



Ministry
of Defence

Defence Business Services Secretariat
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Ref: FOI2020/03327

7 May 2020

Dear ,

Thank you for your email of 9 March 2020 to the Ministry of Defence (MOD) requesting the following information:

“Employment Tribunals

- *How many employment tribunal claims were initiated against the Department. Please provide the figures per year for the following calendar years: 2019, 2018 and 2017*
- *I.e in 2018, 12 employment tribunal claims were initiated against the Department*
- *Only if possible under data protection laws, please outline the reason the claims were initiated against the Department.*
- *I.e in 2018, 12 employment tribunal claims were initiated against the Department. 2 related to disability discrimination, 2 related to unfair dismissal etc*
- *Outcome: How many claims were upheld, with the tribunal ruling in the claimants' favour and compensation paid. How many claims were settled out of court and compensation paid*
- *Please provide the figures per year for the following calendar years: 2019, 2018, and 2017*
- *I.e in 2018, 12 employment tribunal claims were initiated against the Department. 11 claims were dismissed. 1 claim was settled out of court and related to age discrimination - £20,000 was paid out in this instance.*
- *I.e in 2017, 4 employment tribunal claims were initiated against the Department. 3 claims were dismissed. For 1 claim relating to unfair dismissal, the tribunal ruled in the claimants' favour and £40,000 was paid out in this instance “*

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 some of the information in scope of your request is held. However, I have to advise you that we would not be able to answer your questions without exceeding the appropriate limit.

Section 12(1) of the FOI Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for Central Government is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating it, retrieving it and extracting it.

In order to locate, retrieve and extract the information for Civilian Employment Tribunals, officials would be required to interrogate a minimum of 77 files at approximately 60 minutes per file. Therefore, it is estimated that one person would be required to spend approximately 80 hours retrieving the information requested at a minimum cost of £1,925.

However, under Section 16 (Advice and Assistance) we may be able to consider your request if you were to limit it to your first question or to a twelve-month period. Although this is not guaranteed to bring the request within the cost limit, we would be happy to look at this again.

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)