



Ministry  
of Defence

Fraud Defence  
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Reference: FOI2020/13256

email to:

17 December 2020

Dear

Thank you for your email of 1st December 2020 requesting the following information:

“Please could you provide the following under the Freedom of Information Act 2000:

1. How many times has the Ministry referred suspicions / allegations of corruption / bribery to law enforcement authorities since 25 October 2016?
2. Please provide any relevant statistics or data that is not exempt, which might include a breakdown of the types of allegations and whether the companies are based in the UK or overseas.
3. Has the Ministry has excluded any companies from bidding for contracts since 2016?”

I am treating your correspondence as a request for information under the Freedom of Information Act 2000.

A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm that MOD holds information on the subject you have requested. However, I must advise you that we will not be able to answer your request without exceeding the appropriate limit. This is because to locate, retrieve, and extract information in scope of your request for companies excluded from bidding for contracts since 2016, will exceed the appropriate cost limit. This is because each contract awarded in the time frame would have to be accessed and reviewed to ascertain if the information requested is held.

Section 12 of the 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, and locating, retrieving and extracting it.

Section 16 of the FOIA requires a public authority to offer advice and assistance on how to reduce or refine a request to bring the cost of compliance under the limit by narrowing or limiting its scope. The MOD may be able to provide some information in scope of your request if you reduce or refine your request to bring the cost of compliance under the limit. It should be noted, that even after refinement, there is no guarantee that the information is held or could be provided. This is because, each year, the MOD places a substantial number of contracts

(over 24,000 since April 2010) and it would therefore be necessary to review each contract, placing an undue time and resource burden on the MOD. We may, therefore, be unable to fulfil any future request to assess information on whether companies have been excluded from contracts without imposing a significant burden on the MOD.

You may wish, therefore, to consider refining your request to contracts with a particular supplier, or to contracts placed by a particular team within the MOD. The MOD organisation chart can be accessed at this link: <https://www.gov.uk/government/collections/mod-organisation-charts>). Given the challenges in accessing some historic contract information, you may also wish to consider limiting your request to a narrower, more recent timescale.

Finally, it may be helpful to know that information on MOD spending with industry and commerce is published each year in the MOD Trade, Industry and Contracts bulletin which can be accessed at: <https://www.gov.uk/government/collections/defence-trade-and-industry-index>. Also, since January 2011, details of central government contracts above the value of £10,000 are published on Contracts Finder. Contracts published prior to 26 February 2015 can be viewed at: <https://data.gov.uk/data/contracts-finder-archive> whilst those published after 26 February 2015 can be viewed at <https://www.contractsfinder.service.gov.uk/Search>.

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](mailto: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/>.

If you have any queries about this request do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Fraud Defence