



Ministry
of Defence

Ministry of Defence

Defence Business Services Secretariat
Room 6303
Tomlinson House
Norcross
Thornton-Cleveleys
FY5 3WP

Ref: FOI2020/06309

Email: DBSRES-Secretariat@mod.gov.uk

23 June 2020

Dear

Thank you for your email of 28 May 2020 to the Ministry of Defence (MOD) requesting the following information:

“please can you send me the full list of awards/medals that Sgt G Davis is entitled to, I attach a MODO 0001 and a copy of his Commando service certificate.”

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 information in scope of your request is held.

However, Section 40(2) has been applied to the information in order to protect personal information as governed by the Data Protection Act 2018. 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.

Under Section 16 of the Act (Advice and Assistance) it may be helpful if I explain that unless the individual died in Service, you are required to provide a copy of a death certificate as proof of death in recognition of the MOD's duty of care to the next of kin. For a period of up to 25 years following the date of death, personal information (including medal record cards) relating to an individual will only be released to the next of kin, or to a third party with their consent. This is because if it cannot be proven or reasonably assumed that an individual is dead, the MOD must treat their data as personal data. However, if the date of birth of the individual was more than 116 years ago, the requirement to provide a death certificate will be waived, this is because it can be reasonably assumed that an individual is dead.

You should also be aware that the Medal Office is happy to treat requests such as this as part of their normal business and will be happy to correspond with you outside the FOI process in order to hasten the administrative process for you. You can contact them by email at DBS-Medals@mod.gov.uk.

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 (Secretariat)