons for the decision.

##Further guidance

Detailed guidance on the processes and timescales for internal and external appeals is given in the Security Clearance Appeals Procedures.

More information about the Security Clearance Appeals Procedures can be found on the [MoJ Intranet](/).

##Contacts

For any further questions relating to security, contact: [security@justice.gov.uk](mailto:security@justice.gov.uk), or for security advice, contact the [Cyber Assistance Team](mailto:CyberConsultancy@digital.justice.gov.uk).

##Feedback

If you have any questions or comments about this guidance, such as suggestions for improvements, please contact: [IT policy content](mailto:itpolicycontent@digital.justice.gov.uk).