



Ministry of Defence

Ref: DBS/SEC/FOI/2018/09770/ [REDACTED]

[REDACTED]
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August 2018

[REDACTED]

[REDACTED]

Thank you for your e-mail of 20 July 2018 to the Ministry of Defence (MOD) requesting the following information:

"The number of military personnel working in Scotland paid below the real living wage (see foot for details). I would appreciate if this figure could be divided between military and civilian personnel.

Note: the real living wage in Scotland is £8.75 an hour. Further information on it can be found here: <http://scottishlivingwage.org/>."

In a subsequent email you clarified:

"For clarity, I wish to know of all MOD personnel working in Scotland within this category - divided between military and civilian. I realise that the first use of 'military' in my previous email was unhelpful."

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 and I can confirm that some information in scope of your request is held.

Section 21 (Information available by other means) of the FOIA has been applied to the information relating to civilians. This information has already been provided to you in a previous response, DBSSEC/FOI2018/06846/TANDY of 19 July 2018, refers. Section 21 is an absolute exemption and there is no requirement to consider the public interest in making a decision to withhold the information.

With regards the information on military personnel I can confirm that the MOD does not hold any information in scope of your request.

Under Section 16 of the FOIA (Information, Advice and Assistance) it may be helpful if I explain that it is not possible to determine hourly rates of pay for the Armed Forces as they are paid an annual salary and do not have a set number of contracted hours. Under Section (1) of the National Minimum Wage Act 1998, a person serving as a member of the naval, military or air force of the Crown does not qualify for the national minimum wage in respect of that service.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

You may also wish to be aware that the Armed Forces' Pay Review Body commented specifically on the issues in their *Forty-Seventh Report 2018*. This can be found on the gov.uk website at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728367/CCS207_CCS0318277118-1_AFPRB_2018_Book_Accessible.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

