

REDACTION TOOLKIT

GUIDELINES FOR THE EDITING OF EXEMPT INFORMATION FROM DOCUMENTS PRIOR TO RELEASE

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1 Purpose of this toolkit

- 1.1 This toolkit has been produced to provide guidance on the editing of exempt material from information held by public bodies. Its purpose is to promote good records management practice across the public sector and to assist in the implementation of the Freedom of Information Act. Under the Act, authorities are required to supply information to anyone that requests it unless an exemption applies, and even then, there is a further requirement, in most cases, to consider whether the public interest lies in providing the information or maintaining the exemption.
- 1.2 The Lord Chancellor's Code of Practice on Records Management, issued under S 46 of the FOI Act, states that where a complete document cannot be made available 'Authorities should consider whether parts of records might be released if the sensitive information were blanked out'. (Para 11.7) While this applies only to public records being transferred to record offices, it nonetheless serves as a general reminder of one of the basic features of the Act, namely the right of access is to information not records or documents.
- 1.3 The guidance will cover a number of redaction methods for presentation of information in hard copy. It will examine several processes, but will not recommend any overall, as it is for each authority to decide which best applies to its organisational demands and the resources it has available. It will also discuss some of the issues involved in the redaction of electronic data.

2 Who is this guidance for?

- 2.1 This toolkit is aimed at all authorities subject to the Freedom of Information Act (FOIA), Data Protection Act (DPA) and Environmental Information Regulations (EIR's), from central Government departments to local police, health and education authorities.
- 2.2 If you are unsure whether your organisation is affected by FOI, a list can be found in Schedule 1 to the Act, which can be purchased from HMSO or seen at <http://www.hmso.gov.uk/acts/acts2000/20000036.htm>. An up to date list of bodies subject to the Act is available on the website of the Department for Constitutional Affairs at <http://www.dca.gov.uk/foi/coverage.htm>.

3 What is redaction?

- 3.1 Redaction is the separation of disclosable from non-disclosable information by blocking out individual words, sentences or paragraphs or

the removal of whole pages prior to the release of the document. Some organisations will know redaction as extracts when whole pages are removed, or deletions where only a section of text is affected.

4 Principles of redaction

- 4.1 Redaction should always be reversible - it should never result in permanent removal of text. Redaction should always be carried out on copies.
- 4.2 Redaction is carried out in order to edit exempt details from a document. It should be used when one or two individual words, a sentence or paragraph, a name, address or signature needs to be removed.
- 4.3 If so much information has to be withheld from a page that the document becomes nonsensical, the entire page should be removed, forming an extract rather than a deletion. In such cases it is for those creating redacted documents for release to use their judgement as to what is necessary to present requested information.
- 4.4 When photocopying an original document prior to redaction, reviewers should consider whether any other factors are important for the understanding of the material. For example, if colour makes meaning clear (for instance on a colour map), a redacted colour copy should be released.
- 4.5 Redaction should be performed or overseen by staff that are knowledgeable about the records and can determine what material is exempt. If those staff identifying such material do not carry out redaction themselves, their instructions must be specific e.g. 'Memo dated ..., paragraph no..., line starting... and ending...' etc.
- 4.6 Under FOI, applicants may request that information be presented to them in electronic form. For paper documents, this will usually mean scanning the redacted version of the material. If, however, the level of resources required to do the scanning would make this unduly onerous, the FOIA allows the organisation to set aside the applicant's stated preference on the grounds of practicability (S 11). The Act also permits that a summary of the document be transcribed. If a large percentage of the document needs to be redacted, this option of summarising its contents may be worth considering as a more viable alternative to redaction.
- 4.7 Departments should bear in mind that exemption decisions will be subject to appeal. For more information, see Section XII of the Code of Practice under Section 45 of the FOI Act
<http://www.dca.gov.uk/foi/codepafunc.htm#part16>

5 Identifying material for redaction

- 5.1 All organisations should have staff able to identify information that may be exempt under the Freedom of Information Act and the Environmental Information Regulations. Ideally they should have a good knowledge of the records being reviewed for release.
- 5.2 All staff should be aware of the categories of information that should not be released under the Data Protection Act. Guidance on exemptions is available at the FOI section of the Department of Constitutional Affairs' website www.foi.gov.uk and on the website of the Office of the Information Commissioner <http://www.informationcommissioner.gov.uk/>
- 5.3 In order to conform fully with requests for information, it is essential that only exempt material be redacted. A whole sentence or paragraph should not be removed if only one or two words are non-disclosable, unless release would place the missing words in context and make their content or meaning clear.
- 5.4 Reviewers should also consider that earlier statements in a document might suggest the content of removed material. For example, if a paragraph refers to reports from overt sources, and the following paragraph refers to reports from covert sources, as well as removing the words 'covert sources', 'overt sources' would also need to be removed or the meaning of the missing words from the second paragraph could be inferred.
- 5.5 Files should also be checked for other copies of the same documents so that redaction is carried out consistently, and indexes should be checked to ensure that they do not contain details of the redacted material.

6 Keeping records of redaction work

- 6.1 Once redactions have been identified and agreed with any other interested parties, decisions need to be recorded. For some organisations, simply keeping a copy of the released copy of a document may be enough, with a note explaining the reasons for redaction.
- 6.2 If multiple requests are made for the same information, this will also show what decisions have been made in prior requests. If more detailed records of decisions are required, this can be done on a standard form recording as much of the following information as is relevant:
 - An identifying document reference, registered file number or case file number. This identifier can be anything that suits the organisation concerned, but must enable easy identification and retrieval of the document. The format chosen should be used consistently
 - Precise details of the material removed (this need not describe the content, but should show which section of the document has been

withheld e.g. paragraph 2 of page 4. However, if only one or two words are being withheld, these details will need to be exact to enable precise identification)

- The reason for non-disclosure of the information. If one or more FOI exemptions apply, these should be noted, along with the particular reasons that apply in each case
- Any comments made by reviewers and other organisations or individuals consulted

Sample forms for recording decisions can be found at Appendix 1 of this toolkit.

Once this has been done, the document can be redacted.

7 Redaction of documents in hard copy

7.1 Redaction **must always** be carried out on a copy, leaving all the information contained in the original document intact.

7.2 There is a range of redaction methods, and any may be used effectively according to what best suits the organisation concerned. This may depend on issues such as the structure and content of the document, the degree of confidentiality, cost and time available. However, whichever method is employed, the end result must ensure that the redacted material cannot be seen or guessed due to incomplete redaction. This means being certain that words cannot be made out when the document is held up to light or that the ends, top or bottom of text are not visible.

8 Methods of redaction

8.1 Cover-up tape. The simplest form of redaction is to use a high quality cover-up tape that can be placed on the original documents over the areas to be redacted, taking care that no parts of words are showing. By making a photocopy of the redacted text, an access version is produced ready for presentation. The tape is white, and acts in much the same way as if using correction fluid, but can be reused several times. It is available in 1/6" for a 10-12 font typewritten line, 1/3" for two typewritten lines and 1" for general corrections.

8.2 Blacking/whiting out. Another simple solution is to photocopy the original document and use a black marker pen to block out the sensitive material. The redacted version should then be photocopied again to produce an access version. The further photocopy is necessary as information redacted using marker pen can be read when held up to light.

- 8.3 The same process can be employed substituting a good quality correction fluid for marker pen. Ensure that no redacted text is visible before making the second photocopy, which again is necessary as correction fluid can be easily removed.
- 8.4 Scalpel. This is perhaps the most precise and secure method of redaction as the exempt material is physically removed, leaving no risk of text being visible in the released version. A photocopy of the original is made. The material to be redacted is then cut from this photocopy using an artist's scalpel or similar tool, leaving a 'doily', which is then photocopied again to provide the redacted document.
- 8.5 Photocopier with redaction facilities. Photocopiers are available which, in addition to normal copying functions, also have facilities to automatically remove marked out areas on a document. They provide a secure method of redaction, as there is no possibility of the removed text being visible after copying. However, they are limited in their effectiveness as the programmes can, at present, only remove paragraphs and stand-alone areas of text such as addresses or signatures. They cannot reliably detect small areas of data such as sentences or individual words. A photocopier of this nature would probably be cost-effective only for organisations carrying out a large volume of redaction, where savings on more conventional materials would outweigh the cost of investing in such a copier.

9 Redaction of electronic records

- 9.1 At the time of writing, redaction of born-digital records remains a relatively new area of records management practice, and raises unique issues and potential risks.
- 9.2 Electronic records may incorporate change histories, audit trails, or embedded metadata, which can allow deleted information to be recovered, or otherwise circumvent simple redaction processes. In addition, cryptographic and semantic analysis techniques can potentially be used to identify redacted information. A range of redaction methods are required, depending on the nature and format of the electronic record to be redacted.
- 9.3 However, no method, including the use of commercial redaction software, should be regarded as secure unless it has been rigorously tested to ensure that it provides for the irrecoverable erasure of redacted information. It is essential therefore that organisations are aware of these risks and discuss options with those responsible for information security.
- 9.4 If there are concerns that redacted formats cannot be released in electronic form with security, the FOIA allows organisations to present information in alternative formats, such as printouts. Should organisations

choose this approach, the reasons for doing so should be explained to applicants.

9.5 When redacting electronic formats, a record of decisions should be kept in the same way as with paper formats. At the very least, the following needs to be noted:

- Who has carried out the redaction?
- What has been redacted?
- When was this done?
- Why was this done? Quote the exemptions applied in each case.

9.6 The redacted version of the record should be saved into an electronic records management system (ERMS) at the time of creation. This will automatically record the identity of the individual saving the document as well as the time and date. Recording the reason for redaction needs to be input manually.

9.7 Some ERMS solutions offer additional functionality whereby it is possible to create a rendition, which is a related instance of the original document. The rendition can be redacted and saved within the ERMS and its relationship to the original document will be recorded by the ERMS.

9.8 Detailed guidance on secure redaction techniques for specific types of electronic record will be provided by TNA in due course.

10 REDACTION FOR TRANSFER TO THE NATIONAL ARCHIVES

- 10.1 Public record bodies transferring records to The National Archives (TNA) or a place of deposit (another archives office authorised to hold public records), whilst using the same redaction processes as for any organisation, must nevertheless bear other factors in mind.
- 10.2 There is a need for decisions to be recorded in detail and for the transferring department to be able to track and retrieve any material withheld from TNA under Section 3(4) of the Public Records Act 1958. The fact that material has been extracted will be shown on TNA's online catalogue in the form of items showing the identifying reference (but not details of the material itself) and in most cases the justification for redaction. This may increase the likelihood of an FOI request being made against it. It is therefore all the more essential that such material can be identified and retrieved.

11 Documentation of material for redaction

- 11.1 Once reviewers have identified material for redaction, a record of decisions should be kept showing:
- An identifying reference such as a National Archives reference, registered file number or case file number.
 - Precise details of the material removed (this need not describe the content, but should show which section of the document has been withheld e.g. paragraph 2 of page 4. However, if only one or two words are being withheld, these details will need to be exact to enable precise identification)
 - The reason for non-disclosure of the information. If one or more FOI exemptions apply, they should be noted, along with the particular reasons they apply in this case.
 - The reason for withholding the information from TNA, if applicable (retention under S 3(4) of the Public Records Act), i.e. the criterion and the reason it applies
 - Any comments made by reviewers and other organisations or individuals consulted, bearing in mind that records may be the subject of further requests
- 11.2 If the reviewer passes the record on for redaction, this form can also serve as a method of conveying redaction instructions. The record of decisions should be retained until the full record is transferred to TNA or released.
- 11.3 Once redaction has been completed, the redacted copy placed on the file should be marked to show under what authority the redaction has been effected e.g. 'Retained under S 3(4) of the Public Records Act' or

‘Closed under FOI Exemption 42’. Departments redacting a significant volume of material may find it beneficial to procure stamps for this purpose. Alternatively, good quality labels showing the same information can be attached to the photocopied redacted version, providing they cannot easily be removed.

- 11.4 Redacted sheets within a larger document can be more readily identified if photocopied onto brightly coloured paper such as green or blue. This is not mandatory, but will make it clear to departmental staff using the record for administrative purposes in future that further redacted information was withheld at the time of transfer and will be available elsewhere, and makes the relevant page easier to locate at TNA when the full version is released and replaced in the original file.
- 11.5 The closed extract should be tagged into an acid-free folder with its TNA item reference clearly marked on the front e.g. DEFE 19/143/1. It should then be stored in a secure cabinet or room.

12 Transfer of closed extracts to TNA or places of deposit (unredacted originals)

- 12.1 Redactions closed under FOI exemptions should be transferred to TNA once the Lord Chancellor’s Advisory Council on Public Records has approved the exemptions, ideally at the same time as its parent piece¹. The extract file should be placed in the box next to its parent piece, and its closure details marked on the AA2 transfer form and Access form.
- 12.2 If this is not possible due to pending approval from the Advisory Council, the extract should remain with the department until the Advisory Council has completed its consideration of the matter.

13 Storage of retained extracts

- 14.1 Retained extracts should be placed in an acid-free folder and marked with their catalogue item reference as required for transfer to TNA and departments may find it useful to attach a copy of the redacted access version for future reference. This will particularly aid FOI requests, as it will allow reviewers to see at a glance the redacted material being applied for.
- 13.2 These extract folders should then be kept in an organised system to enable easy recovery in the event of an FOI request. Examples of such systems would be to file records from each TNA class together, ordering by year and either TNA or departmental reference within that, or noting a shelf location on an extract tracking system.

14 Tracking of retained redactions

14.1 With the enactment of the Freedom of Information Act and the Environmental Information Regulations, public record bodies will need to know what information they hold, including what has been retained under S 3(4) of the Public Records Act. In addition to this, information needs to be easily retrievable to ensure compliance with FOI and EIR's.

14.2 Departments and agencies should ideally have a database or spreadsheet recording their retained extracts, showing some or all of the following information:

- TNA reference of the parent piece from which the extract has been removed e.g. FO 371/148909. The extract itself should be given an item number that corresponds to TNA's Catalogue entry for the extract e.g. FO 371/148909/1
- Former departmental file reference
- Reason for retention
- Date for re-review

14.3 In order to answer requests for information efficiently, a brief description of the extract's subject matter on which a keyword search can be conducted may also provide an effective aid to locating relevant records. Records managers should be aware that records of redaction decisions are likely to be the subject of FOI requests themselves, and as such, should word these descriptions carefully. However, the essential aspect of this is that the details must allow the information to be located and retrieved. If a request for these records is made, exemptions can be applied to them if necessary.

14.4 Databases and spreadsheets need to have a facility to show all re-review dates as they become current. For example, if a consistent method of recording re-review dates is used, an Excel spreadsheet filter can show due dates on a monthly or annual basis, or a simple ascending chronological sort will show the next files due for re-review in order. This type of tracking system can also serve as a reminder for departmental re-review of closed material held by TNA. When setting re-review dates, departments should bear in mind that some exemptions are time limited.

15 Further information

15.1 More information is available by contacting the Records Management Department at TNA. The links within this guidance will also provide further suggestions. You may also find the following helpful:

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/cat_editorial.pdf TNA Cataloguing Guidelines Ed 98-101

http://www.nationalarchives.gov.uk/recordsmanagement/advice/pdf/sched_complaints.pdf TNA Retention Scheduling 7 - Complaints Records

Annex A to the Lord Chancellor's Code of Practice on Records
Management
ISO 15489 Part 2 – The International Standard on Records Management
Guidelines: Section 4 on Records Processes and Controls

Appendix 1

Sample of simple form for recording redaction decisions

Date of redaction	Document reference	Details of exempt material	Exemption applied	Justification for exemption	Reviewer's comments	Any other comment

Example of form to record decisions and pass on information to document editors carrying out redaction

Editing requirements: Series_____ Piece_____

Folio	Paragraph	Line	From (inclusive)	To (inclusive)