



Ministry
of Defence

██████████
DE&S SEC Policy Secretariat

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Our Reference:
FOI2014-00678
(previously 21-03-2014-
160548-001)

Your Reference: 2/14

Date: 20 June 2014

Dear ██████████,

Request for Information under the Freedom of Information (FOI) Act

Further to my letter dated 19 May 2014, I am writing to provide you with a response to your Freedom of Information request, in which you ask for the following information:

- *A list of all concerns raised to the Atomic Weapons Establishment's Corporate Ethics Manager by email, telephone, or any other means since the post was established. Please provide copies of all entries on the management system which is used to record concerns raised with the AWE Corporate Ethics Manager.*
- *For each concern which has been closed, please provide copies of the entry on the relevant management system (or equivalent record) indicating what action was taken to address the matter.*
- *Please also indicate which concerns have not yet been closed.*

I am sorry for the delay in providing you with the information you requested, and for not writing within the timescale indicated in my last letter.

Please note that the FOI reference number for this case has been changed as shown above as we have introduced a new FOI IT system.

I can confirm that the Ministry of Defence holds information that falls within scope of your request, and one document is attached which includes extracts from the AWE Ethical Concerns Register. This register contains a total of 32 entries. However, 25 of these entries refer to topics such as AWE plc recruitment and employment issues, sickness absence and other staff behaviour issues. AWE plc is not designated as a public body under the requirements of the FOI Act 2000, and, information which relates wholly to staffing or company issues, is not considered to be within scope of this request as it is not

held on behalf of the Ministry of Defence. The remaining seven entries included on the register are considered to be within scope. The table includes the detail you requested regarding action taken to address matters raised and concerns that have yet to be closed.

As you may be aware, there are provisions in the FOI Act under which certain data is exempt from release. It has been judged that some of the information relevant to your request falls within scope of qualified exemption Section 24(1) (national security) and absolute exemption Section 40(2) (personal information). The attached document has therefore been redacted to withhold exempt information and a summary of the supporting public interest arguments is provided below.

As exemption Section 24(1) is qualified, the decision to release or withhold the information depends on where the balance of public interest lies. In order to make this decision, an assessment of the public interest arguments both in favour of and against release has been undertaken. Where it was felt that the public interest in withholding the information outweighed that for releasing it, we have judged the information exempt. It is recognised that there is a public interest in releasing the information contained in the document as it demonstrates the Ministry of Defence's commitment to openness and transparency. However, a small part of text contains information that if released could assist individuals, or groups planning theft, sabotage or other malevolent or illegal acts against the AWE.

As exemption Section 40(2) is absolute, a public interest test is not required and the names of some of the individuals contained within the document have been redacted.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely,


Defence Equipment & Support Policy Secretariat