



Ministry of Defence

[REDACTED]
Air Command Secretariat
Spitfire Block
Headquarters Air Command
Royal Air Force
High Wycombe
Buckinghamshire
HP14 4UE

[REDACTED] 20150227-FOI 01964 [REDACTED]

2 March 2015

Dear [REDACTED]

Thank you for your email of 2 February to the Air Cadet Organisation (ACO) Headquarters, which has been considered to be a request for information under the Freedom of Information (FOI) Act 2000; I have been asked to reply on behalf of the Ministry of Defence (MOD).

In your email you requested the following information:

1. Under the terms of the Freedom of Information act, I request copies of any correspondence, electronic or paper, sent by or received by [REDACTED] relating to the suspension of my shooting qualifications. I request this information covering the period 31 Jan 2014 to 1 Feb 2015.
2. Under the terms of the Freedom of Information act, I also request copies of any ACO policy documents detailing the process to suspend staff from their various qualifications and also any associated process for staff to appeal against that suspension.
3. Under the terms of the Freedom of Information act, I also request copies of any correspondence, electronic or paper, sent or received by [REDACTED] relating to the suspension of my OCSATT.WALESWEST BADER account at the end of Oct 2014. I request this information covering the period 31 Jan 2014 to 1 Feb 2015.

A search for the information requested has now been completed within the MOD. With regard to queries 1 and 3, under section 40(5)(a) of the FOI Act (requests for personal information relating to the applicant), I can neither confirm nor deny that information in scope of your request is held. This is because either confirming or denying that the information is held would itself contravene data protection principles.

Personal information is not generally available under the FOI Act. If you would like to ask for information relating to yourself this should be requested as a Subject Access Request (SAR) under the Data Protection Act 1998. The SAR form and further information about obtaining

information about yourself can be found at the following Gov.uk website:
<https://www.gov.uk/requests-for-personal-data-and-service-records>.

I can confirm that some of the information in scope of query 2 is held by the MOD and can be found at Annex A. No information is held relating to the process for staff to appeal against that suspension.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact this office in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,



Air Command Secretariat

Annex:

A. Extracts from Air Cadet Training Order 42

Extracts from Air Cadet Training Order 42

SUSPENSION AND CANCELLATION OF QUALIFICATION/AUTHORISATION

32. **After Incident Procedure.** The qualifications/authorisations of any range staff involved are to be suspended following an incident. During the subsequent investigation, as soon as it becomes apparent that any individual/s did not contribute to the incident TG5 (or TG SO1 in the absence of TG5) should be asked to reinstate their qualifications/authorisations. Qualifications are also to be suspended (authorisations are automatically cancelled) pending re-training following a recommendation after a proficiency assessment. Re-training must be carried out within 3 months or the individual's qualifications will be cancelled automatically. In extraordinarily exceptional circumstances application may be made to HQAC TG5 for an extension to this time limit. F7257s which are subject to suspension pending retraining are to be sent to the appropriate Appointed Officer. Permanent cancellation is to be recommended if the holder has failed a second proficiency assessment. Cancellation may be requested by the certificate holder, the Wg HQ or ACRHQ. Qualifications which are the subject of a request or recommendation for cancellation are to be forwarded to the appropriate Appointed Officer, copy to TG5, with a full statement outlining the circumstances.

33. **Suspension of Qualifications.** Qualifications may be suspended immediately given reasonable cause by senior members of the TST, OC SATT/ACO CTT, Deputy OC SATT or, during courses by Course Officers. Examples of occasions when this might be appropriate are on observing something unsafe or contrary to Reference A or ACO regulations when further inquiry strongly suggests that the individual concerned is unaware of or deliberately ignoring the regulations or during a course when an individual's performance suggests they are insufficiently aware of current regulations. The individual whose qualifications/authorisations have been suspended is to be advised of the reasons verbally at the time followed at the earliest opportunity by a confirmatory e-mail or letter. HQAC(TG5), Regional Commandants and OC Wings are to be notified as soon as possible of full details of the circumstances. Any suspension in relation to a SASC supported course is to be made in consultation with the SASC Course Qualifying Officer.

34. **Cancellation of Qualifications.** Only TG5 (or TG SO1 in the absence of TG5) may cancel a qualification. Details of any recommendation for cancellation by OC SATTs/ACO CTT or senior members of the TST are to be notified to HQ AC (TG5) as soon as possible with a full description of the circumstances. No one in the ACO has authority to cancel the qualifications of members of other organisations. However, should the circumstances warrant it, a recommendation for cancellation may be made to TG5 for forwarding to the appropriate authority. Such a recommendation is to be accompanied by full details of the circumstances.