



Ministry  
of Defence

**Defence Business Services**

Secretariat  
Room 6303  
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Thornton-Cleveleys  
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Ref: FOI2022/10525

[DBSRES-Secretariat@mod.gov.uk](mailto:DBSRES-Secretariat@mod.gov.uk)

4<sup>th</sup> October 2022

Dear [REDACTED]

Thank you for your letter of 31 August 2022 to the Ministry of Defence (MOD), seeking information about your personal information.

You requested the following information:

*"...I will clarify the obvious position regarding the FOI request, namely that as part of the privatisation of the public sector it appears that a private company holds my details and I wish to know what they intend to do with them, if they have sold my details to other parties, to whom were they sold and why was this done. So in no particular order I seek:*

- *Which company was authorised to "find" my address*
- *What other contact details were passed to them by you*
- *Who now holds these details*
- *Where were these details obtained and how*
- *What will these details be used for*
- *Have they been distributed to other private or public companies*

I take great care not to publicise my address, for obvious reasons, but it would seem someone has granted a 3<sup>rd</sup> party the "right" to gather information on me and then potentially hold it without any expressed permission from myself. I need reassurances which can only be granted with knowledge of the above points.

I could invoke a SAR if needs be...."

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

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 there is recorded information held. 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 link below, which you may find helpful in any follow up requests for information.

<https://www.gov.uk/make-a-freedom-of-information-request>

A search for the information has now been completed within the Ministry of Defence and 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 that 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 or not it would be in the public interest for us to reveal whether or not the information is held. However, as these points relate to a request for your own personal information, they will be considered as a Subject Access Request. Please be assured that your request has been passed to the Defence Business Services Subject Access Request Team who will respond to you separately.

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](mailto: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