



Ministry  
of Defence

**Defence Business Services**

Secretariat Team  
Room 6303  
Tomlinson House  
Norcross  
Thornton Cleveleys  
Lancashire  
FY5 3WP

Ref: FOI2021/09372

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

3 September 2021

Dear [REDACTED]

Thank you for your request added to the form you completed on 8 August 2021 requesting the following information:

*"Also, if you will indulge me, I have several bits of info I would like that would likely fall under FOI:*

*Band D job spec for respective SAR and audit jobs (note – if the 3 new SAR D post specs are different, I would like a copy of each different one).*

*I would like the current versions and also any previous versions of both the SAR and audit jobs going back to approx. 2014/5 (when I was made TMP into the 1 SAR D post).*

*Minutes for the meeting in Jan 20 to discuss role changes to the SAR team (that I missed due to being signed off on the day of the meeting)*

*How many incumbents have been employed in the SAR D post between its creation and 2015 (when I moved into the post).*

*DBS records retention schedule Business case for expanding the SAR team from 1 to 3 D Bands.*

*How many hours O/T (+ cost in financial terms) have the SAR team needed to clear backlogs (Jan 20 – Current) broken down by month + grade.*

*How many civil servants in the Cheadle ITMS office are trained 1st aiders/medics or have a medical qualification?*

*Due to the people named in this request*

*I would also like the response to be provided in hard copy to my home address, and electronically, to both email addresses supplied.”*

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

A search for the information has now been completed within the Ministry of Defence, and I can confirm that some of the information in scope of your request is held.

*Band D job spec for respective SAR and audit jobs (note – if the 3 new SAR D post specs are different, I would like a copy of each different one). I would like the current versions and also any previous versions of both the SAR and audit jobs going back to approx. 2014/5 (when I was made TMP into the 1 SAR D post).*

All information held in scope of your request can be found attached at Annex's A-F.

*Minutes for the meeting in Jan 20 to discuss role changes to the SAR team (that I missed due to being signed off on the day of the meeting)*

This information is not held. There were no minutes or notes taken at this meeting.

*How many incumbents have been employed in the SAR D post between its creation and 2015 (when I moved into the post).*

Five individuals including yourself have been employed in the SAR D post from its creation until 2015.

*Business case for expanding the SAR team from 1 to 3 D Bands.*

Please see attached Consultation Document SAR JEG found at Annex G

*How many hours O/T (+ cost in financial terms) have the SAR team needed to clear backlogs (Jan 20 – Current) broken down by month + grade.*

Please see attached overtime breakdown from January 2020 to July 2021 found at Annex H

The figures provided cover overtime for both Cheadle Hulme and Norcross, as separate details by SAR team location are not held. Due to low numbers of staff at each grade on the SAR teams in some cases especially at C2 the figures can be attributed to individuals where there was just one in grade for most of the period covered.

Therefore, in order to protect personal information governed by the Data Protection Act 2018, Section 40(2) of the FOI Act has been applied to some of the information by supplementing a tilde (~). Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

*How many civil servants in the Cheadle ITMS office are trained 1st aiders/medics or have a medical qualification?*

There are currently two trained first aiders and two mental health first aiders. There are no medically qualified civil servants in the Cheadle ITMS office.

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

**Department:**  
Ministry of Defence

**Business Area:**  
Defence Business Services

**Business Area – detailed:**  
Data Protection/Subject Access Request

**Number of Jobs Available:**  
1

**Location: Region**  
North West

**Location: City/Town**  
Cheadle Hulme

**Location: Building/Site**  
Cheadle Hulme

**Grade:**  
Band D

**Equivalent Departmental Grade:**  
EO

**Eligibility:**  
Stage 1 & Promotion

**Type of Role:**

Administration / Corporate Support

**Job Description**

The Defence Business Services (DBS) Data Protection Act (DPA)/Subject Access Request (SAR) post is part of the DBS Information Systems with individuals based across a number of the DBS sites.

There is one post required 1 x 37hrs weekly

The role is to ensure that all DBS DPA SAR business is handled in a timely, accurate and balanced way meeting Departmental targets whilst ensuring compliance with information rights legislation.

The main responsibilities/activities of the posts are:

1. To ensure that DPA SAR regulations (including Legal obligations & requirements) are stringently applied across the organisation.
2. Ensure all Data Protection SAR meet the statutory target dates and are compliant with the DPA98 Section 7.
3. Facilitate the development of processes to meet and maintain legislative and regulatory requirements.
4. Respond to all internal and external data protection subject access request queries across DBS in a timely manner.
5. Monitor team activities to ensure statutory compliance and adherence to MOD / DBS policy, ensuring that relevant strategies, policy standards and best practice are applied correctly by reviewing and authorising responses to SARs.
6. Provision of information for third party SARs (Solicitors & Fraud).
7. Respond to all internal and external SAR queries or complaints in a timely manner.

8. Assist in internal reviews of the handling of SARs as required.
9. Maintain accurate records and statistics to inform the SAR Team Leader of trend analysis to enable effective planning.
10. Undertake SAR awareness activities across DBS to promote/enable compliance.
11. Assist in activities regarding the implementation in DBS of the General Data Protection regulation (GDPR).
12. Liaise with DBS Secretariat for the provision of data requested under the FOI Act

Whilst previous DPA/SAR experience is not essential (as on the job training will be provided), priority will be given to those with relevant skills and experience.

The intention is to provide training on site, however, there may be a need for occasional travel to other DBS sites.

For information regarding this vacancy, please contact:

- [REDACTED]

**Reserved / Non Reserved post(s)**

This is a Non Reserved post and is therefore open to UK, British Commonwealth and European Economic Area (EEA) Nationals and certain non EEA members

**What security level is required for this post?**

Security Check

If you are a successful candidate you will be expected to undertake the following level of security check:

- Security Check

**Working Pattern**

These jobs are available for full-time, part-time or flexible working arrangements (including job share arrangements)

**Employment Terms: Post Type**

Permanent

**Minimum Expected Tour Length**

2 Years

**Employment Terms: Hours**

1 X 37 hours

**Relocation Allowances**

The post does not offer any assistance with Relocation Expenses.

**Competence 1**

Seeing the Bigger Picture

**Competence 2**

Changing & improving

**Competence 3**

Making Effective Decisions

**Competence 4**

Leading & Communicating

**Competence 5**

Collaborating & Partnering

## Competence 6

Managing a Quality Service

## Sift & interview/selection dates and location

Cheadle Hulme, dates to be confirmed

## Selection process details

### Contact point for applicants:

- [REDACTED]

### Further information

For further information regarding this vacancy please see contact point for applications (details above)

Details of the Civil Service Nationality Rules are located at:

<http://www.civilservice.gov.uk/about/resources/nationality-rules>. Candidates will be subject to UK immigration requirements. For the most up-to-date information on the requirements of working in the UK, please go to the UK Border Agency website: <http://www.ukba.homeoffice.gov.uk/visas-immigration/working/>

### Closing Date

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### Online Test Deadline Instructions

### Online Test Deadline

### Terms of Transfer

N/A

The Civil Service is committed to providing services which embrace diversity and which promote equality of opportunity. We also offer a guaranteed interview scheme for disabled applicants who meet our minimum selection criteria.

We will not tolerate discrimination on any of the following: gender, marital status, sexual orientation, race, colour, nationality, religion, age, disability, HIV positivity, working pattern, caring responsibilities, trade union activity or political beliefs - or any other grounds.

Our department's policy does not allow applicants to apply for vacancies when they are still in their probation period

## **CHEADLE SUBJECT ACCESS REQUEST TEAM BAND D:**

- Ensure all MOD Civilian Data Protection Subject Access Requests (SAR) and Third Party Solicitor Requests (TPR) meet the statutory target dates (40CDs (overall target not less than 98%)) and are compliant with section 7 of the Data Protection Act 98 (DPA 98)
- Respond to all internal and external data protection SAR/TPR queries across DBS in a timely manner (cases to be booked on and acknowledged within 2 WDs)
- Monitor team activities to ensure statutory compliance and adherence to MOD / DBS policy, ensuring that relevant strategies, policy standards and best practice are applied correctly by reviewing and authorising responses to SAR/TPR
- Undertake complex/special handling case work for SARs/TPRs including Locally Employed Civilian (LEC) cases. 100% of SARs/TPRs requests actioned within 40CDs (where data can be sourced), overall target not less than 98%.
- Ensure completion of audit log for all complex case & special handling SAR/TPR (weighted "4" cases) – within 5WDs of case closure
- Responsible for actioning requests (from authorised sources) for DBS Civilian Fraud Requests. 100% of Fraud requests actioned within 5CDs (where data can be sourced), agreed SLA with FIIRU, overall target not less than 95%.
- Undertake weekly and quarterly reporting (production of stats) of SARs/TPRs/Fraud cases against deadlines by monitoring & assessing volumes, responsiveness, issues & risks (to include feedback/liaison with team on daily basis)
- Respond through Line Management to enquiries/feedback/complaints relating to SARs/TPRs, responses within 2/3WDs.
- Assist in internal reviews of the handling of SAR/TPR as required
- Provide support & expert/accurate advice/guidance to colleagues across DBS including liaison with other MOD areas where necessary for advice & guidance on DBS SARs/TPRs/legislative matters on-going
- Undertake briefings to DBS teams regarding SAR team role/requirements
- Documentation and on-going development of processes regarding actioning of SAR/TPR to meet and maintain legislative and regulatory requirements
- Ensure that the Cheadle SAR Team Knowledge Base is reviewed and updated on-going
- Support to Line Management in preparation for GDPR
- Band D competency/behaviours:
  - Seeing the big picture
  - Changing and improving
  - Making effective decisions
  - Leading and communicating
  - Collaborating & Partnering
  - Managing a quality service

- DBS/MOD values & behaviours:
  - DBS/MOD Values:
    - Loyalty - We have devotion to the crown (as exercised through the government)
    - Courage - We have the conviction to do what is right even though it is unpopular
    - Commitment - We put obligations of DBS above personal interest
    - Discipline - We behave intelligently, guided by our rules
    - Respect - We have positive feelings of regard for the qualities of others
    - Integrity and Honesty - We mean what we say, we say what we mean and we do what we say. We adhere to our moral code. We have a reputation that our word is never in doubt. We act without deceit or fraud
  - DBS Behaviours:
    - Lead by setting your own example to colleagues
    - Engage positively with customers and colleagues to support them in delivery of our services and strategic goals
    - Work collaboratively across our role boundaries to deliver the end to end outcomes our customers want
    - Challenge unacceptable behaviour





# Information Technology Management Services

## Permanent Position Job Specification

<b>Job Title</b>	Compliance Officer 1
<b>Function</b>	Integrated Assurance
<b>Grade:</b>	D
<b>Line Manager</b>	IA Manager
<b>Hiring / Budget Manager:</b>	ITMS - Hd Live services
<b>Working Pattern:</b>	Full time
<b>Work Location:</b>	Cheadle Hulme
<b>Travel Required</b>	Occasional travel to other DBS sites
<b>Organisation / Team</b>	Information Technology Management Services
<b>HRMS Number</b>	00227569
<b>Version</b>	1.0 February 2018

<b>Job Purpose:</b>	Carry out compliance checks to ensure compliance with Data Protection (DP) legislation
<b>Key Accountabilities / Responsibilities:</b>	<ul style="list-style-type: none"> <li>• Ensure up to date knowledge of data protection legislation</li> <li>• Carry our compliance checks to an agreed compliance schedule across DBS to ensure compliance with Data Protection (DP) legislation</li> <li>• Provide input to CIO Integrated Assurance Dashboard and completion of evidence matrix</li> <li>• Explore and develop an on-line staff compliance survey tool</li> <li>• Proactively audit processes, providing advice on best practice/compliance and identifying any compliance risk</li> <li>• Assist with completion of Data Protection Impact Assessments (DPIAs) and system impact assessments</li> <li>• Develop training/awareness briefs as necessary</li> </ul>
<b>Desired Criteria:</b>	<ul style="list-style-type: none"> <li>• Familiarity of Microsoft Office Suites</li> <li>• Data Protection awareness</li> </ul>

Core Competencies	Competence	Desired Level
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	CORE 1 – Changing and Improving	II
	CORE 2 – Making Effective Decisions	II
	CORE 3 – Leading and Communicating	II
	CORE 4 – Collaborating and Partnering	II
	CORE 5 – Seeing the Big Picture	II
	GKIM Skill 3: Information Governance	III

Functional / SFIA Competencies		

Qualifications Relevant to Post	
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# Information Technology Management Services

## Permanent Position Job Specification - Template

<b>Job Title</b>	Subject Access Request Desk Officer
<b>Function</b>	Information Assurance
<b>Grade:</b>	D
<b>Line Manager</b>	Subject Access Request Team Leader
<b>Hiring / Budget Manager:</b>	Hd IT Management Services
<b>Working Pattern:</b>	Full-time
<b>Work Location:</b>	Cheadle Hulme
<b>Travel Required</b>	Occasional travel to other DBS sites
<b>Organisation / Team</b>	Information Technology Management Services
<b>HRMS Position Number</b>	00171545
<b>Version</b>	4.0 Mar 2020

<b>Job Purpose:</b>	Support the Information and Records Management Lead in the provision of information in response to Data Protection Subject Access Requests for MoD Civilian employees and members of the public. Ensure compliance with information rights legislation.
<b>Key Accountabilities / Responsibilities:</b>	<p><b>Role Specific Responsibilities</b></p> <ul style="list-style-type: none"> <li>• Ensure all Data Protection Subject Access requests meet the statutory target dates and are compliant with Data Protection legislation</li> <li>• Facilitate the development of processes to meet and maintain legislative and regulatory requirements</li> <li>• Manage the response to all internal and external data protection subject access request queries across DBS in a timely manner</li> <li>• Monitor team activities to ensure statutory compliance and adherence to MOD / DBS policy, ensuring that relevant strategies, policy standards and best practice are applied correctly.</li> <li>• Manage the review and authorisation of responses to Subject Access Requests across the team</li> <li>• Provision of information for third party Subject Access Requests (Solicitors)</li> <li>• Respond to all internal and external subject access request queries or complaints in a timely manner</li> <li>• Undertake internal reviews of the handling of Subject Access Requests as required</li> <li>• Maintain accurate records and statistics to inform the SAR Team Leader and Information and Records Management</li> </ul>

	<p>Lead trend analysis and enable effective planning</p> <ul style="list-style-type: none"> <li>• Liaise with DBS Secretariat for the provision of data requested under the FOI Act</li> </ul>
<b>Desired Criteria:</b>	<ul style="list-style-type: none"> <li>• At least 1 years' experience within Data Protection</li> <li>• Good organisational skills</li> </ul>

<b>Success Profiles</b>		
	Leadership	
	Working Together	
	Managing a Quality Service	
	Delivering at Pace	
	Communicating and Influencing	
	Making Effective Decisions	

<b>Functional / SFIA Competencies</b>	Data Management - DATM	III
Government Knowledge & Information Management Skill 3: <b>Information Governance</b>		<b>Practitioner level</b>

<b>Qualifications Relevant to Post</b>	<ul style="list-style-type: none"> <li>• Data Protection Certification (desirable)</li> </ul>
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# Information Technology Management Services

## Permanent Position Job Specification

<b>Job Title</b>	Subject Access Requests Support
<b>Function</b>	Integrated Assurance
<b>Grade:</b>	D
<b>Line Manager</b>	SAR-Officer
<b>Hiring / Budget Manager:</b>	ITMS - Hd Live services
<b>Working Pattern:</b>	Full time
<b>Work Location:</b>	Cheadle Hulme, Norcross – Tomlinson House
<b>Travel Required</b>	Occasional travel to other DBS sites
<b>Organisation / Team</b>	Information Technology Management Services
<b>HRMS Number</b>	<b>00169977</b>
<b>Version</b>	2.5 Feb 2021

<b>Job Purpose:</b>	Manage delivery of Subject Access Requests in accordance with Data Protection (DP) legislation Support the Data Protection Lead in the provision of information in response to Data Protection Subject Access Requests and other Information Rights requests for MoD Civilian employees, and UK Veterans and support DBS Records Management activities. Ensure compliance with information rights legislation.
<b>Key Accountabilities / Responsibilities:</b>	<ul style="list-style-type: none"> <li>Responding to enquiries from civilians including current and former MOD employees and UK veteran staff, providing advice on all aspects of information rights and subject access requests across DBS in a timely manner.</li> <li>Analyse requests for information to ensure they are clear and meet the required authentication criteria. Monitor receipt of appropriate identification or clarification documentation, taking action to reject requests in line with Departmental policy</li> <li>Identify the data required and request appropriate data from relevant MOD/DBS business areas acting as the single point of contact for collation of the data</li> <li>Co-ordinate responses and monitor receipt of information within statutory timescales, hastening other TLBs as required, to ensure all DP SARs meet the statutory target dates and are compliant with DP Legislation,</li> <li>Ensure Information Rights Requests are redacted in line with DBS workflow procedures prior to release</li> <li>Handle complex cases requiring application of GDPR principles, to ensure legally compliant redactions are made</li> <li>Respond to third party requests for data requested under DP legislation.</li> <li>Store, arrange, index and classify records on a daily basis using the Info Rights Management Application or eCase and ensure legal obligations are met in relation to SARs.</li> <li>Carry out initial stage of internal reviews following Data Subject complaints</li> <li>Review of Archive records held providing inventory of contents &amp; destroying records beyond retention date. Providing advice on retention policy as required</li> <li>To ensure DBS SAR processes are defined, distributed and reviewed regularly to comply with Departmental legal obligations and handling policy</li> <li>Carrying out checks to support information management assurance, conducting reviews to an agreed compliance schedule to ensure compliance with information management and data protection</li> <li>To ensure that Data Protection (DP) legislation Subject Access Request (SAR) regulations (including Legal obligations &amp; requirements) are stringently applied across the organisation.</li> </ul>
<b>Desired Criteria:</b>	<ul style="list-style-type: none"> <li>Familiarity of Microsoft Office 365</li> <li>Data Protection Awareness</li> <li>Experience in applying data protection principles</li> <li>Good Organisational Skills</li> </ul>

Core Behaviours	Behaviours	Desired Level
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	Leadership	I
	Seeing the Bigger Picture	I
	Making Effective Decisions	I
	Communicating and Influencing	I
	Managing a Quality Service	I
	Delivering at pace	I

<b>Functional / SFIA Competencies</b>	GKIM Professional Skills Framework - Level 3 Information Governance	Practitioner level

<b>Qualifications Relevant to Post</b>	Data Protection Practitioner Training
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## Defence Business Services - Subject Access Request Officer - Cheadle Hulme (x2)

### Reference number

92067

### Salary

£26,350

### Grade

Executive Officer  
D

### Contract type

Permanent

### Business area

MOD - Head Office & Corporate Services, Defence Business Services

### Type of role

Administration / Corporate Support  
Knowledge and Information Management

### Working pattern

Flexible working, Full-time, Job share, Part-time

### Number of posts

2

### Location

Cheadle Hulme

### About the job

### Summary

Support the Data Protection Lead in ensuring compliance with information rights legislation and application of Data Protection (DP) legislation. Manage delivery of Subject Access Requests in accordance with DP legislation, providing information in response to Data Protection Subject Access Requests and other Information Rights requests for Civilians (MOD employees and non-employees) and UK Veterans and ensuring compliance with Data Protection Legislation across DBS.

### Job description

- Responsible for ensuring all requests for information made under Information Rights legislation are handled appropriately and within the statutory timescale
- Having a thorough knowledge of GDPR principles and how to apply these to requests for information
- Ensuring that Data Protection (DP) legislation is stringently applied across the organisation by carrying out checks to support information management assurance, conducting reviews to an agreed compliance schedule to ensure compliance with information and records management and data protection
- Handling complex cases requiring the application of GDPR principles, to ensure legally compliant redactions are made and appropriate exemptions applied

- Providing advice and guidance to customers, stakeholders and to SAR team members on the application of GDPR principles
- Responding to queries from data subjects relating to data provided and carrying out initial stage of internal reviews following Data Subject complaints
- Championing Continuous Improvement in the delivery of Subject Access Requests and application of Data Protection legislation across the organisation
- Responding to enquiries from civilians including current and former MOD employees, contractors and UK veteran staff, providing advice on all aspects of information rights and subject access requests across DBS in a timely manner.
- Analysing requests for information to ensure they are clear and meet the required authentication criteria. Monitor receipt of appropriate identification or clarification documentation, taking action to reject requests in line with Departmental policy
- Identifying the data required and request appropriate data from relevant MOD/DBS business areas acting as the single point of contact for collation of the data
- Co-ordinate responses and monitor receipt of information within statutory timescales, hastening other TLBs as required, to ensure all DP SARs meet the statutory target dates and are compliant with DP Legislation,
- Authorising casework prior to release checking appropriate exemptions have been applied
- Responding to third party requests for data requested under DP legislation.
- Store, arrange, index and classify records on a daily basis using the Info Rights Management Application or eCase and ensure legal obligations are met in relation to SARs.
- Review of Archive records held providing inventory of contents & destroying records beyond retention date. Providing advice on retention policy as required
- Ensuring DBS SAR processes are defined, distributed and reviewed regularly to comply with Departmental legal obligations and handling policy
- E-case champion/lead for the team, exploiting the technology and providing training/guidance for team members
- Provision of statistical information regarding Information Rights to DBS/MOD Centre as required.
- Line Management activities

## Responsibilities

### Essential:

**Familiarity of Microsoft Office 365**

**Good Organisational Skills**

**Ability to work on your own and as part of a team**

**Good multitasking Skills**

### Desirable:

**Familiarity with E-case**

**Good knowledge of Data Protection legislation**

**Experience in applying data protection principles**

**Knowledge of MOD Civilian HR systems**

## Behaviours

We'll assess you against these behaviours during the selection process:

- Leadership
- Seeing the Big Picture
- Making Effective Decisions
- Delivering at Pace

## Benefits

- Learning and development tailored to your role
- An environment with flexible working options



- A culture encouraging inclusion and diversity
- A Civil Service pension

This post does not offer any assistance with relocation allowances.

Please be advised that the Department is conducting a review of all pay related allowances which could impact on those allowances that the post currently being advertised attracts.

Please note:

Expenses incurred for travel to interviews will not be reimbursed.

Any move to MOD from another employer will mean you can no longer access childcare vouchers. This includes moves between government departments. You may however be eligible for other government schemes, including Tax-Free Childcare. Determine your eligibility at <https://www.childcarechoices.gov.uk/>.”

## Things you need to know

### Security

Successful candidates must meet the security requirements before they can be appointed. The level of security needed is [security check](#).

People working with government assets must complete [basic personnel security standard](#) checks.

### Selection process details

This vacancy is using [Success Profiles](#), and will assess your Behaviours.

Apply on line via CS Jobs.

Sift will occur one week after job closes.

Candidates successful at Sift will then be invited to interview.

Feedback will only be provided if you attend an interview or assessment.

### Nationality requirements

This job is broadly open to the following groups:

- UK nationals
- nationals of Commonwealth countries who have the right to work in the UKs
- nationals of the Republic of Ireland
- nationals from the EU, EEA or Switzerland with (or eligible for) status under the European Union Settlement Scheme (EUSS)
- relevant EU, EEA, Swiss or Turkish nationals working in the Civil Service
- relevant EU, EEA, Swiss or Turkish nationals who have built up the right to work in the Civil Service
- certain family members of the relevant EU, EEA, Swiss or Turkish nationals

### [Further information on nationality requirements](#)

### Eligibility

Post available to staff who hold the substantive grade of this post and staff applying on promotion, progression and advancement.

Please note that priority will be given to staff seeking level transfer who have been assigned Priority Mover status.

This vacancy is open to employees who were appointed to the MOD on merit following a fair and open competition, or were appointed to a permanent MOD post in accordance with an exception

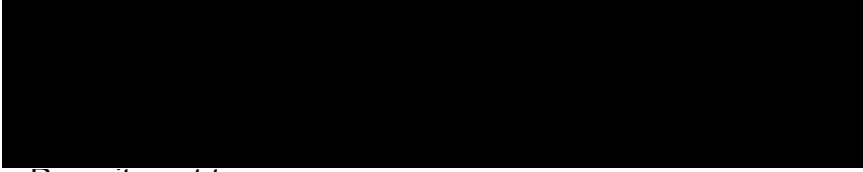
certified by the Civil Service Commissioners.

Candidates in their probationary period are not eligible to apply for vacancies within this department.

### **Working for the Civil Service**

The Civil Service embraces diversity and promotes equal opportunities. As such, we run a Disability Confident Scheme (DCS) for candidates with disabilities who meet the minimum selection criteria.

### **Contact point for applicants**



Recruitment team :

Email : [DBSCivPers-Resourcingteam3@mod.gov.uk](mailto:DBSCivPers-Resourcingteam3@mod.gov.uk)

### **Further information**

Please refer to the attached Candidate Information guide.

## **CONSULTATION DOCUMENT**

### **Proposal**

Regrade two of the band E1 Civilian Subject Access Request (SAR) Assistant, and one E1 Veteran SAR positions to Band D reporting to the C2 SAR Manager. Regrade the two E2 posts to E1.

### **Background**

The role of the SAR assistants is to process subject access requests (SARs) made under the Data Protection Act 2018 (DPA 18) and General Data Protection Regulation (GDPR). There are two teams: One based at Cheadle Hulme which handles all requests received from civilians (both employees and members of the public) for disclosure of information held by the Department; One based at Norcross which handles veteran requests primarily focused on War Pensions and Armed Forces Compensation Scheme. Since the introduction of the GDPR the timescale for responding has reduced from 40 calendar days to 30 days and a range of additional Information Rights (which continued to include SARs) were introduced. Additionally, SAR handling by Government Departments has come into sharper focus both in terms of public scrutiny and interest from the industry regulator: The Information Commissioner.

The civilian SARs are mostly complex requests where there are on-going disciplinary, grievance, bullying and harassment or claims against the Department. The team have to collate the data from DBS systems and also from across the Department's TLBs, approaching any named individuals for personal data held and providing these individuals with guidance on what is within scope. There is also often dispute as these individuals, sometimes very senior members of the Department, may be nervous to disclose information that is part of an on-going investigation. The Veterans UK cases tend to be straightforward casefiles for disclosure without the same level of expertise required, apart from some complex compensation claim cases, where application of the Access to Medical Records legislation has to be considered, or those involving special forces/protected population data. These latter cases are currently handled by one E1 post.

### **Recommendation**

In reviewing the structure of both teams the split of complex and straightforward cases has been considered and the recommendation reflects this split in responsibility and level of expertise required.

The SAR Assistant role currently operates at E1 level. The current grading does not properly reflect the extensive knowledge the SAR team need to have of the GDPR and DPA 18, the in-depth and extensive knowledge of the different business areas and HR policies across MOD, nor does it reflect the responsibility of ensuring that the legal principles are correctly applied to ensure legislative compliance. Legal compliance involves not just GDPR, DPA18 and Access to Health Records Act 1990, but also Privacy and Electronic Communications Regulations 2003 and Human Rights Act 1998. The impact if not carried out correctly could result in a breach of the legislation, resulting in enforcement action from the Information Commissioner's Office, which could result in a fine of up to €20 million, and severely damage MOD's and DBS' reputation. For the complex cases that are still going through Departmental procedures the team also have to apply the MoD's policies relating to these cases and ensure that the Departmental interests are protected but strictly within the confines of the legislation. Disclosure of data that could influence negotiations in an on-going HR case could impact cases that are at employment tribunals or influence a misconduct decision.

The E2 role for the Veterans SAR Team has developed from just providing support to becoming hands on in the delivery of responses to customers and has taken on much of the same duties as the E1 posts. There has been difficulty recruiting into the E2 post for the civilian team and it is now considered that the work would align with E1 responsibilities rather than just support as we move to electronic provision of data. By uplifting these posts to E1 will provide additional capability within both teams to respond to requests within the statutory timescale. It will also reflect the change in delivery planned under transformation as we move to more electronic delivery of requests rather than retrieval and handling of paper records.

Since the introduction of GDPR, which required all organisations to have data protection officers, there has been a constant turnover of staff, and difficulty particularly at the Cheadle office, in recruiting into the posts. Staff are receiving extensive desk training and then after gaining experience in applying the law are moving to higher paid posts in the area, or gaining promotion within DBS. The cost of professional training is high and before offering this training we need some assurance that we will recoup the costs by retaining the skills of the trained staff. This is putting DBS at a serious disadvantage in trying to recruit and retain experienced, professionally trained staff which in turn is seriously impacting delivery of the service. Additionally, the current Band D posts have been unable to complete all tasks associated with the role, which needs to be a wider data protection role (providing general data protection advice, reviewing DPIAs etc) and not just handling of SARs.

The work in both teams can be split between Complex and Straightforward cases and the grading below reflects this:

Current grading	Proposed Grading
Civilian SARs: 1 x D 4 x E1 0.57 x E2	Civilian SARs: 3 x D 3 x E1
Veteran SARs: 1 x D 3 x E1 1 x E2	Veteran SARs: 2 x D 3 x E1

## Benefits

An uplift of two of the E1 posts to D grades in the Civilian SAR team, and one post in the Veteran's SAR team, and both E2 posts (to two full time E1 posts) will result in an increase of staff costs but will enable the business to both attract and retain suitably qualified and experienced professional staff. It will also allow greater scope to use those staff to ensure data protection compliance across DBS by allowing assurance checks and providing direction, guidance and training of DBS staff in the wider business. Increasing the number of Band D's will also enable the correct provisioning of tasks within the team, which are currently being handled at a higher grade

## Timescale

The current SAR team are trained staff with experience and knowledge that cannot be easily replaced. To safeguard the SAR team in terms of retention and looking at the potential opportunities for DBS in ensuring data protection compliance, it is important that we align the SAR function to the correct grade for the responsibility they have, at the earliest opportunity.

## EQUALITY ANALYSIS

In regrading and recruiting into these vacancies, no Equality Impact has been identified on any of the Equality Groups (Age, Gender, Race, Disability, Religion/Belief, Sexual Orientation, Gender Reassignment, Marriage & Civil Partnership, Pregnancy & Maternity, Carer) or any other group.

This is because if the posts are uplifted they will become vacant posts, the change does not involve a move of location, and the MOD recruitment processes will be used to fill the positions.

Therefore, no further Equality Impact Assessment is required.

Cheadle Hulme and Norcross SAR team overtime breakdown from January 2020 to July 2021

<b>Month</b>	<b>C2 Hours</b>	<b>D Hours</b>	<b>E 1 Hours</b>	<b>Cost £</b>
January 2020	-	40	95.5	3,754.41
February	~	37.5	147.5	5,216.61
March	-	34	86	3,600.85
April	-	-	-	-
May	-	-	-	-
June	-	-	-	-
July	-	-	-	-
August	-	67	202	7,234.62
September	-	45	133.5	4,882.08
October	~	46	236.5	8,913.78
November	~	36	156	7,684.16
December	~	12	90	3,317.05
January 2021	~	12	48	2,291.45
February	~	28.5	13	1,559.32
March	~	88	160	10,001.35
April	~	128	144	7,882.38
May	~	136	200	10,580.39
June	~	128	192	11,849.74
July	~	64	120	6,869.29