



Ministry  
of Justice



HM Courts &  
Tribunals Service

## War Pensions and Armed Forces Compensation Chamber (HM Courts and Tribunals Service) Records Retention and Disposition Schedule

### Introduction

1. This schedule applies to the records that are created and managed by staff employed in the War Pensions and Armed Forces Compensation Chamber (WPAFCC) of HM Courts & Tribunals Service (HMCTS). It has been agreed following consultation between the WPAFCC and staff working for the Departmental Records Officer (DRO) in the Ministry of Justice.
2. As a public body, the MoJ takes its responsibilities for managing information seriously. These responsibilities include compliance with the Public Records Act 1958, General Data Protection Regulation (GDPR), the Data Protection Act 2018, Freedom of Information Act 2000 (FoIA) and amending legislation. The MoJ uses Records Retention and Disposition Schedules (RRDS) to manage its compliance with statutory obligations to identify what information and records we hold, how long we keep it and what should happen to these records at the end of that time.
3. The WPAFCC's work is governed by The Tribunal Procedure (First-tier Tribunal) (War Pensions and Armed Forces Compensation Chamber) Rules 2008.

### More about this schedule

4. The WPAFCC's records include those of the former Pension Appeals Tribunal. Some WPAFCC records were selected for permanent preservation in the past and were transferred to The National Archives (TNA). Descriptions of these records can be found on TNA's catalogue. We have included links to the catalogue in the footnotes to Table A below.
5. This schedule is split into three tables:
  - a. Unique records held by WPAFCC
  - b. Records with common policies across jurisdictions or that are subject to HMCTS corporate retention policies
  - c. Records subject to MoJ's corporate retention policies

6. If a Freedom of Information Act 2000 request or a subject access request under the General Data Protection Regulation and Data Protection Act 2018 is received, a hold must be put on the relevant records for at least **three months** after the request is resolved.
7. While the UK Covid-19 Inquiry continues its investigations, any records of potential interest to the Inquiry, as set out in published Terms of Reference, will be retained. Further information can be found at: <https://covid19.public-inquiry.uk/uk-covid-19-inquiry-terms-of-reference-2/>.
8. As part of its commitment to transparency, this schedule will be published on the MoJ's webpage: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>.

## The schedule

**Table A: Unique records held by WPAFCC**

No.	Record type	Retention and disposition
<b>A. Unique records held by WPAFCC</b>		
1.	WPAFCC cases <sup>1</sup> including: <ul style="list-style-type: none"> <li>• Assessment</li> <li>• Entitlement appeals</li> <li>• Contentious appeals of special interest</li> </ul>	Except for special interest cases, keep for <b>seven years</b> from date case closed and then destroy.  <b>Special interest cases</b> should be retained following judicial guidance on a <b>case by case basis</b> (for a maximum of 20 years)
2.	WPAFCC Practice Directions <sup>2</sup>	Keep for <b>seven years</b> from date case closed and then destroy.
3.	WPAFCC Appeals struck out	Keep for <b>seven years</b> from the date of the appeal was struck out and then destroy.
4.	Joint Applications	Keep for <b>seven years</b> from the date of President's Order and then destroy.

<sup>1</sup> Case files from 1946-1993 are held by The National Archives. Further details can be found at: <http://discovery.nationalarchives.gov.uk/browse/rh/C2860>

<sup>2</sup> Similar papers from 1920-1979 are held by The National Archives. Further details can be found at: <https://discovery.nationalarchives.gov.uk/details/r/C2861>

No.	Record type	Retention and disposition
5.	Lapse Applications	Keep for <b>seven years</b> from the date after the lapse and then destroy.

**Table B: Records with common policies across jurisdictions or that are subject to HMCTS corporate retention policies**

No.	Record type	Retention and disposition
6.	Tribunal decisions <sup>3</sup>	Keep permanently until discussions with TNA about publishing and transferring decisions have been concluded.
7.	Recordings of hearings	Keep for the same period as for the case ( <b>seven years</b> from date case closed unless it's a special interest case).
8.	Judicial bookings and diaries	Keep for <b>seven years</b> from date case closed and then destroy.
9.	Records created as part of governance and assurance processes including: <ul style="list-style-type: none"> <li>• Key Control Check Sheets (KCCS)</li> <li>• Standard Operating Controls (SOC)</li> <li>• Previous equivalents</li> </ul>	Destroy in line with the HMCTS Governance and Assurance RRDS <sup>4</sup>

**Table C: Records subject to MoJ's corporate retention policies**

No.	Record type	Retention and disposition
10.	HR information (held by line managers)	Destroy in line with the <i>What to keep</i> <sup>5</sup> guidance
11.	Business continuity plans (held by business)	Updated annually. Keep previous versions for <b>three years</b> and then destroy.

<sup>3</sup> Originally known as Pensions Appeal Tribunals, Registers of Cases, records were transferred to The National Archives for the years 1943-1998. Further details can be found at: <http://discovery.nationalarchives.gov.uk/browse/r/h/C2859>

<sup>4</sup> HMCTS Governance and Assurance RRDS is available at: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>

<sup>5</sup> *What to keep* is available at: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>

No.	Record type	Retention and disposition
12.	Finance and risk management information	Keep for <b>seven years</b> and then destroy.
13.	All other types of record not specified above, including copies of records which are owned by other business areas <sup>6</sup>	Keep for up to <b>three years</b> and then destroy.

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**Signed: 22 May 2023**

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<sup>6</sup> If the business identifies record types which need a new retention period, they should contact the DRO's team.