



Ministry
of Defence

Defence Business Services
Secretariat Team
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E-mail: DBSRES-Secretariat@mod.gov.uk

Ref: FOI2018/11427

01 October 2018

Dear [REDACTED],

Thank you for your email of 5 September 2018 requesting the following information:

"Please can you provide me with the names of every MoD employee who has accessed and viewed my job applications in CS Jobs in the past 12 months, including internal DBS.

Please include all information held on the recruitment system regarding my account and past job applications in the past 12 months."

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

Your request asks about your own personal data. Were any of your personal data to be held it would be exempt under section 40(1). However, under Section 16 (Advice and Assistance), the correct way for an individual to obtain information held is under the Data Protection Act 2018. In order to do this, individuals should make a Subject Access Request. The form can be found at the following link:

<https://www.gov.uk/government/publications/mod-subject-access-request-form>

Your request also asks about a third party's personal data. A release under FOI is assumed to be a release to the public at large. As such, if any information were held it would be exempt from disclosure as it constitutes the personal data of third parties and it would be unfair and unlawful to disclose this type of information without consent as it would breach the fair processing principle of Data Protection legislation. Therefore, under section 40(5) of the Freedom of Information Act, the Ministry of Defence neither confirms nor denies whether it holds any information in scope of your request.

Section 40(5) is an absolute exemption and not subject to public interest testing.

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,

Dominic-Haydn Braithwaite

Defence Business Services (Secretariat)