


Ref: FOI2021/06560

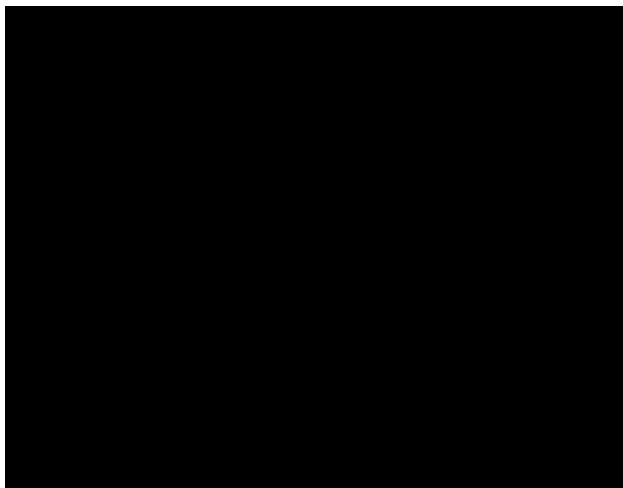
9 July 2021


Dear 

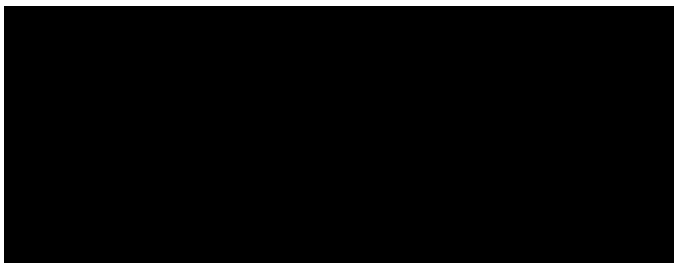
Thank you for your email of 18 June 2021, requesting the following information:

*"I am writing to make a Freedom of Information request, please.  
I am requesting copies of email correspondence:*

1. *Copies of correspondence written about me,  and written about my Formal Complaint 709692, sent between 16 October 2020 and 18 June 2021 to and from the following staff:*



2. *Copies of correspondence written about me,  and written about my Formal Complaint 709692, sent between 16 October 2020 and 18 June 2021 to and from the following staff:*





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.

The fact that Section 40(5) of the FOIA has been cited should not be taken as an indication that the information you have requested is, or is not held by the Department. The terms of this exemption of the FOIA mean that we do not have to consider whether or not it would be in the public interest for us to reveal whether or not the information is held. However, as these points relate to a request for your own personal information, they will be considered as a Subject Access Request. Please be assured that your request has been passed to the Defence Business Services Subject Access Request Team who will respond to you separately.

Under section 16 (Advice and Assistance) you might wish to be informed that further information about submitting a Subject Access Request to the MOD and a copy of the application form can be found at the link below:

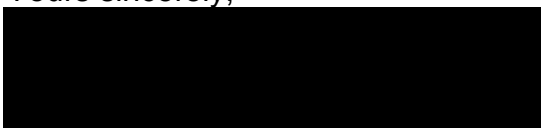
<https://www.gov.uk/guidance/obtain-information-about-yourself-held-by-mod>

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