

Freedom of Information Act 2000 (FOIA) Decision notice

Date: 1 November 2024

Public Authority: Ministry of Defence

Address: Whitehall
London
SW1A 2HB

Request:

The complainant requested the following information from the Ministry of Defence on 7 May 2024:

“In regard to the recent data breach involving the third party supplier for the MoD’s payroll system. Please can I request copies of any relevant data protection compliance documents held by the MoD.

Including: DPIA or similar documents to approve the use of the supplier. Information pertaining to the use of the supplier on the MoD’s RoPA. Any appendix or section within MoD’s contract with the supplier which specifically mentions data protection and/or cyber security standards.

I do not require any information that the MoD may feel is sensitive and I am understanding that these are likely to be redacted. However would appreciate receiving evidence that the requested documents exist, broadly what data is included in the documents and the date the documents were created, approved and last reviewed.”

Commissioner’s Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**