



Ministry
of Defence

Ministry of Defence

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

Ref: FOI2020/02584

Email: DBSRES-Secretariat@mod.gov.uk

24 March 2020

Dear

Thank you for your email of 24 February 2020 requesting the following information:

“Allegations of workplace bullying, sexism and racism

- *May you please provide the number of allegations of workplace bullying reported within your organisation by present and former staff. Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*
- *May you please provide the number of allegations of workplace sexual harassment reported within your organisation by present and former staff. Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*
- *May you please provide the number of allegations of workplace racism / religious discrimination reported within your organisation by present and former staff. Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*

Disciplinary Action taken

- *How many complaints of workplace sexual harassment resulted in some form of disciplinary action? Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*
- *How many complaints of workplace bullying resulted in some form of disciplinary action? Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*
- *How many complaints of workplace racial / religious discrimination resulted in some form of disciplinary action? Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*

NDA's/ Settlement Agreements signed

- *Please provide the number of settlement agreements / NDAs signed by former or present staff who brought forward allegations of racism, religious discrimination, bullying or sexual harassment*
- *Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*

- *i.e in 2018, 4 settlement agreements were signed by departing staff. These 4 settlement agreements related to allegations of workplace sexual harassment.*
- *How much was paid in each instance? Please provide the figures per year within the following calendar years: 2019, 2018 and 2017*
- *i.e in 2018, 4 settlement agreements were signed by departing staff. These 4 settlement agreements related to allegations of workplace sexual harassment. In each case, £10,000 was paid*
If this is not possible, under data protection laws please provide the figures across the three year period.
- *Between 2017 and 2019, 14 settlement agreements were signed by departing staff. These 14 settlement agreements related to allegations of workplace sexual harassment. The total paid over the period was £25,000”*

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. However, I must advise you that we would not be able to answer your request without exceeding the appropriate cost limit.

Section 12 of the FOIA makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate cost limits, which for central government is set at £600. This represents the cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving and extracting the information.

Unfortunately, grievance categories recorded in the Human Resource Management System (HRMS) are not specific enough to answer your request. To answer your request would require a manual search through each recorded case in order to determine which were relevant to the questions you are asking. To carry out such a task would involve a manual check of circa 2,000 HRMS records. At a conservative estimate of 20 minutes per file, this would equate to 666 hours. At the rate of £25 per hour, this is equal to approximately £16,650 worth of effort, exceeding the appropriate cost limit.

Under Section 16 of the FOIA (Advice and Assistance) the department may be able to provide some information in scope of your request if you were to refine your request by limiting the time period of data you are asking for, and reducing the number of questions which in turn would reduce the number of cases to be examined. Although it is not guaranteed that your refined request may fall within the cost limit, we would be happy to look at it again.

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). 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 Business Services (Secretariat)