

## **The National Archives Takedown Policy: a policy on the circumstances in which material will be taken down from websites**

### **Scope of this policy**

This policy applies to material on our own websites, on the archived websites of other government bodies that are being preserved in the Web Archive, and on the websites of our commercial partners insofar as the content has come from The National Archives.

### **Guiding principles**

As a general rule, information published on a website will be considered to be in the public domain and will be removed from that website only in exceptional circumstances. The information will be regarded as having been removed temporarily and will be restored at a date decided by The National Archives. All takedowns will be signalled openly.

### **The circumstances in which material will be taken down**

Material will be taken down temporarily on receipt of a request from a member of the public or a government department. The case will then be considered by a Panel composed of members of staff who provide relevant expertise. The Panel will approve continued withdrawal of the material only if one of the following criteria is met:

- 1 The material was released in error and removal is required to rectify a mistake. In making a decision the Panel will use exemptions in the FOI Act or the Environmental Information Regulations (EIR) as an objective test, and will consider whether removal might be the subject of a court order.
- 2 Because of changed circumstances material previously published in good faith is now considered to be subject to exemption in the FOI Act or the EIR exemption and the public interest lies in withholding it.
- 3 The material is personal information about someone who is still alive and continued on-line access would be unlawful or unfair to him under the Data Protection Act 1998 or would breach his or his family's right to a private and family life under the Human Rights Act 1998.
- 4 Making the material available on-line is an infringement of copyright.
- 5 The material is defamatory or obscene.
- 6 The material acquires sensitivity through being available on-line, although an FOI/EIR exemption need not be applied to on-site access to the same information in paper format.
- 7 Continued online access would cause a department serious and real administrative difficulties and it has requested takedown for a specified and limited period of time.

### **Approval**

This policy was approved by The National Archives Executive Team on 8 June 2009.