



Ministry
of Defence

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[REDACTED]
[REDACTED]
15 August 2016

Dear [REDACTED]

Thank you for your e-mail of 15 July 2016 requesting the information with regards to AD CM Pol and service complaints.

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

The information you have requested for the following two questions falls within the scope of the absolute exemption provided for at section 40 (Personal Data) of the FOIA and has been withheld. 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.

[REDACTED]

The remaining information you have requested is as follows:

- What and how many service complaints did he inherit when he took over the post – **None; however with the introduction of the Service Complaints Ombudsman and the reformed process in February 2016, AD CM Pol was appointed as the Decision Body for 40 on-going service complaints, which were assigned to him at that stage.**
- How many service complaints are currently in backlog – **22 as at 15th July 2016.**
- Are individuals assigned to act as subsidiary investigators with the appointed Decision Body only to signoff their decision – **No.**

- What is the process (for the above) – **The Decision Body may task other individuals to review the investigation or prepare paperwork. The decision is made by the Decision Body only.**
- What are the current qualifications and experience do you need to hold to be assigned this post as Decision Body. (Please provide a copy of job description including qualifications). – **There is no job description or specific qualifications for the Decision Body role. The Decision Body, who will be OF4 or above, is the most suitable appointed from within the chain of command to undertake the role and is normally the Commanding Officer (CO); however cases can be allocated to AD CM Pol if the CO does not have the suitable authority to grant the redress.**

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note the policy contained in JSP 831 Part 1 Chapter 2 Paragraph 22 which states:

How a decision body is appointed and how the service complaint is decided

22. The nominated Defence Council delegate is to appoint a decision body, consisting of a person or panel of persons or the Defence Council itself, after the admissibility decision has been received from the SO (Specified Officer) (whether that decision has been made by the SO or following a review by the Ombudsman).

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, 2nd Floor, Zone N, 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.gov.uk>.

Yours sincerely

