



Ministry
of Defence

FOI 2018/14468

Ref: DBS/SEC/ [REDACTED]

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

[REDACTED]
[REDACTED]
[REDACTED]
14 December 2018

Thank you for your email of 14 November 2018 to the Ministry of Defence (MOD) requesting the following information:

'My request relates to sexual harassment in the work place.

Please answer the following questions but please be specific to employees/former employees who are/were working in Wales.

Please provide a total figure across the financial years 2015-16, 2016-17, and 2017-18 for the following information:

1. *In total, how many accusations of sexual harassment were made by members of staff against other members of staff?*
 - *Of these in 1, how many complainants were women?*
 - *Of these in 1, how many of those accused were men?*
2. *How many members of staff were subject to disciplinary proceedings due to accusations of sexual harassment in the work place?*
3. *How many members of staff were dismissed due to sexual harassment in the work place?*
4. *How much money has the department paid out in damages/compensation or in settlement agreements to individuals as a result of sexual misconduct proceedings? The answer should include cases where an out of court financial settlement was reached after a claim had been filed, even when the department does not accept the claim/liability; and it should also include cases where court proceedings were not initiated but the department paid damages/compensation or entered an agreement without itself necessarily accepting liability.*
 - *What was the largest single sum paid out for such purposes? (If finding this information would tip the request over the threshold for costs of compliance, please disregard this question)*
5. *What is the department's policy for entering non-disclosure agreements (NDAs)?*
6. *In how many cases in the years specified above has the department used NDAs to resolve sexual harassment cases? (If finding this information would tip the request over the threshold for costs of compliance, please disregard this question)"*

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 all the information in scope of your request is held. I can inform you that there have been less than five cases that fall within the scope of your request.

The information you have requested is exempt from disclosure under Section 40(2) of the FOIA. Section 40(2) has been applied to protect personal information as governed by the Data Protection Act 2018. Numbers fewer than five are suppressed to reduce the possible inadvertent disclosure of individual identities. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

The Ministry of Defence has a zero tolerance approach to all types of harassment and bullying. You may find it of interest to know that the Department's policy on harassment and bullying, *Joint Service Personnel 763 The MOD Bullying and Harassment Complaints Procedures* can be found on the gov.uk website at:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/209888/JSP_763_1_July_2013.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.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,

A black rectangular redaction box covering the signature of the sender.

DBS Secretariat Team