



Ministry  
of Defence

**Defence Business Services**

Secretariat Team  
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REF: FOI2020/13029

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

24 December 2020

Dear [REDACTED]

Thank you for your email of 26 November 2020 requesting the following information:

*"I would like to have copies of all documents containing my name or relating to my son's Death Benefit issue in the last 2 years 2018 up to and including 2020. These documents I require can be memos interdepartmental emails, letters, instructions, or "points to take", or "lines to take", when informing a minister or junior minister"*

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 your own personal data. Were any of your personal data to be held it would be exempt under section 40(1). However, a release under FOI is assumed to be a release to the public at large. Therefore, admitting to holding or not holding information would be to breach the fair processing principal of the Data Protection Act. In view of this 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.

Under section 16 (Advice and Assistance), you can request a copy of all personal information relating to yourself by completing and submitting a Subject Access Request to the MOD. Further information and a copy of the application form can be found at the link below:

<https://www.gov.uk/guidance/obtain-information-about-yourself-held-by-mod>

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