



Ministry
of Defence

Ministry of Defence

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

Ref: FOI2020/13488

Email: DBSRES-Secretariat@mod.gov.uk

5 January 2021

Dear [REDACTED]

Thank you for your email of 8 December 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 year: 2020 (1st January 2020 - to date, meaning 30th November 2020)

- I.e in 2020, 10 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 2020, 10 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: 2020 (1st January 2020 - to date, meaning 30th November 2020)

- I.e in 2020, 10 employment tribunal claims were initiated against the Department. 5 claims were dismissed. 2 claim were settled out of court and related to age discrimination - £20,000 was paid out in this instance.”*

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 must 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 in scope of your request, officials would be required to interrogate a minimum of 28 files. Each case search would take approximately 60 minutes to complete. Furthermore, additional searches to confirm the nature of each case and their individual outcomes would be required. If this information is not held on the file, further checks of archives would also be required. Assuming that all the information in scope of your request is held on each file, it is estimated that one person would be required to spend a minimum of 28 hours retrieving the information requested. At the rate of £25 per hour, this is equal to approximately £700 worth of effort, exceeding the appropriate cost limit.


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 only, or by further reducing the time period stated. For example, to a 6-month period.

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,

A solid black rectangular box used to redact the signature of the sender.

Defence Business Services (Secretariat)