



Sam Kelly  
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Defence Equipment & Support  
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Bristol BS34 8JH



FOI2022/07665

23 August 2022

Dear Sam Kelly,

I wrote to you on the 25 July 2022 regarding your request for the following information:

*Dear Defence Equipment and Support,*

1. *Please provide details of annual bonus by pay level 1-5 for the years 2016-2021: What was the lowest amount / Highest amount / Average?*
2. *Please provide any policy documents outlining how bonuses are decided and applied. Clarification: please express the bonus information at (1) in percentage terms of employees' basic salary.*

As stated in my previous letter, your correspondence has been treated as a request for information under the Freedom of Information Act (FOIA) 2000, and I also confirmed that the Ministry of Defence (MOD) holds information related to your request, but that we believed it fell within the scope of the Section 43 (Commercial) exemption. This is a qualified exemption, and as such it was necessary for us to decide whether, in all the circumstances of the case, the public interest in maintaining the exemptions outweighed the public interest in disclosure. In this instance it has been concluded that this is not the case and the requested information, including supporting policy documents which are still held, are attached with this letter.

Please note that some of the information falls entirely within the scope of the absolute exemptions provided for at Section 40 (Personal Data). Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 2018. As Section 40 is an absolute exemption, there is no requirement to consider the public interest in making a decision to withhold the information.

Under Section 16 of the Act (Advice and Assistance) it should be noted that prior to performance year 2017/2018, a set amount was given to staff as a bonus payment rather than a percentage of salary. Furthermore, due to the Covid-19 Pandemic, for performance year 2019/20 staff were not required to complete annual performance appraisals and eligible staff were marked as a Box 3 (good).

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,

DE&S Secretariat.