

Ref: FOI2021/09459, FOI2021/09460

21 September 2021

Thank you for your email of 24 August 2021 to the Ministry of Defence (MOD), requesting the following information:

FOI2021/09459

- “1. How many civil servants in the department have made complaints that they have been bullied by another civil servant/staff member (note, this should include special advisers and politicians) in the last three calendar years (up to and including August 2021)? To be clear, I’m asking for information for 2019, 2020 and 2021. Please could you break this information down by year and gender. Please could you break this information down by year, gender and by departmental organisation where the complainant was working, including the Royal Navy, British Army and Royal Air Force or civilian staff.*
- 2. How many civil servants/staff in the department have faced civil service disciplinary investigations as a result of an accusation of bullying made against them by a civil servant in the last three calendar years (up to and including August 2021)? Please could you break this information down by year, gender. In each case, please could you state whether any misconduct was found and, if so, what type of disciplinary action was taken including verbal/written/final warnings, suspension, dismissal etc. Please could you break this information down by year, gender and by departmental organisation where the complainant was working, including the Royal Navy, British Army and Royal Air Force or civilian staff.”*

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- “1. How many civil servants in the department have made complaints that they have been sexually harassed by another civil servant/staff member (note, this should include special advisers and politicians) in the last three calendar years (up to and including August 2021)? To be clear, I’m asking for information for 2019, 2020 and 2021. Please could you break this information down by year, gender and by departmental organisation where the complainant was working, including the Royal Navy, British Army and Royal Air Force or civilian staff.*
- 2. How many civil servants/staff in the department have faced civil service disciplinary investigations as a result of a sexual harassment claim made against them by another civil servant/staff member in the last three calendar years (up to and including August 2021)? Please could you break this information down by year, gender and by departmental organisation where the complainant was working, including the Royal Navy, British Army and Royal Air Force or civilian staff. In each case, please could you state whether any misconduct was found and, if so, what type of disciplinary action was taken including verbal/written/final warnings, suspension, dismissal etc.*

3. *Please could you state in any of the cases above whether the police was notified of the staff member's sexual harassment complaint/if any investigation/charges were brought. Please could you break this information down by year."*

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 MOD and I can confirm some information in scope of your request is held. However, I must advise you that we would not be able to answer your request without exceeding the appropriate cost limit.

Section 12 of the FOIA makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate cost limits, which for central government is set at £600. This represents the cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving and extracting the information.

Unfortunately, grievance categories recorded in the Human Resource Management System (HRMS) are not specific enough to answer your request. To answer your request would require a manual search through each recorded case in order to determine which were relevant to the questions you are asking. To carry out such a task would involve a manual check of around 1000 HRMS records. At a conservative estimate of 30 minutes per file, this would equate to 500 hours, exceeding the appropriate cost limit. Additionally, because of the way data is recorded, in some cases we may not be able to find the information requested

Under Section 16 of the FOIA (Advice and Assistance) the department may be able to provide some information in scope of your request if you were to refine your request by limiting the time period of data you are asking for, and reducing the number of questions which in turn would reduce the number of cases to be examined.

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