



Ministry
of Defence

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Ref: FOI2022/00867

10 February 2022

Dear

Thank you for your letter of 5 January 2022 to the Ministry of Defence (MOD) requesting all documents relating to the employment, personnel, earnings and health records of your client. As you are aware, the majority of your request is being dealt with by the Subject Access Request (SAR) team, however, points 7, 10 and 11 have been passed to our office to be dealt with under the Freedom of Information Act 2000 (FOIA):

“7. If our client was made redundant, details of the current selection criteria used for redundancies.

10. Whether our client would have been able to continue working beyond the age of 65 and, if so, whether he would have been able to continue working in the same role on the same pay.

11. Comparative earnings – that is the current average net earnings for a selection of employees engaged currently in the same position as our client was. We appreciate that you will most likely wish to give figures anonymously.”

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.

In answer to Q7, please find the attached Selection Criteria document at Annex A, which a business area could use during a redundancy situation. However, under Section 16 (Advice and Assistance) I should explain that each business area is entitled to use the criteria best suited to their business need. Scheme rules relating to eligibility is governed by the Cabinet Office (Civil Service pensions). The scheme rules can be found on the Civil Service Pensions Scheme website at: <https://www.civilservicepensionscheme.org.uk/your-pension/work-life/redundancy/>

In answer to Q10, the information you have requested falls entirely within the scope of an absolute exemption under Section 21 (Information reasonably accessible by other means) of the FOIA. Section 21(1) has been applied, as the information is already in the public domain and therefore, reasonably accessible to you at the link below. Section 21 is an

absolute exemption and as such, there is no requirement to consider the public interest in making a decision to withhold the information.

Under Section 16 (advice and Assistance) you might wish to know that there is no mandatory retirement age for Principle Civil Service Pension Scheme (PCSPS) employees. The correct term is retirement with pension, and it is the employee's choice to take it. However, the exception is if the individual is a Fire Fighter, in which case retirement age is 65. Details of the Civil Service Pension Scheme can be found online at - <https://www.civilservicepensionscheme.org.uk/>

In answer to Q11, Some of the information you have requested also falls under Section 21 (Information reasonably accessible by other means) of the FOIA. Section 21(1) has been applied, as the information is already in the public domain and therefore, reasonably accessible to you at the link below:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1006708/HOCS_Mar_21_junior_data.csv/preview

Under Section 16 (Advice and Assistance) it may be helpful to know that the current average earnings for individuals currently engaged at the level you have requested, is £56,624.50. Please note that this figure is gross, as net earnings have too many variables such as PAYE, National Insurance contribution, Pension deductions etc.

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)



SELECTION CRITERIA

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Selection Criteria

1. This document provides details of the Selection Criteria that could be used during a redundancy situation. Agreement should be sought on the selection criteria to be used which may vary between projects depending upon the scenario.
2. Decisions should be made using a process that is fair, reasonable, non-discriminatory and verifiable by the appropriate evidence.
3. The weighting given to each element should be decided in advance of the selection process being carried out and in conjunction with the TUs. The actual weighting will be dependent upon the specific nature of the business and requirements.
4. Any selection criteria should not unlawfully discriminate any one or group of employees.
5. The Redundancy Procedure provided details of some of the selection criteria that may be used:
 - Personal capabilities (including specialist knowledge gained either through training, experience or formal studies/qualifications) in the context of the objectives and future needs of the business or wider Department and as evidenced.
 - Personal attendance where formal warning action has been taken (i.e. absence record) based on available evidence (but note that care must be exercised to ensure that this gives a fair result and does not amount to unlawful discrimination by disadvantaging employees on particular grounds such as age, disability or gender and that absences arising from one-off acute illness or following operations are discounted as appropriate).
 - Personal conduct based on available evidence from official disciplinary records (but excluding 'spent' offences).
 - Length of service (but this should never be the sole or primary criterion).
6. Other criteria that may be considered are as follows:
 - Standard of work performance, this must be based on objective evidence such as performance management assessments, feedback from peers and can be scored for both current and past performance.
 - Business criticality/continuity, this should identify how business critical the employees skill sets are to the future delivery of the business. There should also be a linkage between the criticality and the MODs priorities.
 - Competences, these could be assessed and scored in the same way as for recruitment and selection. The scores highlighted in the recruitment guidance should be used here for example a score of 7 would be 'outstanding demonstration' and 1 would be for 'not' demonstrated.
 - Skills, particularly specialist knowledge that has been acquired through work as opposed to formal qualifications. This will obviously change dependent upon the particular change

programme.

- Financial element, this should take into account how long it would take to see the result of any saving and also the total cost of the exit package. This will take into account compensation, pension top up, early access to pension etc. This criteria should be used in conjunction with other criteria and should be set against the potential for redeployment.
7. When considering the selection criteria for a specific change programme managers should be able to provide written evidence against each of the criteria identified for those employees impacted.
 8. It is possible to have different selection criteria for different parts of the organisation however the selection criteria used must be clearly articulated in advance and along with the scoring should have been identified in advance with the TUs.

Selection Criteria Matrix

9. When employees have submitted their applications for consideration of either voluntary or compulsory redundancy, a panel should be convened to complete a matrix which represents the total score for all employees. The scores will ultimately list the employees in ascending order. By using a matrix for the scores it is seen as being a framework for rational and objective decisions. It should also demonstrate fairness.
10. The following is an example of how you might score some of the criteria highlighted above. The scores and weightings should be identified, set and consulted at the commencement of a change programme and should be relevant to that particular situation.

Example Selection Criteria Matrix

Competences	
Essential Competences	Score
Outstanding Demonstration	7
Strong Demonstration	6
Good Demonstration	5
Acceptable Demonstration	4
Moderate Demonstration	3
Minimal Demonstration	2
Not Demonstrated	1

Business Criticality and MOD Priorities	
	Score
Essential	7
Significant Contribution	5
Some Contribution	2
Not Essential	0

Personal Capabilities/Skills/Knowledge	
	Score
Highly skilled / skills not readily available	4
Medium skill / skills available elsewhere	2
No specialist skills / knowledge	0