



Defence Business Services
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[REDACTED]
[REDACTED]
E-mail: DBSRES-Secretariat@mod.gov.uk

8 August 2018

Dear [REDACTED]

Thank you for your email of 18 July 2018 requesting the following information:

"Please take "employee" below to refer to all permanent or temporary staff employed directly by the department or seconded to the department from other departments or private firms.

- The number of investigations into allegations of sexual assault or inappropriate behaviour against employees for each individual year from 2012 until 2017, as well as for 2018 so far.

- The number of employees against whom disciplinary proceedings for allegations of sexual assault or inappropriate behaviour have been started for each individual year from 2012 until 2017, as well as for 2018 so far.

- The number of employees against whom disciplinary proceedings for allegations of sexual assault or inappropriate behaviour have been upheld for each individual year from 2012 until 2017, as well as for 2018 so far.

- The number of investigations into allegations of bullying against employees for each individual year from 2012 until 2017, as well as for 2018 so far.

- The number of employees against whom disciplinary proceedings for allegations of bullying have been started for each individual year from 2012 until 2017, as well as for 2018 so far.

- The number of employees against whom disciplinary proceedings for allegations of bullying have been upheld for each individual year from 2012 until 2017, as well as for 2018 so far.
2017."

On 20 July 2018 we asked you to clarify whether you required this data solely for MOD civilian staff, or also for Armed Forces personnel. On 22 July 2018 you advised:

"With regards to FOI2018/09585 please could the request be limited to civilian staff only?"

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

I am writing to confirm that the MOD holds some 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 information on the specific nature of the alleged misconduct is not held centrally. Therefore, every case where a complaint or misconduct allegation has been raised would need to be examined to determine whether the complaint concerned allegations of "sexual assault" or "inappropriate behaviour" and then the detailed information requested would have to be extracted and collated.

To ascertain which records relate to allegations of "sexual assault" or "inappropriate behaviour" would mean checking all individual grievance, misconduct or harassment cases to establish details of each case. In order to answer the first part of your request for 2012 to 2017 alone, the Department has estimated that locating, retrieving and extracting information would take over 700 hours at a minimum cost of £18,000

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.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note the MOD may be able to provide some information in scope of your request if you consider reducing or refining your request considerably to bring the cost of compliance under the limit. In order to do this, you may wish to consider shortening the time period. Although it is not guaranteed that your refined request may fall within the cost limit, we would be happy to look at it again.

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,

[REDACTED]

Defence Business Services (Secretariat)

