



Ministry  
of Defence

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Ref: FOI2015/07175

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10 September 2015

Dear [REDACTED],

Thank you for your emails of 14 August 2015 individually requesting the following information for the periods January, February, March and April (respectively):

*" I wish to request the following information from the Ministry of Defence (Civilian service) specifically, the travel claims submitted By all Northern Ireland Security Guard Service (NISGS) Managers at Band D ,C2 and C1 levels, from the period commencing 1st of January 2014 through to 31st of January 2014 inclusive.*

To clarify my request,

1. *I wish to request the information directly relating to all individual journeys which Paid mileage claims made by Northern Ireland Security Guard Service (NISGS) managers.*
2. *The specific type of claim lodged i.e. Private rate or Standard rate for a private Vehicle.*
3. *Individual total distances of each journey / period claimed (not location) & the total mileage claimed per claim.*
4. *If the individual distance is not permitted due to concerns of personal safety, I request the combined total by each claimant (names not required), only individual claimant's totals, for the period I have specified."*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm that all of the information in scope of your request is held.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note a similar question has been asked and responded to on 19 May 2015. Under Section 21, this can be reasonably accessed through public sources and a link has been provided below:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/430312/20150519\\_Details\\_journey\\_claims\\_by\\_NISGS\\_January\\_May\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/430312/20150519_Details_journey_claims_by_NISGS_January_May_2014.pdf)

The information provided within the aforementioned Freedom of Information Request is identical to your request. To provide a further breakdown of this information would breach the Data Protection Act 1998 and place individuals at harm. Therefore, the absolute exemption under Section 40 (Personal Information) and the qualified exemption under Section 38 (Health and Safety) of the Freedom of Information Act (FOIA) remain extant. These exemptions have been provided for background below:

Some of the information you have requested falls entirely within the scope of an absolute exemption under Section 40 (Personal Information), as the information you have requested constitutes third party data.

Section 40(2) provides that personal data about third parties is exempt information if one of the conditions set out in Section 40(3) is satisfied. Under the Freedom of the Information Act 2000 (FOIA), disclosure of this information would breach the first principle as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information,

Also, some of the information you have requested falls within scope of a 'prejudice' or harm-based exemption under Section 38 (Health and Safety). Section 38 is a qualified exemption and is subject to public interest testing, which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

The balance of the public interest test concluded that whilst release would provide openness, transparency and reasonable access to Government information in relation to the work of the management of the NISGS. The balance of public interest was found to be in favour of withholding the information as release would be likely to endanger the physical or mental health or endanger the safety of any individual.

To provide more granular information, an individual could reasonably establish the working patterns of NISGS staff and put the lives of individual managers at risk. It was felt that individuals could be identified from the information supplied and show their travelling routes throughout Northern Ireland. Experience has shown that pattern setting has been a major contributory factor to the targeting of members of the security forces and support staff, resulting in death or serious injury.

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 me 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, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto: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,

Defence Business Services