



Ministry
of Defence

Defence Business Services

Secretariat
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Ref: FOI2023/6013

DBSRES-Secretariat@mod.gov.uk

[REDACTED]

6 June 2023

Dear [REDACTED]

Thank you for your email of 11 May 2023 to the Ministry of Defence (MOD), in which you requested the following information:

"I am asking through Freedom Of Information if the Medical Reports from Dr M and my own GP be Forwarded to me along with other Medical evidence Used . I would also Like to Know the Medical Advisors Qualification."

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 neither confirm nor deny whether the MOD holds the information to answer your first question. Information to answer your second question is provided below.

We are not obliged to confirm or deny whether we hold the personal information as if held, this would relate to your 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 or not it would be in the public interest for us to reveal whether or not the information is held.

Notwithstanding the above, under Section 16 of the FOIA (Advice and Assistance), you do have the right to request access any personal data which may be held by the Department under the Data Protection Act 2018 and as such I have passed your request to the Department's Subject Access Request (SAR) Team who will contact you in order to establish if any such information exists. Further information about submitting a SAR for personal information to the MOD can be found at the link below:

<https://www.gov.uk/guidance/obtain-information-about-yourself-held-by-mod>

To answer your second question, I can confirm that details of the DBS Medical Advisers (MAs) specific qualifications are not held.

However, under Section 16 of the FOIA (Information and Assistance), you may find it helpful to be aware that all DBS MAs are registered and fully licensed medical practitioners undergoing annual summative and formative appraisal. They usually join the Department following a successful career in some branch of clinical medicine relevant to the Armed Forces. This includes general practice, orthopaedics, ophthalmology, mental health and public health.

On joining they are trained in medico-legal determinations and evidence-based medicine, and the military no-fault compensation schemes. In post they undertake regular continuing professional development which may be general or informed by particular case types or issues raised, both medical and legal.

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