



Defence Business Services
Secretariat
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Ref: FOI2022/02201
FOI2022/02436

DBSRES-Secretariat@mod.gov.uk

Mr [REDACTED]
[REDACTED]

14 March 2022

Dear Mr [REDACTED]

Thank you for your emails of 19 and 24 February 2022 to the Ministry of Defence (MOD), requesting:

FOI2022/02201

1. *What is the GMC number of the Veterans UK Medical Advisor known as 'Dr KC'?*
2. *What medical qualifications does this doctor have?*

FOI2022/02436

1. *What medical qualifications 'Dr K.C' (Veterans UK medical advisor) has and what their GMC number is?*

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 all information in scope of your request is held.

I must advise you that Section 40(2) has been applied to this question in order to protect personal information as governed by the Data Protection Act 2018. Section 40 is an absolute exemption and there are no requirements to consider the public interest in making a decision to withhold the information.

I am, therefore, unable to release the General Medical Council (GMC) numbers of the Medical Adviser known as Dr KC, as they have either not consented to, or are unable to consent to, the release of their personal information, and it remains unreasonable to do so without their consent.

Under Section 16 of the FOIA (Advice and Assistance), it may be helpful to advise following a discussion with the GMC, Defence Business Services have confirmed that they are not required to release the names or qualifications of their employees i.e. Veterans UK Medical Advisers, where doing so would contravene other legislation such as the Data Protection Act. The GMC confirmed that where an individual makes a direct approach to a Doctor for their qualifications, the Doctor must provide the requested information e.g. where a patient makes a verbal request to their General Practitioner (GP). However, as DBS customers

are unable to approach the Veterans UK Medical Advisers directly, the release of their personal information is dependent upon other rules and regulations such as the UK Data Protection Act 2018 (UK DPA 18). GDPR Article 23(1) and the UK DPA 2018, Schedule 2, Part 3, covers the Protection of Rights of Others, specifically in relation to Health, Social and Education workers. In accordance with paragraph 17(1)(a) it is to be considered reasonable for a controller to disclose information to a data subject without the consent of the other individual where – (a) the health data test is met 17(2) explains, the health data test is met if – (a) the information in question is contained in a health record, and (b) the other individual is a health professional who has compiled or contributed to the health record or who, in his or her capacity as a health professional, has been involved in the diagnosis, care or treatment of the data subject. A pension or compensation file does not constitute a health record, and Veterans UK Medical Advisers are not involved in the diagnosis, care or treatment of claimants. A Veterans UK Medical Adviser's role is to provide advice and guidance based upon pre-existing medical evidence which is used to determine the level of disablement in accordance with the relevant pension scheme rules.

We can confirm that in order to be appointed as a Medical Advisor within Vets UK, a valid licence to practice medicine in the UK and registration with GMC and current re-validation certificate is required. Additionally, MAs are required annually to undertake continuous professional development activity to keep knowledge in medicine and legislation up to date.

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 black rectangular redaction box covering the signature of the sender.

Defence Business Services Secretariat