



Ministry
of Defence

Defence Business Services

Secretariat Team
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REF: FOI2020/13085

E-mail: DBSRES-Secretariat@mod.gov.uk

15 December 2020

Dear [REDACTED]

Thank you for your email of 27 November 2020 requesting the following information:

"I am writing to make an FOI request regarding the role of PA to Brigade Commander at 38 Irish Brigade, HQ 38 Bde, Thiepval Barracks, Lisburn, Northern Ireland. The previous incumbent retired. I would like to know, please [REDACTED]

*The date retired and the post became vacant.
Whether [REDACTED] was advertised on CS Jobs as being vacant and open to applications by Internal candidates ; Across Government; External candidates and the dates IF the post was advertised on CS Jobs.
Whether the role was filled by internal post-rotation.
The date the post was filled by a new incumbent and was no longer vacant."*

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

Under section 40(5) the MOD neither confirms nor denies whether it holds any information in scope of your request. Your request asks about a third party's personal data and information relating to a staff position role at 38 Brigade. Were any information held it would be exempt from disclosure as it constitutes the personal data of third parties and it would be unfair and unlawful to disclose this type of information without consent as it would breach the fair processing principle of the Data Protection Act (DPA). Therefore, the MOD neither confirms nor denies it holds any information in scope of your request. Section 40(5) is an absolute exemption and not subject to public interest testing.

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