

Ref: FOI2022/04254

DBSRES-Secretariat@mod.gov.uk

April 2022

Dear [REDACTED]

Thank you for your email of 24 March 2022 to the Ministry of Defence (MOD), requesting the following information:

"1. Under the FOIA, I want:

- a) *Confirmation that the attached letter dated 4 March 2021 reference CRT 01/03/2021*
 - i) *is a letter sent by Veterans UK to me*
 - ii) *that [REDACTED] is a member of staff of Veterans UK*
 - iii) *that the letter is dated 4 March 2021*
 - iv) *that the letter refers to my letter of 3 March 2021*
 - v) *that it does not refer to my letter of 23 February 2021*
 - vi) *that this is proof that you did receive my letter of 3 March 2021*
- b) *A copy from your Correspondence Recording System of the entry for your letter of 4 March 2021 with the reference CRT 01/03/21*
- c) *A transcript of b) if it is not legible*
- d) *An explanation in plain English of the data in each field of b)*
- e) *A copy from your Correspondence Recording System of the entry for your letter of 12 March 2021 with the reference CRT 01/03/21*
- f) *A transcript of e) if it's not legible*
- g) *An explanation in plain English of the data in each field of e)*
- h) *A copy of your acknowledgement of 4 March 2021 to my letter of 23 February 2021*
- i) *A copy from your Correspondence Recording System of the entry for your letter of 4 March 2021 which refers to my letter of 23 February 2021*
- j) *A transcript of i) if it is not legible*
- k) *An explanation in plain English of the data in each field of i)*
- l) *An explanation of the reference CRT 01/03/21*
- m) *A copy of my letter of 3 March 2021*
- n) *An explanation of why your Correspondence Recording System did not warn you that a reply to my letter of 3 March 2021 was outstanding*
- o) *An explanation of why your Correspondence Recording System did not warn you that a reply to my letter of 23 February 2021 was outstanding."*

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 of the information in scope of your request is held.

In regard to questions a(i), a(iii) to a(v), h and m, I can neither confirm nor deny whether the MOD holds the information that you have requested. We are not obliged to confirm or deny whether we hold the information as if held, this would relate to personal information. Section 40(5) of the FOIA provides that there is no duty to confirm or deny whether we hold the information.

The fact 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 it would be in the public interest for us to reveal whether the information is held.

Under Section 16 (Advice and Assistance) you may wish to know that you do have the right to ask for copies of your personal information which is commonly known as making a Subject Access Request (SAR). As such I have passed your request to the Department's Subject Access Request (SAR) Team who will contact you to take this request forward.

In answer to question a(ii) 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.

In answer to question a(vi), n and o, I must advise that Section 1 of the Freedom of Information Act gives an applicant the right to access recorded information held by public authorities at the time the request is made and does not require public authorities to answer questions, provide explanations or give opinions, unless this is recorded information held. I can confirm that the Ministry of Defence holds no recorded information that would provide an answer to the question you have asked in your request. You may find it useful to know that The Information Commissioners Office publishes guidance on how to make requests for information under the Freedom of Information Act at the attached link which you may find helpful in any follow up requests for information

<https://ico.org.uk/for-the-public/official-information>

In regards to question b, e and i, it may be helpful if I explain that the CRT use an excel database to record complaints received and cleared. Attached at Annex A is a copy of the entry for the case with the reference number 01/03/21. In answer to d, g and k, an entry is not added for each letter but rather each complaint and the relevant fields are updated as they are actioned. Therefore, this is a one line entry which shows the date that the complaint was received, acknowledged and cleared, it also show the category the complaint falls into and the level of responsibility for replying (i.e. CRT, Head of CRT or Head of Veteran Services) and also shows the member of staff who drafted it and cleared the case on the database. However, I should explain, that S40(2) has been applied to this information in order to protect personal information as governed by the Data Protection Act 2018. As such, personal information has been redacted.

In regards to question l, when a complaint is received by CRT it is assigned a reference number. In this case, 01/03/2021 refers to the first case (01), in the month of march (03) 2021.

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