



Ministry of Defence

Secretariat
Defence Infrastructure Organisation
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www.gov.uk/DIO

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Dear

Thank you for your email of 17 December 2015 requesting the following information:

"I marched out of my quarter yesterday and revived what I consider unacceptable charges. I am currently forming my case for dispute but I require some further information from yourselves.

Under the freedom of information act 2000 I would like answers to the following questions:-

1 I would like to request the full wording from the charges manual for a replacement garage door - word for word

2 definitions for scales of damage you use in assessing a property

3 references in your orders which states you can charge for an item but not physically replace it

4 how long I have to put together my case and dispute the charges before they are actioned on JPA as I'm awaiting response back from civilian solicitors in order to form a case and take action . Will the charges still be processed anyway or are they postponed until a dispute hearing."

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 MOD and I can confirm that all of the information in scope of your request is held.

The information you have requested can be found below:

- 1 The charges raised by Defence Infrastructure Organisation (DIO) are taken from the Average Barrack charges- revised 1 dated 9 April 2009.

The garage door replacement is code 385 – "Door-Supply and fit garage door complete to existing frame; remove existing, clear away if necessary and make good." Cost £619.06

- 2 The charges raised by the Private Finance Initiative (PFI) in accordance with the Contract Agreement with the MOD are predominantly on a 'supply and fit' or 'replacement' basis. As such

there is no definition for scales of damage used in assessing a property. The contract documents (Schedule 4A) specifies that 'Occupant Generated Damage' means:

"at the relevant time damage to the Authority Unit (including, for the avoidance of doubt, any property owned or leased by the Contractor and provided for the use of the Permitted Occupier which is situated in the Authority Unit at the relevant time) (including, for the avoidance of doubt, lack of cleanliness) caused through the acts or omissions whether by negligence or otherwise of a Permitted Occupier of the Authority Unit or any member of his household including his family pets, damage caused by any person for whom the Permitted Occupier is responsible or any invited visitor or his pets but excepting damage caused by fair wear and tear."

In accordance with the Licence to Occupy Service Family Accommodation:

- the Service Person's responsibilities are that

"When this Licence ends, "You must leave the Property and any furnishings and fittings in good repair and a hygienically clean condition." (6.1.11)

- and it is a condition that

"We (the Licensor) are not responsible for any damage caused by you, any member of Your household, Your pets, or anyone You have allowed in the Property or their pets and We will not pay to repair such damage." (9.3.2)

Charges raised by the PFI against the MOD are therefore passed onto the Service Person vacating the Property.

3 If an occupant is charged when moving out, all replacement items are assured on completion by the DIO (on behalf of the MOD) to ensure value for money to the public purse. All work is carried out by the PFI before the next occupant moves in.

4 In accordance with the 2013 Defence Instruction Notice (DIN) 01-188 the process from recovering charges direct from pay (1 October 2013) is:

- "1. At the Move Out appointment, personnel will be informed of any rechargeable damage and deficiencies via Statement of Charges form (Allocation 015) for SFA or the Occupant End Certificate for Substitute Service Family Accommodation (SSFA).
2. On receipt of the Allocation 015 and relevant documentation for SSFA, the DIO Service Delivery Accommodation Licence Disputes Team at RAF Wyton will send notification to the Service personnel stating that the charge will be taken direct from pay.
3. Personnel will have 14 days from receipt of notification to lodge a dispute.
4. If no dispute is lodged the charge will be taken direct from pay (through Joint Personnel Administration (JPA)). A payment plan will be automatically calculated by JPA if the charges exceed a set percentage of pay."

On receipt of the dispute, the charges will be put on hold until the investigation is completed and you are informed of the decision.

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 DIO Secretariat 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,

DIO Secretariat