



Ministry  
of Defence

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██████████  
████████████████████  
Ref: FOI2019/02715

8 May 2019

Dear ██████████,

Thank you for your email of 27 February requesting the following information:

*“-Are MoD employees permitted to travel first class on government expenses/tax payers money?  
-What level do these employees have to be to qualify for first class travel?  
-If yes, how much was spent in the 2018 financial year for first class travel?  
-If no, can you specify when this was abolished and why?”*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA). You also requested further information in your email of 27 February on a further topic, which is being treated as a separate request and will be responded to separately outside this response.

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.

The information you have requested can be found as email attachments and at the paragraph below. Some of the information falls entirely within the scope of the exemption provided for at Section 40(2) (someone else’s personal data) and has been redacted in order to protect personal information as governed by the Data Protection Act 1998. 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.

In answer to your question 1, MOD employees are generally not permitted to travel by first class. However, there are limited exceptions within the parameters specified in Defence Instruction and Notice (DIN) 2012DIN01-250, included as an email attachment to this response, where first class travel can be authorised.

In answer to your question 2, this applies to all service and civilian personnel as stated in 2012DIN01-250, there is no level an employee must meet for this travel policy to apply. Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note within the document 2012DIN01-250 sections C and F, in particular, contain information relevant to your request.

The information you requested in question 3; the total expenditure by MOD on first class travel for the 2018 financial year is £120340.06. As the financial year 2018/19 had not concluded at the time you made your request, you have been provided with the figures for the financial year from its start up to the date of your request (1 April 2018 – 28 February 2019). Please note that identified US and Middle Eastern business class flight spend has been removed from this figure, as this is not first class. Please note that US interconnecting flights may be included in this data; for example, a

London to Savannah via Washington flight in business class from the UK can potentially be business class for the international flight from London to Washington and then first class domestically from Washington to Savannah. The total cost of this flight therefore may be included in the figure provided above, even though only one part of the journey was completed by first class and the rest via business class. As such, first-class travel spend may be higher than is actually the case.

First-class travel remains possible within the parameters of the disclosure made to you regarding questions 1 and 2 and therefore question 4 does not apply, as there has been no abolition.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact us in the first instance at the address above. If informal resolution is not possible and you are still dissatisfied then you may apply for 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](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint 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. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

Defence People Secretariat



**PERMANENT SECRETARY**

**CHIEF OF THE DEFENCE STAFF**

D/PUS/11/1 (538)

14 September 2012

**TLB Holders**

**RESTRICTIONS ON TRAVEL, EXTERNAL RECRUITMENT AND OVERTIME**

The previous PUS and CDS wrote on 2 April to set out for all staff the restrictions that are currently in place within the Department to manage expenditure on travel, external recruitment and overtime.

The guidance provided under cover of that letter has subsequently been reviewed in the light of the improvement in the Department's financial position and the continuing progress towards a more delegated model. The attachment to this letter sets out a revised version of the restrictions in the light of those developments, which makes clear the continuing need to apply these restrictions and so maintain tight control of expenditure in these areas, but provides more freedom for TLB Holders and their Directors of Resource to determine the processes and procedures by which these restrictions are applied. We hope these additional freedoms will be welcomed by those concerned.

**JON THOMPSON**

**GENERAL SIR DAVID RICHARDS**

**DEFENCE-WIDE RESTRICTIONS ON TRAVEL, RECRUITMENT AND OVERTIME**

**Travel**

1. All travel should be minimised wherever possible, with use of e-mail, telephone and video conferencing instead.
2. If travel is necessary, the cheapest/most cost effective available means should be used, and the number of people attending meetings and events from a single area kept to an absolute minimum.
3. There should be no first class rail travel. Booking standard class tickets ahead of time is even more economical, and using Advance rail ticket allows the date of travel to be changed three times, at less cost than a flexible ticket. The fact that a first class ticket booked in advance is often cheaper than the full standard class fare is not acceptable justification for first class travel. In exceptional cases first class travel may be authorised **by line managers at 2\* level** if they are satisfied there is a clear business need, but this will require justification and will be subject to audit.
4. There will be a strong presumption against non-operational overseas travel. Apart from block travel as part of training exercises (where there is an assumption that this will be already planned to be in the most cost effective manner) or entitlements to home to duty travel for people who are temporarily deployed overseas, exceptions will have to be applied for. Directors of Resource or their equivalents should ensure that suitable arrangements are in place for the authorisation of all such exceptions. For Board members and Ministers, approval should be sought from **Head Office & Corporate Services (HO&CS) TLB Holder**.
5. There is to be no use of first class for overseas travel. Overseas travel in other than economy class will only be permitted where both the flight duration is over 4 hours (or where special dispensation has been agreed in accordance with the exceptions procedure above) and there is a business case to demonstrate that circumstances warrant it (eg an over night flight which requires significant business to be done on arrival) <sup>1</sup>.

**External Civilian Recruitment<sup>2</sup>**

7. There should be a presumption against external recruitment of civilian staff, including agency staff and manpower substitution.
8. Exemptions should be granted only for posts that are vital to supporting current operations, Business Resilience (including health and safety, security and business continuity), or are otherwise business critical. They will require approval as follows: for recruitment to posts below 1\* level, by Directors of Resources on behalf of TLB holders; for posts at 1\* level by PUS; and for posts at 2\* level and above by the Secretary of State. For the latter, business cases should be submitted to S of S through the HR Director and PUS.

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<sup>1</sup> For the purposes of this guidance, Eurostar equates to overseas air travel.

<sup>2</sup> This guidance does not cover the fast Stream, vacancies arising from poor performance-related exits, or movements between OGDS, agencies and accredited NDPBs.

9. In the case of exceptions made for agency staff, the delegated authorities should satisfy themselves that no suitable person from the local Redeployment Pool could be made available in the required timeframe.

10. Business areas should continue to scrutinise carefully the need to fill vacancies internally as they arise on a case by case basis. Such vacancies should only be filled in accordance with post-Planning Round 12 long term plans, which require significant reductions in the civilian workforce. Directors of Resource or their equivalent may make local arrangements for approval of post filling below 1\* level. The approval of the Directors of Resource, or equivalent is required for posts at 1\* or above. As far as possible posts should be filled by staff from the RDP. All internal recruitment activity will be closely monitored by DBS.

11. All new engagements and contract renewals for Board Members and senior officials with significant financial responsibility (to be defined by the Accounting Officer) must be on the organisation's payroll. Any exceptions require prior approval by PUS and the period of engagement must not extend beyond six months. Any exceptional engagements of more than six months, for more than a daily rate of £220, must include contractual provisions to seek assurance about the income tax and NICS obligations of the engagee and to enable the termination of the contract if that assurance is not forthcoming. There is a financial penalty to the Department for breaching these rules, of up to five times the payment in question.

### **Overtime**

12. Some staff have contracts which require them to work overtime. Apart from this category of employees, all overtime must be explicitly authorised in advance in accordance with the arrangements made locally by **Directors of Resources** and their equivalents. Those authorising overtime should be guided by the principles that overtime should generally only be allowed where:

- It is incurred in direct support of current operations and is claimable against the Reserve (i.e. from HM Treasury);
- It is essential for Business Resilience (including health and safety, security and business continuity) or is otherwise business critical;
- Posts demand routinely long hours such that Time Off In Lieu does not represent a realistic alternative because it could not be taken.

13. In all cases, overtime should be kept to a minimum and scrutinised carefully by line managers, and Time Off In Lieu considered as an alternative wherever possible. However, payment for untaken annual leave will not be made where this results.

### **Travelling Time**

14. As for overtime, payment of travelling time will only be allowed if authorised explicitly in advance. **Directors of Resources** and their equivalents will delegate authority to do this as appropriate. In all cases, payment of travelling overtime should be kept to a minimum and scrutinised carefully by line managers, and Time Off In Lieu considered as an alternative wherever possible. However, payment for untaken annual leave will not be made where this results.

**Official hospitality**

15. While the Department should continue to work on the presumption that official entertainment should be kept to an absolute minimum, all hospitality must be approved through local arrangements authorised by Directors of Resource. All cases for exemption to the rules set out in JSP915 must be approved by Directors of Resource or their equivalents. Exemptions for Board members and Ministers, should be approved by **HO&CS TLB Holder**.

Director of Resources and equivalents

- Fleet – [REDACTED]
- Air – [REDACTED]
- Land – [REDACTED]
- JFC – [REDACTED]
- HO&CS – [REDACTED]
- DE&S – [REDACTED]
- DIO – [REDACTED]

<b>DEFENCE INSTRUCTIONS AND NOTICES</b> (Not to be communicated to anyone outside HM Service without authority)	
<b>Title:</b>	Extension of Restriction on Class of Travel
<b>Audience:</b>	All Service and Civilian Personnel
<b>Applies:</b>	Immediately
<b>Expires:</b>	When rescinded or replaced
<b>Replaces:</b>	2011DIN04-108
<b>Reference:</b>	2012DIN01-250
<b>Released:</b>	December 2012
<b>Channel:</b>	01 Personnel
<b>Subject:</b>	Air and Rail Passenger Policy on Class of Travel
<b>Content:</b>	Updated summary of the extension of the restriction on the class of travel. Restrictions originally issued 19 Nov 09, reviewed on 17 Jun 12 and superseded on 14 Sep 12.
<b>Sponsor:</b>	Defence Safety and Environment Authority, Cedar 2B #3246, MOD Abbey Wood, BS34 8JH
<b>Contact:</b>	Sqn Ldr [REDACTED]. SO2 Pax Policy [REDACTED]
<b>Keywords:</b>	Class of Travel, Civilian Personnel, Service Personnel
<b>Related info:</b>	20120914 Restriction of Travel, External Recruitment and OvertimePUS JSP 800 Vol 2 Ch 5
<b>Classification:</b>	UNCLASSIFIED

### **Class of Travel Entitlement – Interim Policy**

References:

- A. PUS/CDS letter to TLB Holders dated 14 Sep 12 (see annex to this DIN).
- B. JSP 800 Vol 2 5<sup>th</sup> Ed Passenger Travel Instructions.

### **Introduction**

At reference A, PUS and CDS reviewed the restrictions that are currently in place within the Department to manage expenditure on travel, external recruitment and overtime.

## Interim Policy

This DIN serves as confirmation that Ref A over-rides the current Policy contained in Reference B. The key areas for personnel to note are:

- a. All travel should be minimised wherever possible, with use of e-mail, telephone and video conferencing instead.
- b. If travel is necessary, the cheapest/most cost effective available means should be used, and the number of people attending meetings and events from a single area kept to an absolute minimum.
- c. Rail travel should be standard class including advance tickets: there should be no first class rail travel. The fact that a first class ticket booked in advance is often cheaper than the full standard class fare is not acceptable justification for first class travel. In exceptional cases first class travel may be authorised **by line managers at 2\* level** if they are satisfied there is a clear business need, but this will require justification and will be subject to audit.
- d. There will be a strong presumption against non-operational overseas travel. Exceptions for non-Operational Overseas (except for block travel as part of training exercises or entitlements to home to duty travel for people who are temporarily deployed overseas) travel all applications up to and including 1\* will need to be approved.
- f. There is to be no first class travel. Overseas travel in other than economy class will only be permitted where both the flight duration is over 4 hours **and** there is a business case to demonstrate that circumstances warrant it (e.g. an overnight flight which requires significant business to be done on arrival). Where Class 2 travel is authorised, Business Class seats should only be booked where Premium Economy is not available.

### Point of contact

SO2 Passenger Policy  
Defence Safety and Environment Authority  
MOD Abbey Wood  
Cedar 2B #3246,  
Bristol  
BS34 8JH  
Mil: [REDACTED]  
Civ: [REDACTED]  
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