



Ministry
of Defence

Ref: FOI2018/02297

Ministry of Defence
Defence Business Services Secretariat
Room 6303
Tomlinson House
Norcross
Thornton-Cleveleys
FY5 3WP

Email: DBSRES-Secretariat@mod.uk

12 March 2018

Dear [REDACTED],

Thank you for your email of 13 February 2018 requesting the following information:

“Secondments and Access

- 1. How many MOD civil servants and military staff have been seconded to the private sector in the last 5 years, please state rank/job title, name of company seconded to, date of secondment, branch/directorate placed in, salary payee. Please also state what conflict of rules applied during and after the secondment, how the secondee was made aware of those rules, if they were required to sign a contract agreeing to their conflict of interest rules, who monitors for conflict of interest and if a secondee has been sanctioned for breach of conflict of interest provisions.*
- 2. How many private sector employees have been seconded to the MOD or military in the last 5 years, please state rank/job title, name of company seconded from, date of secondment, branch/directorate/team placed in, salary payee. Please also state what conflict of rules applied during and after the secondment, how the secondee was made aware of those rules, if they were required to sign a contract agreeing to their conflict of interest rules, who monitors for conflict of interest, if a secondee has been sanctioned for breach of conflict of interest provisions and whether these opportunities were advertised or how the ministry guarantees these do not constitute an unfair advantage?*
- 3. Is there a stated rationale/policy for how a secondee is paid, for example, most secondees into government are paid by the private sector yet most secondees into the private sector are paid by the private sector, how does this relevant ministry decide whether this constitutes improper financial support to the ministry and a potential conflict of interest?*
- 4. Please state the number of individuals employed by private sector defence companies with MOD access passes in the last 5 years, please state rank/job title, name of company employer, access pass validity dates, team sponsoring the application, programs the individual is working on. Please also state what conflict of rules applied during and after the access pass allocation, how the individual was made aware of those rules, if and how they are firewalled from certain meetings, if they were required to sign a contract agreeing to the conflict of interest rules, who monitors for conflict of interest and if a pass holder/their private company employer has been sanctioned for breach of conflict of interest provisions, how other MOD staff are made aware of the pass holders outsider status and how they are made aware of the firewalling procedure. Please also provide a copy of the firewalling procedure.”*

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

I am writing to confirm that MOD holds the information on the subject you have requested. However, I have to advise you that we will not be able to answer your request without exceeding the appropriate limit. This is because to locate, retrieve, extract the information required for question 4 alone would involve contacting in excess of 350 Ministry of Defence units and establishments in order to determine what information is held and then to locate, retrieve and extract that information. It is estimated that to contact the designated points of contact to locate, retrieve and extract the information in scope of the question and to centrally collate this information would, even at a very conservative estimate, take in excess of 500 hours (£15,000).

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, and locating, retrieving and extracting it.

However, under section 16 of the Act (Advice and Assistance) the MOD may be able to provide some information in scope of your request if you reduce or refine your request to bring the cost of compliance under the limit. If you were to reduce your request to Questions 1, 2 and 3 then the MOD may be able to provide the information. Although it is not guaranteed that your reduced request may fall within the cost limit, we will be happy to look at it again. You may also find the content of a response to a previous request under the FOIA about secondments to the private sector of interest. This can be found via the link below:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612963/Secondment_for_civilian_and_military_personnel_and_the_policy_criteria.pdf

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,



Defence Business Services (Secretariat)