VETERANS ADVISORY AND PENSIONS COMMITTEE

HANDBOOK FOR CHAIRMEN AND MEMBERS
VETERANS ADVISORY & PENSIONS COMMITTEES

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**VETERANS ADVISORY & PENSIONS COMMITTEE (VAPC)**

**Part 1 - Introduction and Background**

1. The VAPC is an Advisory Non-Departmental Public Body (ANDPB) made up of unpaid volunteers appointed by Minister for Defence People and Veterans (Min DPV) to provide help for veterans and their families in accessing vital welfare support. This is achieved by 13 regional committees across England, Northern Ireland, Scotland and Wales, each one having between 12 and 20 members.

2. The VAPC is established under the War Pensions Act 1921 and the Social Security Act 1989. The functions and procedures are described in The War Pensions Committees Regulations Statutory Instruments 2000 No. 3180, 2005 No. 3032, 2006 No. 3152 and 2017 No 1133 (See Appendix 1, 1a, 1b and 1c). Functions and procedures of the Committees are further supported by the VAPC Terms of Reference.

3. The Committees were formerly known as War Pensions Committees (WPC) dating back to 1921, when members undertook adjudication and administration of grants to disabled ex-servicemen, care for their families and monitoring of the Ministry of Pensions War Disablement Pensions Scheme.

4. Following the Quinquennial Review in 2010 it was agreed to pilot a wider remit for the WPC to act as advocates for veterans in support of the Armed Forces Covenant. The pilot was implemented in 2011 and the former WPC subsequently became the VAPC. The VAPC operates independently of its sponsor department - the Ministry of Defence. Cabinet Office provides the structure and governance in respect of ANDPBs. All appointments are on a voluntary basis and are made by Min DPV by letters of appointment for a 3 year term.

5. In general, the VAPC regulates its own business. For this purpose, each regional Committee is able to create sub-committees, groups or panels who may meet at venues other than the one normally used for the main VAPC meetings. Committees and sub-committees meet at varying intervals depending on the volume of business to be transacted.

**Role and Functions**

6. The role of the Committees is to:

   *(a) Raise awareness*

   Raise awareness, especially at local level of:

   - The War Pensions Scheme,
   - Armed Forces Compensation Scheme,
   - The Veterans UK Welfare Service
   - The availability of cross government support to the Armed Forces, their families and Veterans.
   - Act as advocates for implementing the Armed Forces Covenant and associated measures at a local level.
(b) Provide Support

Support the Ministry of Defence by acting as advocates for the implementation of cross government support to injured personnel, their dependants and veterans. Highlighting gaps or issues in provision and feeding these back initially through Veterans UK or any mechanism put in place by the service provider.

Assist Veterans and dependants in accessing local services as envisaged under the Armed Forces Covenant, where individuals are unable to obtain the required support – i.e. work with all parties to act as advocates for individuals experiencing difficulty in accessing services. The committees do not provide welfare support themselves but can support individuals and should refer cases for Veterans UK Welfare assessment where appropriate.

Support Veterans UK by providing a Quality Assurance of the Veterans Welfare Service (VWS) and liaising with other organisations with a view to ensuring the welfare needs of veterans and their dependants are addressed.

(c) Advising and representing

Assist individuals with any problems or complaints they have regarding the War Pensions Scheme (WPS) or Armed Forces Compensation Scheme (AFCS) claims process, where there is no formal recourse to an independent body, liaising closely with Veterans UK.

Offer an independent explanation of the War Pensions and AFCS scheme(s) as they relate to individuals, assessing issues in response to specific complaints.

Provide a formal independent review of complaints.

(d) Consultation

To act as a conduit for local consultation based on involvement in the wider process and contact with individuals in their regions, with Ministers, the Ministry of Defence and Veterans UK on issues affecting recipients of pension from the War Pensions Scheme and Armed Forces Compensation Scheme.

(e) Armed Forces Covenant

The Armed Forces Covenant sets out the relationship between the nation, the government and the armed forces. It aims to prevent those who serve or have served, and their families, from facing disadvantage in their access to services. It ensures that, where appropriate, injured servicemen and women and bereaved families receive special consideration.

Governance

7. The model of practice for Committees is summarised as:

Each Committee under this advisory non-departmental public body must at all times:

- observe the highest standards of impartiality, integrity and objectivity in relation to the advice they provide and the management of this public body
• be accountable to Parliament and the public more generally for its activities and for the standard of advice it provides; and
• in accordance with Government policy on openness, comply fully with the Code of Practice on Access to Government information.

8. The minister of the sponsoring department is answerable to Parliament for the policies and performance of this body, including the policy framework within which it operates.

Public Service Values

9. All board members must:

• Follow the Seven Principles of Public Life (below) set out by the Committee on Standards in Public Life. All committees and activities are subject to adherence to the seven principles of public life. These come directly from recommendations by the Committee on Standards in Public Life (Nolan: First Report, May 1995) and are now part of Cabinet Office Governance. They are the foundations of the public appointments process and are designed to ensure appointment on merit and a quality outcome:

The seven principles of public life

Selflessness - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisation that might influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interests.

Leadership - Holders of public office should promote and support these principles by leadership and example.

• Comply with this Code and ensure they understand their duties, rights and responsibilities and that they are familiar with the function and role of this body and any
relevant statements of Government policy. New board members should consider attending relevant training or induction courses.

- Not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations;

- Not hold any paid or high-profile unpaid posts in a political party and not engage in specific political activities on matters directly affecting the work of this body. When engaging in other political activities, board members should be conscious of their public role and exercise proper discretion. These restrictions do not apply to MPs (in those cases where MPs are eligible to be appointed), to local councillors, or to Peers in relation to their conduct in the House of Lords.
Part 2 - Committee Meetings

10. Meetings – frequency and venue

The day, time, venue and frequency of VAPC meetings are for the VAPC Chairmen to decide. The frequency of the meetings will vary with the activity of the Committee and the use they make of sub-committee meetings. The main committee should meet at least twice a year, but meetings should not normally exceed 3 per year.

11. Sub-Committees

A committee may, from among its members, appoint a subcommittee which shall consist of no fewer than 3 members or no more than four fifths of the total number of members.

12. Secretariat

Chairmen are responsible for appointing one of their Members to the position of Committee Secretary to record minutes of meetings and to perform appropriate Secretariat duties (Appendix 2).

13. Requirements

Minutes of each meeting must be recorded, agreed, published on the VAPC web pages and open to inspection by the Secretary of State in accordance with the Cabinet Office transparency agenda.

14. Resolutions and Recommendations

The SI requires that any recommendations made by the Veterans Advisory & Pensions Committee to the Secretary of State are submitted in the form of a resolution to the Minister. Recommendations, which do not require the attention of Minister but relate to payments administered under the War Pension Scheme or Armed Forces Compensation Scheme should be forwarded to the appropriate Veterans UK Focal Point.

15. Resolutions by Sub Committee

Resolutions on general policy and procedure passed by a sub-committee (or Panel) require endorsement by the full Committee, unless general powers have been delegated to the sub-committee. When the resolution of a sub-committee is prepared for submission it will need to show whether the resolution had been endorsed by the full Committee or the sub-committee was acting under delegated powers.
16. **Reply to resolutions/recommendations**

The reply to a resolution is a formal letter sent by Minister or the Head of Veterans UK to the committee. A response to VAPC recommendations will be answered at the appropriate level by Veterans UK. Whenever possible, Veterans UK will engage informally with Chairmen to resolve any issues.
Part 3 - Appointments and Recruiting

17. All public appointments must be made in accordance with the Office of the Commissioner for Public Appointments (OCPA) Governance Code. Candidates should be considered on merit, i.e. the well-informed choice of individuals who, through their abilities, experience and qualities, match the needs of the Committee and on the basis of opportunities for all.

Ministerial responsibility

18. Ultimate responsibility for appointments rests with Minister. To ensure Minister can fulfil this role properly, the sponsor department must ensure that:

- All Office of the Commissioner for Public Appointments principles are adhered to
- Agree appointment criteria and the process to be followed with Minister at the outset to avoid disruption of the process at a later stage
- Ensure that once the process is under way these criteria are not changed
- Ensure that all candidates under consideration for approval meet the criteria and the standards required by the seven principals of public life.

Tenure of appointments

19. The number of terms an individual may serve and the conditions for re-appointment are set out below. However, the maximum period in office must not exceed 10 years on the same committee. If a member wishes to move to another committee then they must go through an open recruitment exercise and their period in post starts again. If at the end of 10 years an individual wishes to continue in the position with the same Committee, he must compete with other interested individuals during the yearly recruitment round.

Recruitment cycle

20. An annual recruitment cycle is co-ordinated by the MOD Sponsor Team Focal Point and administered by the Defence Business Services (DBS) Civilian Personnel Team. Each Chairman is asked to provide the number of positions to be filled on their Committee and a national campaign is launched. A wide field of candidates must be established wherever possible and therefore the position is advertised by a range of methods by the recruitment focal point and circulated as widely as possible by the Chairmen.

Recruiting Chairmen

21. Sifts and interviews for Chairmen are carried out by Head Veterans UK, the National or Vice National Chair and an independent panel member.

Recruiting Members

22. Selection of candidates is made by the Chairman of each region together with an independent panel member on the basis of a paper sift, if necessary, and an informal interview of short listed candidates.
23. All procedures must be ‘proportionate’, that is appropriate for the nature of the post and the size and weight of the responsibilities.

24. The Office of the Commissioner for Public Appointments can audit appointments and recruitment exercises and have the power to investigate complaints.

**Letter and announcement of appointment**

25. A letter will be issued by Minister inviting successful candidates to take up the appointment.

26. The appointments process must be transparent and the arrangements to announce appointments are made by DBS Civilian Personnel.

**Appointing Vice Chairmen**

27. The Committee elects its own Vice Chairmen from within its membership.

**Reappointments**

28. Chairman and Members may be reappointed after each 3 year term up to a maximum of 10 years. This is however dependent upon their contribution to the Committee and their performance which is recorded via the appraisal process.

**Equality and Diversity**

29. The principles of equality and diversity are not only socially just but will benefit any committee to which they are applied. Individuals from all sections of society may have much to offer a public body by virtue of their diverse experience and background. Therefore, care must be taken, at every stage, not to discriminate on the grounds of gender, race, age, disability, religion, marital status, sexual orientation or community background.

30. Those involved in the appointments process must ensure that any initiative or positive action they take to encourage or achieve wider representation is within the law.

**Probity**

31. Appointed individuals must be committed to the principles and values of public service. The problem most likely to arise is that of actual or perceived conflict of interest. Therefore, as early as possible in the recruitment process, all candidates must be asked to disclose information or personal connections which, if they were to be appointed, could be misconstrued or cause embarrassment to the appointing authority.

32. Chairmen are best placed to judge what might constitute a conflict of interest. If it appears that a possible conflict might exist or arise in the future, this must be fully explored with the member to establish whether it is sufficiently significant to prevent the individual from carrying out the duties of the post. The discussions and decisions must be fully documented and publicly justified if challenged. See also Appendix 3.
33. In relation to conflicts of interest there are 4 issues most frequently encountered:

- financial interests or share ownership
- candidates who are actively sought from within a field of expertise in which the public body works. Such a connection does not preclude an appointment, but it might well be perceived by the public as a conflict of interest and will need to be handled sensitively
- membership of societies (e.g. Freemasons). In some instances, such membership may be cited as creating an obvious conflict of interest, but it must not be an automatic bar to appointment. It must be established whether there is a genuine conflict of interest and if it would hamper the individual in carrying out the requirements of the post
- candidates must be assessed on merit and not treated more or less advantageously because of the activities, associations or employment of a partner or friend, nor must that relationship influence their actions if appointed. Again, such relationships should not automatically preclude appointment, but committees must be sensitive to a situation that might create an actual or perceived conflict of interest.

34. Appointees must be made aware of the need to notify their Chairmen and the MOD Sponsor Team if there is any relevant change in their situation or connections during the period of the appointment.

Openness and transparency

35. To gain public confidence the workings of the appointments system must be clearly visible. All stages of the process, including relevant conversations, must be documented and the information readily available for audit. Information should be stored for a minimum of 2 years. However:

- personal information about applicants and panel members must remain confidential, unless the individual concerned gives permission for its release
- data protection legislation must be considered in relation to all recorded information.

Proportionality

36. A degree of proportionality is built into the appointments process. The Code of Practice from OCPA sets out the minimum measures required. However, within this framework there is the flexibility to adopt the approach considered to be most suitable and effective.

Applications from Member of Parliament

37. The House of Commons Disqualification Act lists, in Schedule 1, a number of appointments that Members of Parliament (MPs) and Members of the European Parliament (MEP’s) are not entitled to hold. They can take up any other public appointment. However, as with all candidates, departments will need to consider the time required for carrying out the functions as a member of a board and its compatibility with their other commitments as an MP or MEP. Members of the Welsh Assembly and Scottish Parliament are barred from certain appointments listed in respective Orders.
in Council. MPs and members of the devolved legislatures should receive no remuneration for appointments to Non-Departmental Public Bodies (NDPBs) held in that capacity as they are already in receipt of moneys from the public purse.

Applications from Civil servants

38. Civil servants can sit on NDPB boards as ex-officio members because of the particular function they carry out in their work as a civil servant. However, it would be unusual for civil servants to be members in a private capacity as it could potentially give rise to tensions in their role of serving Ministers and that of overseeing the work of an NDPB at arms-length from Ministers. Civil servants are also restricted by their terms and conditions of service in outside work activities they can be involved in and by the civil service management code and by their own staff codes.

References

39. References will be obtained as these can provide additional background information and can flag up any areas of particular strength or areas of concern, which may not have come to light during the selection process.
Part 4 - Performance and Achievement

Appraisal Process

40. Committees must have in place regular and transparent performance assessment processes that will provide the necessary, robust evidence for considering re-appointments.

- As a matter of good practice, members should be appraised on their performance on a continual basis
- Each member will have at least 1 formal appraisal during their 3 year appointment. This should be carried out by the Chairman of each Committee towards the end of each Member’s 3 year term on the appropriate form (see Appendix 6) and will form the basis of the decision to request Minister to consider a further appointment or not.
- There is a requirement under the War Pensions Committees (Amendment) Regulations 2017 to report on the activities of the VAPC and this is facilitated via the annual reporting cycle (see Appendix 7). Each Chairman submits an Annual Committee Report (see Appendix 8). This is used as the basis of each Chairman’s annual appraisal (see Appendix 9) by Head Veterans UK and is subsequently used to report up to Min DPV. Updates are also given at the VAPC Chairmen’s biannual conference which Min DPV is routinely invited to attend.
- Reporting the benefits brought about by the VAPC role is important. Members need to keep a record of their activities and regularly feed back to their Chairman for inclusion in the annual report

Appraisal and re-appointment

41. Once the number of forthcoming vacancies has been identified, departments will need to establish how many of the members whose terms of office are due to end are eligible for a further 3 year term of appointment and meet the current requirements of the committee. The benefits of re-appointment include continuity, the retention of skills and experience, and the economy of avoiding a full competition. However, these should always be balanced against the advantages of having new “blood” and fresh ideas introduced. There is no guarantee of any re-appointment being favourably considered and re-appointments will be governed by the time and performance criteria set out below. The decision to re-appoint must be taken in a timely manner, and where possible, before the current term expires. Where members are seeking re-appointment, departments should take the opportunity to ask them to update the information which is held on them and, as a minimum, the department should obtain updated monitoring information and a new political activity questionnaire. Appointees may serve any number of terms subject to the 10-year rule, providing their performance has been continuously assessed as satisfactory.

Terminating appointments

42. Appointments may be discontinued before the end of tenure for the following reasons:

- **Non-attendance**: The committee secretary will keep a record of members’ attendance at VAPC meetings. If a member has been absent for 3 meetings without reasonable excuse and
it is clear he has lost interest in the work, the Chairman will write to the member to ascertain his future intentions.

If a reply is received, act according to the member’s wishes. If no reply is received one month after the date given in the letter, the member’s appointment is considered to be terminated – no further letter is sent. The Chairman may wish to initiate action to fill the vacancy according to current best practices and this should be progressed by the VAPC through the Focal Point.

- **Performance & Standards of Behaviour**

  The appraisal function can be used to recommend discontinuing the services of anyone who has failed to contribute or who has not met the requirements of the Seven Standards of Public Life.
Part 5 - Veterans Welfare Service Quality Assurance & Monitoring role

43. As a result of VAPCs direct involvement with Veterans and their dependants coupled with their close working relationship with the Veterans Welfare Service, they are well placed to provide an independent quality assurance overview related to the service delivery of the Welfare Service at a local level. The efficient performance of this role not only benefits Veterans UK by inviting their attention to deficiencies in the system but ensures that appropriate customer comment is made known to senior management or to other external agencies.

44. The VAPCs have a role to play in measuring the quality and standard of service provided by the Veterans Welfare Service to Veterans and their dependents. To facilitate that role, VAPC members are permitted to accompany a Welfare Manager (WM) on a visit or to conduct an independent follow up to a client where a WM visit has already been carried out. See Appendix 10 for full details of this role.
Part 6 - Support

45. MOD as the sponsor department provides a team to give appropriate oversight scrutiny of, and support and assistance to the VAPC, in accordance with the Cabinet Office standards on Corporate Governance.

46. Veterans UK provide support on behalf of the MOD for the VAPCs in the form of:

- Chairmen having direct access to the Head of Veterans UK at any time
- The Veterans Welfare Service (VWS) through the Regional Manager regarding local issues
- VAPC Focal Point providing advice and administrative support on a range of issues
- Veterans UK providing administrative support on VAPC casework and Independent Complaints Panel

For further details of the provision of support you can expect, see Appendix 5.

Crown Indemnity

47. Indemnities for personal liability of NDPB board members.

In December 1998, the Treasury laid a Departmental Minute giving Parliament notice of the arrangements for the provision of government indemnities to NDPB members. “The Government has indicated that an individual board member who has acted honestly and in good faith will not have to meet out of his or her own personal resources any personal civil liability which is incurred in the execution or purported execution of his or her board function, save where the person has acted recklessly”.

48. The level of cover provided is comparable with both the cover that would be available in a commercial insurance policy and with that which is given to those civil servants who, as part of their official duties, act as directors of companies. The cover excludes any personal criminal liability. Nor will it protect the reckless or those who have acted in bad faith. See also Appendix 4.

Funds

49. Each Committee has the flexibility to receive and disburse funds as outlined in the SI. This must be done in conjunction with a robust accounting system via a separate bank account for each region. The setting up of a Committee bank account must be recorded with the Veterans UK Sponsor Team and be presented for audit on an annual basis.

50. A budget allocation is granted annually to meet costs for training, conferences, travel and subsistence expenses.

Travel and Subsistence

51. VAPC members will be able to claim the actual cost within the following limits of meals and drinks which they necessarily have to purchase when away from home for 5 hours or more, whilst
undertaking Committee or visiting duties on behalf of Veterans UK. All claims must be made in accordance with MOD Policy. To qualify for reimbursement the expense claimed must:

(a) be reasonable in nature and value and not excessive
(b) relate directly to the visit
(c) constitute expenditure, which would not have been incurred except for the visit.
(d) submitted within 3 months of it being incurred
(e) be supported by receipts

Reimbursement will not be made for the cost of alcoholic drinks.

52. The following rates are payable in accordance with MOD business travel policy:

**Day Subsistence Allowance**
- Over 5 hours £5.00
- Over 10 hours £10.00
- Over 12 Hours £15.00
- Evening Meal (overnight stay) £22.50
- Breakfast* £10.00
  * Where staying overnight without hotel provision of breakfast.

**Night Subsistence Allowance**
53. Overnight stays may be claimed and the VAPC Focal point should be consulted regarding the maximum allowed under cap rate for the location of the hotel booking is to be made in.

54. Staying with friends or relatives in non-commercial accommodation - actual cost up to £25.00

**Mileage Allowance Rates**
58. Claims can be made when travelling by car. The standard rate for all vehicles is 30p per mile. Comprehensive insurance should cover use for voluntary work where repayment of expenses is made.

**Loss of Earnings**
55. It is important to note that loss of earnings payments are intended to recompense for actual financial loss. Loss of earnings payments are:

- only payable when it is clear that there has been a break in work which will result in an unavoidable loss of earnings and if the person had not been called upon for Committee work their gross earnings would have been at least as much as the amount claimed.
• no payment can be made for loss of earnings for subsidiary occupations such as evening employment or casual overtime earnings nor can claims be allowed for days when the employee's works/offices are closed because of holidays and which they have taken as leave

• normally a person is entitled to claim loss of earnings for up to a maximum of 15 days per year when they carry out Committee work and as a result lose money, either because their employer does not pay them for their absence and they would otherwise have been at their place of work or because they would have been self-employed in a remunerative capacity

• the number of hours claimed should be reasonable according to the nature and conditions of the person's occupation, their normal hours of duty on the day in question, the time they were required to be in attendance and the time necessarily spent on travelling.

Rates payable are for up to 4 hours of absence £25.77 and over 4 hours of absence £51.54

Claim Forms and Receipts

56. Receipts must be obtained, whenever it is reasonable, to support claims for reimbursement. This includes receipts for hotels, taxis, bus fares, sandwiches, drinks etc. Receipts must be included with completed claim forms at the time of claim.

57. Payment will be made directly into a Bank Account. Claim for reimbursement of expenses should be claimed on form WPA1077 which should be signed by the Chairman, Vice Chair or Secretary.
Part 7 - Complaints to VAPC

58. One of the Committee roles is advising and representing, members may advise individuals and other organisations about issues relating to War Pensions or AFCS claims and processes and where appropriate represent them in their dealings with organisations such as local authorities. However Local before engaging in casework VAPCs should consider if it is more appropriate for another organisation, service charity or VWS to carry out the work and help by signposting to them. There will however, be occasions when the VAPC are best placed to resolve problems by providing direct support particularly, when the issue is one which can be resolved by our partners in the various AF Forum and Covenant working groups; or when the issue challenges or is not covered by existing policy; or potentially has wider implications which may need to be brought to the attention of Veterans UK or the Minister.

59. In order to preserve the independence of VAPCs as NDPBs committee members will not represent veterans at tribunals unless they do so in a role or employment which is not connected to the committee or their membership of it. Members may however accompany a veteran to tribunal to provide moral support if asked to do so.

60. The VAPC has no statutory powers in the resolution of complaints and cannot give a legally binding ruling as the Tribunals can. One function of the VAPC is to consider those complaints made by individuals against a decision of Veterans UK, where there is no formal right of appeal. A panel of 3 committee members will generally hear and consider a case. Where they find grounds for doing so the Panel can ask Veterans UK to reconsider a decision if they believe that process or procedure could be improved to provide a better service or prevent reoccurrence with which they should make recommendations accordingly.

61. VAPCs will not routinely engage in issues regarding Medals some of which some can be resolved by the regional Veterans Welfare Service and should be referred to them in the first instance. More complex issues relating to medals should be filtered out and the veteran advised to contact the Medal Office directly.

62. Regional VAPCs may deal with complaints made by veterans in a number of ways including through a formal Panel hearing. Having received a complaint, it is for the Committee Chair to determine how to proceed, not every complaint needs to be heard by a Panel. Where the issue is around a misunderstanding of the rules or the reason for a decision the complaint may be resolved more effectively by providing a detailed and independent explanation delivered by a suitably skilled committee member. Other cases may be dealt with more efficiently via correspondence than holding a panel hearing.

63. The Focal Point will inform any veteran seeking assistance or advice from the Committee that it is an independent statutory body and that arrangements will be made for them to present their complaint to the Regional Committee either in person or in writing.
64. Complaints to or requests for hearings with the VAPC usually involve the service a veteran has received from Veterans UK. Sometimes a veteran is dissatisfied with a decision which carries a right of appeal. In these cases, it is proper that the veteran exercises this right and they should be encouraged to do so. However, the veteran may wish to explore the merits of their case beforehand with a VAPC Panel. Where a veteran wishes to do this, care needs to be taken to ensure that the time limit to register an appeal is not exceeded.

65. Some decisions do not include appeal rights; examples of these cases include interim awards under the AFCS and treatment or travel expenses in connection with war disablement pensions. Where a veteran wishes to challenge these decisions, it would be via a VAPC Panel.

66. A VAPC Panel must be properly constituted and will consist of 3 committee members one of whom is nominated as the Panel Chairman. A Panel may be given delegated powers by the VAPC and authorised to submit their report/recommendations without first referring them to the full committee. This is in effect a standing Panel and its membership and delegated powers must be agreed at a full Committee meeting and appear in the Committee minutes. Where there are no such arrangements in place the or the complaint cannot be dealt with by the standing Panel, the VAPC Chair may bring a Panel together to deal with a complaint however, their report and any recommendations need to be agreed by the VAPC prior to submission. A standing Panel will brief the Committee on any case it has dealt with at the next meeting. When discussing Panel cases at committee meetings there must be no members of the public present and care taken to ensure that no personal information relating to a complainant appears in the published minutes.

Statement of Case (SoC)

67. When a veteran indicates that they wish to discuss their case or a grievance with a VAPC they must complete a WPS 1028. This form enables Veterans UK to release information required to the VAPC for consideration. Whether the issue is referred via Veterans UK or the veteran approaches the VAPC direct there should be dialogue between the focal point and the Committee Chair, either by phone or email, to explain the veteran’s problems and give their contact details. In either case the background to the case will be provided within 10 days together with the completed WPS 1028.

68. The Chair will decide whether further information is needed and how to deal with the complaint. There may be sufficient information in the case background or a reason for decision for the Chair to deal with the matter without a full SoC. If the issue is to be considered by a panel the focal point will send a WPS 0728 to the Chair. This can be done by email. Once the WPS0728 is returned a SoC must be provided within 28 days.

69. The SoC is prepared from medical and lay information and provides a clear summary of the history of the case with the reasons for Veterans UK’s decision. It will identify the issue in dispute and the appropriate regulations or eligibility criteria and will include all the evidence supporting the decision.

70. If a medical board is required to complete the SoC, Veterans UK will send a letter to the complainant and to the Focal Point for information.
SoC received by the Focal Point

71. When the SoC is received by the Focal Point it will be:

   a. Checked, and any points which require clarification taken up with the appropriate section.

   b. Issued to the Panel Chairman with a note attached inviting the Chairman to contact the Focal Point if there is anything requiring clarification

Queries of a medical nature are referred to the team that prepared the SoC via the Focal Point. A supplementary SoC prepared and issued if the Panel Chairman raised the query.

72. The SoC prepared will have the essential information required by the Panel for the case to be heard, but it may be that additional background information will be required, this may be lay or medical and the Chairman should contact the Focal Point for advice if required.

Appendices

73. There are occasions when SoCs contain information which cannot be disclosed to the complainant. Information of the following nature is omitted from the complainant’s statement:

   a. Medical information which would be undesirable for the complainant to be aware of or which might jeopardise the doctor/patient relationship.

   b. Information, other than medical, given under a seal of confidentiality e.g. from an employer.

   c. Information contrary to the public interest or prejudicial to a third party

   d. Discrediting comments made by a GP or hospital

In such cases the statement will have an appendix for the VAPC Panel members headed “Information not to be disclosed to the veteran”.

74. On receiving the SoC, the Panel Chairman will write to the veteran asking if he would like to attend a panel meeting in person and to arrange the details of that meeting. This letter will also include details of the panel members and ask if any special access or other arrangements are necessary. If the veteran object to a Panel member the Committee Chair should arrange a substitute.

75. Copies of the SoC are issued to the VAPC Panel members and to the complainant in advance of the meeting. The confidential nature of the statement requires that the following safeguards are observed:

   a. VAPC members are to return the SoC to the Chairman if they are unable to attend the meeting
b. Statements are collected from Panel members at the end of the meeting, if a conclusion has been reached. In other cases, they will be retained until the case has been concluded. When the case has been concluded all copies in possession of the VAPC are to be either returned to Veterans UK or destroyed by shredding and a record kept.

Non-attendance of complainant

76. If the complainant is unable to attend the meeting because of illness, the meeting will be arranged for a time when the complainant has recovered. Should it become apparent that the complainant will be indisposed for a long time or where they are housebound through age or infirmity, a domiciliary visit may be arranged. In such cases and only when the veteran agrees the Panel can arrange for a member to call upon the complainant (accompanied either by a member of the VWS or other suitable chaperone but never alone) and report back to the Panel, who will then consider the case in the complainant’s absence.

77. When the complainant does not attend the meeting and gives no explanation for his absence, consideration is deferred. A letter should be sent to him from the Panel Chairman inviting him to attend another meeting he should be informed that if he fails to attend the re-arranged meeting, the case would then be considered in his absence.

Attendance of solicitor or another representative

78. A complainant may be accompanied by a solicitor or other representative at the hearing of his case by the VAPC. If the complainant indicates his intention to be represented, the Panel Chairman will advise the:

   a. Panel in advance of the status of the representative e.g. name of the ex-service organisation or solicitor

   b. Complainant that the committee is unable to meet the fees or travelling expenses of the representative

Duties of the Chairman when a complaint is heard

79. As well as organising the taking of the minutes, he will take responsibility for:

   a. Giving such information and guidance on technical matters obtained earlier from the Focal Point or expert advice if necessary

   b. That the complainant is given adequate opportunity to explain their concerns and issues fully.

   c. Ensuring that the complainant leaves the meeting before the Panel discuss their decision and any recommendations.

   d. Collecting the SoCs from the members at the end of the meeting unless they are still required.
Adjournment for more information

80. If the VAPC adjourn their consideration for further information to be obtained, the Panel Chairman via the Focal Point will advise the operational team in writing, detailing the information needed to complete the case.

81. When the VAPC consider a medical opinion is necessary, this can be obtained through Veterans UK Medical Services via the Focal Point. If the Committee insist that a direct approach be made to a consultant or medical practitioner, the letter requesting the information will be on VAPC notepaper and must be signed by the Panel Chairman. No funds are available to meet any expenses incurred.

VAPC recommendations on complainants’ cases

82. Following the meeting, the Panel Chairman will:

   a. Send a letter to the complainant within 7 days explaining that the matter is receiving attention and giving any factual information (e.g. awaiting further documents etc). This action will be taken every 6 weeks until a final decision is reached. The Focal Point and the Chairman will continue to keep each other informed of progress.

   b. Once the Panel have reached a decision or if they do not have delegated powers once it has been endorsed by the main Committee; Within 21 days a report of their findings and any recommendations to the Focal Point to issue to the operational team.

Where the VAPC do not support the complaint

83. The Panel Chairman will convey their decision and reasons, in writing to the complainant providing a copy to the Focal Point.

Responses to VAPC recommendations

84. Veterans UK responses are sent to the Chairman by means of a formal letter via the Focal Point. If the result of a recommendation(s) is positive a response will be sent to the complainant by Veterans UK and a copy will be sent to the Chairman via the Focal Point.

   a. If Veterans UK do not agree with the recommendations or maintain their original decision, they will reply to the Panel Chairman with full details. The Panel Chairman will then decide if further representations should be made or if the decision should be accepted by the committee. The Chairman will notify the veteran of the outcome of his decision.
Independent Complaints Panel (ICP)

85. Although the ICP relies on the VAPCs to provide independent members to scrutinise complaints it is completely separate to the VAPC complaints procedure. The ICP provides the final and independent stage of the Veterans UK departmental process. It cannot be approached directly by a veteran; its service will be offered via the secretariat when the Veterans UK internal complainant process has been exhausted but the Veteran maintains a grievance and does not accept the explanation provided by the Head of Veterans UK. The terms of reference for the ICP are at Appendix 9 to the Handbook.
Citation, commencement and interpretation

1. (1) These Regulations may be cited as the War Pensions Committees Regulations 2000 and shall come into force on 1st January 2001.

(2) In these Regulations -
“committee” means a war pensions committee or, where the context so requires, the war pensions committee for the relevant area;
“member” means member of a committee or, where the context so requires, a member of the relevant committee; and “widow” means a widow in receipt of a war widow’s pension.

(3) Any reference to Schedule 1 or to Schedule 2 is a reference to the Schedule so numbered in these Regulations and any reference to the area of a committee is a reference to the area for which the committee is established pursuant to regulation 3, 4, 5 or 6.

Revocation of regulations and abolition of existing committees

2. The following Regulations are hereby revoked:
The War Pensions Committees Regulations 1990(c);
The War Pensions Committees (Amendment) Regulations 1995(d); and
The War Pensions Committees (Amendment) Regulations 1996(e),
and the committees established and operated thereunder shall be abolished.

Committees for England

3. In England, there shall be established for each group of local government areas specified in column 1 of Schedule 1 a committee bearing the name specified in respect of that group in column 2.

(a) 1989 c.24 Section 29 was amended by the Social Security (Consequential Provisions) Act 1992 c.6 section 4 and Schedule 2 paragraph 106.
(b) 1992 c.4.
(c) S.1. 1990/1349.
4. There shall be established for Wales a committee named the Wales War Pensions Committee (Pwyllgor Penslynau Rhyel Cymru).

Committee for Northern Ireland

5. There shall be established for Northern Ireland a committee named the Northern Ireland War Pensions Committee.

Committees for Scotland

6. In Scotland, there shall be established for each group of local government areas specified in column 1 of the following Table a committee bearing the name specified in respect of that group in column 2 -

<table>
<thead>
<tr>
<th>1. Group comprising -</th>
<th>2. Name of committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Aberdeen, Aberdeenshire, Angus, The Borders, Clackmannan, City of Dundee,</td>
<td>East Scotland War Pensions Committee.</td>
</tr>
<tr>
<td>City of Edinburgh, Falkirk, Fife, Highland, East Lothian, Midlothian, West Lothian,</td>
<td></td>
</tr>
<tr>
<td>Moray, Orkney Islands, Perthshire and Kinross, Shetland Islands, Stirling, Western</td>
<td></td>
</tr>
<tr>
<td>Isles.</td>
<td></td>
</tr>
<tr>
<td>Argyll and Bute, East Ayrshire, North Ayrshire, South Ayrshire, Dumfries and Galloway,</td>
<td>West Scotland War Pensions Committee.</td>
</tr>
<tr>
<td>Dumbarton and Clydebank, East Dunbartonshire, City of Glasgow, Inverclyde, North</td>
<td></td>
</tr>
<tr>
<td>Lanarkshire, South Lanarkshire, Renfrewshire, East Renfrewshire.</td>
<td></td>
</tr>
</tbody>
</table>

Membership, constitution, proceedings, etc of committees

7. (1) Each committee shall consist of not fewer than 12 nor more than 20 members who shall be appointed by the Secretary of State.

(2) The provision of Schedule 2 shall have effect with respect to committees.

Functions of a committee

8. (1) in its area, a committee shall-

(a) enable and foster local consultation by the Secretary of State on issues affecting war pensioners or widows;
(b) help to increase awareness about war pensions;
(c) support, monitor and help to increase awareness about the services provided by War Pensions Agency (a) and by other organisations with a view to ensuring that the welfare needs of pensioners, widows and their dependants are suitably addressed; and
(d) assist war pensioners and widows with any problem or complaint regarding pensions or the welfare services provided by the War Pensions Agency.

(a) An executive agency of the Department of Social Security

(8) (2) In its area, a committee may, in particular-
(a) assist any individual war pensioner or widow in pursuing any problem or complaint mentioned in paragraph (1)(d);
(b) make representations and recommendations to the Secretary of State about any problem or complaint mentioned in paragraph (1)(d);
(c) report to the Secretary of State on any matter arising pursuant to its functions under paragraph (1); and
(d) receive and disburse funds from charitable or other sources for the sole purpose of provision of social activities for war pensions and widows.

(3) Where funds are received as mentioned in paragraph (2)(d), the committee shall keep proper accounts of all receipts and disbursements and it shall provide a copy of those accounts to the Secretary of State as soon as is practicable after:
(a) the end of each financial year; and
(b) at any other time, on receipt of a written request from the Secretary of State.

Recommendations and representations

9. Any recommendations or representations which a committee makes to the Secretary of State shall be by way of a resolution submitted to him.

Signed by authority of the Secretary of State for Social Security.

Hugh Bayley
Parliamentary Under-Secretary of State,
Department of Social Security

1st December 2000

SCHEDULE 1

COMMITTEES IN ENGLAND

<table>
<thead>
<tr>
<th>1. Group comprising-</th>
<th>2. Name of committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>The counties of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk</td>
<td>Eastern War Pensions Committee</td>
</tr>
<tr>
<td>Greater London</td>
<td>London War Pensions Committee</td>
</tr>
<tr>
<td>The counties of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire</td>
<td>East Midlands War Pensions Committee</td>
</tr>
<tr>
<td>The counties of Herefordshire, Shropshire, Staffordshire, Warwickshire and Worcestershire; and the metropolitan county of West Midlands</td>
<td>West Midlands War Pensions Committee</td>
</tr>
<tr>
<td>The counties of Cleveland, Durham and Northumberland; and the metropolitan county of Tyne and Wear</td>
<td>North East War Pensions Committee</td>
</tr>
<tr>
<td>The counties of Cheshire, Cumbria and Lancashire; and the metropolitan counties of Greater Manchester and Merseyside</td>
<td>North West War Pensions Committee</td>
</tr>
<tr>
<td>The counties of Berkshire, Buckinghamshire, East Sussex, Hampshire, Isle of Wight, Kent, Oxfordshire, Surrey and West Sussex</td>
<td>South East War Pensions Committee</td>
</tr>
<tr>
<td>The counties of Avon, Cornwall, Devon, Dorset, Gloucestershire, Somerset and Wiltshire; and the Isles of Scilly</td>
<td>South West War Pensions Committee</td>
</tr>
</tbody>
</table>
The counties of Humberside and North Yorkshire; and the metropolitan counties of South Yorkshire and West Yorkshire

Yorkshire and Humber War Pensions Committee.

**SCHEDULE 2**

**PROCEEDINGS, ETC. OF COMMITTEES**

**MEMBERS**

1. Subject to paragraphs 2 and 3, a member shall hold office for a period not exceeding 3 years in any term of appointment and may be re-appointed.

2. A member may resign from a committee by notice in writing sent to the Secretary of State.

3. The Secretary of State may remove a member from office if he has reasonable grounds to believe that the member is unable, unfit or unsuitable to discharge the functions of a member.

4. The Secretary of State may, subject to regulation 7(1), appoint a new member at any time, whether to fill a casual vacancy or otherwise.

**CHAIRMAN AND VICE-CHAIRMAN**

5. The Secretary of State shall appoint a Chairman for each committee. The appointment shall be in writing and shall specify the term of office, which shall not exceed the appointee’s term as a member. A Chairman may be re-appointed.

6. The power in paragraph 5 is exercisable both on the establishment of a committee and to fill any vacancy arising thereafter.

7. The committee shall elect a Vice-Chairman from among their number, who shall hold office for such period (not exceeding the appointee’s term as a member) as the committee by resolution determines.

8. An election of a Vice-Chairman shall be conducted by ballot.

9. The following shall preside over any committee meeting-
   (a) the Chairman; or
   (b) in the Chairman’s absence, the Vice-Chairman, but if neither of those officers is present, the members present shall elect one of their number to act as Chairman for the purposes of that meeting only.

**PROCEEDINGS**

10. The committee shall hold a meeting at least twice a year.

11. The Secretary of State shall decide the time and place of the first meeting of each committee. Thereafter, each committee shall decide the time and place of its meetings.

12. One-third of the members may requisition a meeting by giving written notice to the Chairman, who shall call the meeting within 4 weeks of receipt of the notice.

13. The quorum of a committee shall be one quarter of its members, disregarding any fractions, or 4 members, whichever is the greater.

14. Subject to paragraph 8, a committee shall make decisions by a simple majority of members present and voting. In the event of equality of votes, the person presiding over the meeting shall have a casting vote.

15. Minutes of a meeting shall:
(a) be recorded in a minute book;
(b) include the names of members present at the meeting;
(c) be signed by the person presiding at the meeting at which those minutes are approved as correct; and
(d) be open to inspection by the Secretary of State.

16. An official of the Secretary of State may attend any meeting of any committee as an observer.

SUB-COMMITTEES

17. A committee may, from among its members, appoint a sub-committee to assist the committee in carrying out any of its functions.

18. A sub-committee shall consist of no fewer than 3 members and no more than four fifths of the total number of members.

19. The committee shall appoint from among its number a Chairman for the sub-committee. The Chairman for the sub-committee shall preside over any sub-committee meeting, but in the Chairman’s absence the members of the sub-committee present shall elect one of their number to act as Chairman for the purposes of that meeting only.

20. Decisions of the sub-committee shall be by a simple majority of the sub-committee members present and voting and in the event of equality of votes the Chairman of the sub-committee shall have a casting vote.

21. Paragraphs 15 and 16 shall apply to any meeting of a sub-committee.

22. A sub-committee shall act in accordance with any directions of the committee.

23. A sub-committee which considers a complaint made to the committee by a person receiving or claiming a war pension shall, as soon as reasonably practicable, submit to the committee a report of any hearing it has held into the complaint together with a copy of any representations it has made to the Secretary of State.

EXPLANATORY NOTE
(This note is not part of the Regulations)

These Regulations make changes to the constitution and functions of war pensions committees. Such committees were established by regulations pursuant to section 25 of the Social Security Act 1989. Existing committees are abolished, and new ones set up. Except in the case of Northern Ireland (for which there continues to be one committee), the new committees generally cover larger areas and they are fewer in number. There is one committee for Wales (regulation 4), one for Northern Ireland (regulation 5) and two for Scotland (regulation 6). Nine regional committees are set up for England (regulation 3 and Schedule 1).

Regulation 7 and Schedule 2 provide for the appointment of committee members and for constitution and proceedings of committees and regulation 8 sets out a committee’s functions.

These Regulations do not impose a charge on business.
The War Pensions Committees (Amendment) Regulations 2005

Made----------------------------- 26th October 2005

Laid before Parliament -------------- 1st November 2005

Coming into force ------------------ 5th December 2005

The Secretary of State, in exercise of the powers conferred upon him by sections 25 and 29 of the Social Security Act 1989 (a) and sections 175(2) to (5) of the Social Security Contributions and Benefits Act 1992(b), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1. – (1) These Regulations may be cited as the War Pensions Committees (Amendment) Regulations 2005 and shall come into force on 5th December 2005.

(2) In these Regulations “the principal Regulations” means the War Pensions Committees Regulations 2000(c).

Amendments to the principal Regulations and application

2. The amendments to the principal Regulations contained in the Schedule to these Regulations shall have effect.

Signed by authority of the Secretary of State for Defence

Don Touhig
26th October 2005 Parliamentary Under Secretary of State
Ministry of Defence

(a) 1989 c.24.
(b) 1992 c.4.
(c) S.I 2000/3180.

SCHEDULE

Amendment of regulation 1 (citation, commencement and interpretation)

3. Regulation 1 shall be amended as follows -

(1) in regulation 1(2) omit the word “and”;

(2) for “widow” means a widow in receipt of a war widow’s pension” substitute “surviving spouse” means a widow or widower in receipt of a war pension; and”;

(3) after the definition of “widow” there shall be inserted the following definition “surviving civil partner” means a surviving civil partner in receipt of a war pension”.

Amendment of regulation 8 (functions of a committee)
4. Regulation 8 shall be amended as follows -

(1) in sub-paragraph (1)(a) for “pensioners or widows” substitute “pensioners, surviving spouses or surviving civil partners”;

(2) in sub-paragraph (1)(c) for “widows” substitute “surviving spouses, surviving civil partners”;

(3) in sub-paragraphs (1)(d) and (2)(d) for “pensioners and widows” substitute “pensioners, surviving spouses and surviving civil partners”; and

(4) in sub-paragraph (2)(a) for “pensioner or widow” substitute “pensioner, surviving spouse or surviving civil partner”.

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the War Pensions Committees Regulations 2000 (“the principal Order”) in consequence of the introduction of civil partnerships by the Civil Partnership Act 2004 (2004 c.33).

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.
Citation, commencement and interpretation

1. – (1) These Regulations may be cited as the War Pensions Committees (Amendment) Regulations 2006 and shall come into force on 1st January 2007.

(2) In these Regulations “the principal Regulations” means the War Pensions Committees Regulations 2000 (c).

Amendments to the principal Regulations

2. – (1) The Table in regulation 6 shall be amended as follows –

(a) in column 1 the word “Stirling” shall be deleted;

(b) in column 1 after the words “East Renfrewshire” there shall be inserted “, Stirling”.

2) Regulation 8 shall be amended as follows –

(a) For paragraph (1)(c) there shall be substituted -

“(c) support the Veterans Agency by monitoring its welfare service, raising awareness of the service it provides and liaising with other organisations with a view to ensuring that the welfare needs of pensioners, surviving spouses, surviving civil partners and their dependants are suitably addressed; and”.

(b) In paragraph (1)(d) for the words “War Pensions Agency” there shall be substituted “Veterans Agency”.

(3) For the table in Schedule 1 to the principal Regulations there shall be substituted the table set out in Schedule 1 to these Regulations.

Signed by authority of the Secretary of State for Defence
Date 27th November 2006

(a) 1989 c.24.
(b) 1992 c.4.
(c) S.I. 2000/3032, to which there are amendments not relevant to these Regulations.

SCHEDULE 1

TABLE TO BE SUBSTITUTED FOR THE TABLE SET OUT IN SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

“Table”

COMMITTEES IN ENGLAND

<table>
<thead>
<tr>
<th>Group Comprising</th>
<th>Name of Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>The counties of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and</td>
<td>Eastern War Pensions Committee</td>
</tr>
<tr>
<td>Suffolk; and the non-metropolitan districts of Luton, Peterborough, Southend-on-</td>
<td></td>
</tr>
<tr>
<td>Sea and Thurrock.</td>
<td></td>
</tr>
<tr>
<td>Greater London.</td>
<td>London War Pensions Committee</td>
</tr>
<tr>
<td>The counties of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and</td>
<td>East Midlands War Pensions Committee</td>
</tr>
<tr>
<td>Nottinghamshire; and the non-metropolitan districts of Derby, Leicester,</td>
<td></td>
</tr>
<tr>
<td>Nottingham and Rutland.</td>
<td></td>
</tr>
<tr>
<td>The counties of Shropshire, Staffordshire, Warwickshire and Worcestershire; and</td>
<td>West Midlands War Pensions Committee</td>
</tr>
<tr>
<td>the metropolitan districts of Birmingham, Coventry, Dudley, Sandwell, Solihull,</td>
<td></td>
</tr>
<tr>
<td>Walsall and Wolverhampton; and the non-metropolitan districts of Herefordshire,</td>
<td></td>
</tr>
<tr>
<td>Stoke-on-Trent and Telford and Wrekin.</td>
<td></td>
</tr>
</tbody>
</table>
The counties of Durham and Northumberland; the metropolitan districts of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland; and the non-metropolitan districts of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees.

The counties of Cheshire, Cumbria and Lancashire; the metropolitan districts of Bolton, Bury, Knowsley, Liverpool, Manchester, Oldham, Rochdale, St Helens, Salford, Sefton, Stockport, Tameside, Trafford, Wigan and Wirral; and the non-metropolitan districts of Blackburn with Darwen, Blackpool, Halton and Warrington.

The counties of Buckinghamshire, East Sussex, Hampshire, Isle of Wight, Kent, Oxfordshire, Surrey and West Sussex; and the non-metropolitan districts of Bracknell Forest, Brighton and Hove, the Medway Towns, Milton Keynes, Portsmouth, Reading, Slough, Southampton, West Berkshire, Windsor and Maidenhead and Wokingham.

The counties of Cornwall, Devon, Dorset, Gloucestershire, Somerset and Wiltshire; the non-metropolitan districts of Bath and North East Somerset, Bournemouth, Bristol, North Somerset, Plymouth, Poole, South Gloucestershire, Swindon and Torbay; and the Isles of Scilly.

The county of North Yorkshire; the metropolitan districts of Barnsley, Bradford, Calderdale, Doncaster, Kirklees, Leeds, Rotherham, Sheffield and Wakefield; and the non-metropolitan districts of the East Riding of Yorkshire, Kingston upon Hull, North East Lincolnshire, North Lincolnshire and York.
The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 25 and 29(1) of the Social Security Act 1989(1) and section 175(3) to (5) of the Social Security Contributions and Benefits Act 1992(2).

Citation and commencement

1. These Regulations may be cited as the War Pensions Committees (Amendment) Regulations 2017 and come into force on 15th December 2017.

Amendment of the War Pensions Committees Regulations 2000

2. The War Pensions Committees Regulations 2000(3) are amended as follows.

Committee for Wales

3. In regulation 4 (committee for Wales), for “Wales War Pensions Committee (Pwyllgor Pensiynau Rhyel Cymru)” substitute “Wales Veterans Advisory and Pensions Committee (Pwyllgor Cynghor a Pensiynau Cyn-filwyr Cymru)”.

Committee for Northern Ireland

4. In regulation 5 (committee for Northern Ireland), for “Northern Ireland War Pensions Committee” substitute “Northern Ireland Veterans Advisory and Pensions Committee”.

Committees for Scotland

5. In column 2 of the table in regulation 6 (committees for Scotland), for “War Pensions Committee”, in both places where it occurs, substitute “Veterans Advisory and Pensions Committee”.

Functions of a committee

6.—(1) In regulation 8(1)—
(a) in sub-paragraph (a), for “surviving spouses or surviving civil partners” substitute “surviving spouses, surviving civil partners or AFCS benefit recipients”;

(b) in sub-paragraph (b), at the end insert “and AFCS benefits”;

(c) in sub-paragraph (c)—

(i) for “the Veterans Agency” substitute “Veterans UK”; and

(ii) for “pensioners, surviving spouses, surviving civil partners” substitute “war pensioners, surviving spouses, surviving civil partners, AFCS benefit recipients”;

(d) in sub-paragraph (d)—

(i) for “surviving spouses and surviving civil partners” substitute “surviving spouses, surviving civil partners, AFCS benefit recipients and others claiming war pensions or AFCS benefits”;

(ii) for “pensions” substitute “war pensions, AFCS benefits”; and

(iii) for “the Veterans Agency” substitute “Veterans UK”.

(2) In regulation 8(2)—

(a) in sub-paragraph (a), for “war pensioner, surviving spouse or surviving civil partner” substitute “claiming or receiving a war pension or AFCS benefit”;

(b) in sub-paragraph (c), after “report” insert “or make recommendations”;

(c) in sub-paragraph (d), for “surviving spouses and surviving civil partners” substitute “surviving spouses, surviving civil partners and AFCS benefit recipients”.

(3) After regulation 8(3) insert—

“(4) In this regulation “Veterans UK” means an office designated by the Secretary of State for the purpose of receiving and determining claims for war pensions and AFCS benefits.”.

Committees in England

7. In column 2 of the table in Schedule 1 (committees in England), for “War Pensions Committee”, wherever it occurs, substitute “Veterans Advisory and Pensions Committee”.

Signed by authority of the Secretary of State for Defence

Tobias Ellwood
Parliamentary Under Secretary of State
Ministry of Defence

21st November 2017

EXPLANATORY NOTE
(This note is not part of the Regulations)

These Regulations amend the War Pensions Committees Regulations 2000 (S.I. 2000/3180) (“the principal Regulations”).

The principal Regulations establish war pensions committees across the UK and give them functions. Their main functions currently relate to the war pensions scheme established under the Naval, Military and Air Forces Etc. (Disability and Death) Service Pensions Order 2006 (S.I. 2006/606). This scheme provides compensation for injury or death caused by service in the armed forces before 6th April 2005.
Regulations 3 to 5 and 7 change the names of the committees established by the principal Regulations by substituting ‘Veterans Advisory and Pensions Committee’ for ‘war pensions committee’ in each of their names.

Regulation 6 amends regulation 8 of the principal Regulations, extending the functions of the committees to include matters connected with benefits payable under an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004 (c. 32). The current scheme is set out in the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517) and provides compensation for injury or death caused by service in the armed forces on or after 6th April 2005.

Regulation 6 also amends regulation 8 of the principal Regulations to extend the recommendation-making functions of the committees and to enable them to assist those claiming war pensions and AFCS benefits, as well as those receiving them. It also replaces references to ‘the Veterans Agency’ with ‘Veterans UK’ to reflect that agency’s change in name.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

(1) 1989 c. 24: section 25 was amended by paragraph 3 of the Schedule to the Transfer of Functions (War Pensions etc.) Order 2001 (S.I. 2001/3506) and the Armed Forces Act 2016 (c. 21), section 15; section 29(1) was amended by the Social Security (Consequential Provisions) Act 1992 (c. 6), Schedule 2, paragraph 106.

(2) 1992 c. 4: section 175(4) and (5) was amended by the Social Security (Incapacity for Work) Act 1994 (c. 18), Schedule 1, paragraph 36, and the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 3, paragraph 29(4).

Committee Roles and Responsibilities

The role of the Chairman

The Chairman has particular responsibility for providing effective leadership on the issues above. In addition, the chair is responsible for:

• ensuring that the Committee meets at appropriate intervals and that the minutes of meeting and any reports to the Secretary of State accurately record the decisions taken and where appropriate, the views of individual members;
• representing the views of the Committee to the general public; and
• ensuring that new members are briefed on appointment (and their training needs considered), and providing an assessment of their performance, on request, when members are considered for reappointment to the board or for appointment to the board of some other public body.

Role of Committee members

Members have collective responsibility for the successful operation of this body. They must:

• engage fully in collective consideration of the issues, taking account of the full range of relevant factors, including any guidance issued by the sponsor department or the responsible minister
• Attend meetings regularly
• ensure that the Data Protection legislation is (including prompt responses to public requests for information) is adhered to
• Communications to Minister will generally be through the chairman except when it is agreed that an individual member should act on their behalf. Nevertheless, any member has the right of access to ministers on any matter, which they believe raises important issues relating to their duties as a member. In such cases the agreement of the rest of the Committee should normally be sought.
• Members can normally be removed from office by the minister if they fail to perform the duties required of them in line with the standards expected in public office.

Role of the secretary of the committee

• Arranging venue and refreshments for committee meetings - Completion of form MOD1199a
• The Chairman will produce an agenda for committee meetings for distribution
• Taking Minutes at the meeting
• Distribution of minutes to members and person responsible for submitting to VAPC website (after agreement by Chairman)
• Distribution of expense claim forms (WPA1077) to attendees and confirm attendance by signing appropriate part, then send to the Focal Point.
• Arranging venues for panel cases to be heard
• Inform Focal Point of any changes to members i.e. retirement, address changes etc
Handling conflicts of interests

The purpose of these provisions is to avoid any danger of board members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties. All members should therefore declare any personal or business interest which may or may not be perceived (by a reasonable member of the public) to influence their judgement. This should include, as a minimum, personal direct and indirect pecuniary interests and should normally also include, such interests of close family members and of people living in the same household. Indirect pecuniary interests arise from connections with bodies, which have a direct pecuniary interest, or from being a business partner of, or being employed by, a person with such an interest. Non-pecuniary interests include those arising from membership of clubs and other organisations. Close family members include personal partners, parents, children (adult and minor), brothers, sisters and the personal partners of any of these.

Each Chairman should hold a register of interests which should be kept up to date and be open to the public. A declaration of any interest should also be made at any board meeting if it relates specifically to a particular issue under consideration for recording in the minutes (whether or not a board member also withdraws from the meeting).

Board members should not participate in the discussion or determination of matters in which they have an interest and should normally withdraw from the meeting (even if held in public) if:

• their interest is direct and pecuniary; or

• their interest is covered in specific guidance issued by this body or the sponsor department which requires them not to participate and/or to withdraw from the meeting.
Personal liability of Committee Chairmen and members

Legal proceedings by a third party against individual members of advisory bodies are very exceptional. Individuals may be personally liable if they make a fraudulent or negligent statement which results in a loss to a third party; or may commit a breach of confidence under common law or a criminal offence under insider dealing legislation, if they misuse information gained through their position. However, the Government has indicated that individuals who have acted honestly, reasonably, in good faith and without negligence will not have to meet out of their own personal resources any personal civil liability which is incurred in execution or purported execution of their functions. Further advice is available via the VAPC Focal Point.
Role of the MOD Sponsor Team

Casework

- Obtaining permission from veterans (Form WPA1028) liaising with operational teams regarding Statements of Cases to provide for Chairmen, sending WPA1028 to veteran obtaining permission. Providing the Chairman with SoC.

Recruitment

- Provide advice and support to the Chairmen on recruitment following the OCPA guidelines
- Organise training courses

Admin

- Maintain a record of committee expenses
- Administer payment of travel & subsistence claims
- Authorise and pay invoices
- Organise conferences
- Correspondence handling
- Maintain of the VAPC Handbook
- Co-ordinate Cabinet Office Reviews
- Collate Cabinet Office returns

Role of the Regional Welfare Manager (RWM)

- Provide local/regional literature or information when requested
- Provide a written local/regional report at committee meetings
- If committee meetings can be held in VWS centres, provide aid to arrange booking
- Assistance distributing hard copy mail can be provided by arrangement with RWM
## VAPC MEMBER APPRAISAL

### VA&PC

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attendance</td>
<td></td>
</tr>
<tr>
<td>Input into Consultative docs/papers</td>
<td></td>
</tr>
<tr>
<td>Participation in Sub Group meetings</td>
<td></td>
</tr>
<tr>
<td>Willingness to undergo training and input into training needs</td>
<td></td>
</tr>
<tr>
<td>General contribution into discussions at meetings</td>
<td></td>
</tr>
</tbody>
</table>

**Chairman’s Remarks**

Chairman’s signature  
Member’s signature
### VAPC Annual Reporting cycle - Relaunch April 2017

<table>
<thead>
<tr>
<th><strong>March/April</strong></th>
<th>Agree key performance measures and review previous year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>By August 2017</strong></td>
<td>Chairmen submit individual annual Committee activity reports to HD Veterans UK (Template A)</td>
</tr>
<tr>
<td><strong>October</strong></td>
<td>Chairs to receive feedback on performance and activity from HD Veterans UK (Template B)</td>
</tr>
<tr>
<td><strong>October</strong></td>
<td>Conference: Head Vets UK includes key performance achievements in consolidated report to Min DVP (could include Covenant observations, metrics, demographics, highlights, causes for concern etc.)</td>
</tr>
<tr>
<td><strong>By Feb</strong></td>
<td>Submit report to Min DVRP <em>(and invite to Conference - optional)</em></td>
</tr>
</tbody>
</table>

April 2017 – Conference: Agree key
# VETERANS ADVISORY AND PENSIONS (VAPC) COMMITTEE – Annual Activity Report

<table>
<thead>
<tr>
<th><strong>Annual Report from .......................... Committee</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Membership</strong></td>
</tr>
<tr>
<td>To include details – Joiners, Leavers, Vacancies, List of current membership</td>
</tr>
<tr>
<td><strong>Raising awareness activity</strong></td>
</tr>
<tr>
<td>To include Key achievements, Planned activity</td>
</tr>
<tr>
<td><strong>Engagement</strong></td>
</tr>
<tr>
<td>To include examples of Regional engagement, Local Authority, NHS, Third sector etc to cover methods used, e.g. face to face, correspondence, joint attendance at events etc</td>
</tr>
<tr>
<td><strong>Assistance to Veterans</strong></td>
</tr>
<tr>
<td>To include any examples of personal assistance, wider reaching activities/events etc</td>
</tr>
<tr>
<td><strong>Veterans Welfare Service Engagement activity</strong></td>
</tr>
<tr>
<td>To include details of visits undertaken/meetings attended etc</td>
</tr>
<tr>
<td><strong>Consultation</strong></td>
</tr>
<tr>
<td>To include any consultation activity either at Chair level or full Committee regionally/nationally/MOD</td>
</tr>
<tr>
<td><strong>Other activity</strong></td>
</tr>
<tr>
<td>To include examples of best practice activity etc</td>
</tr>
<tr>
<td><strong>Plans for next year</strong></td>
</tr>
<tr>
<td>To include key objectives/plans</td>
</tr>
<tr>
<td><strong>Other key points</strong></td>
</tr>
</tbody>
</table>

Signed: Chairman
# VAPC CHAIRMAN PERFORMANCE APPRAISAL REPORT

<table>
<thead>
<tr>
<th>Performance measures</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Raising awareness</strong>&lt;br&gt;Direct their Committee to the best effect in order to raise awareness within each region of the War Pensions Scheme; Armed Forces Compensation Scheme; Veterans UK Welfare Service; the availability of cross government support to veterans and to drive their Committee forward as advocates for the implementation of the Armed Forces Covenant and associated measures at a local level.</td>
<td></td>
</tr>
<tr>
<td><strong>2. Provide Support</strong>&lt;br&gt;Support the Ministry of Defence by acting as advocates for the implementation of cross government support to veterans. Highlighting gaps or issues in provision and feeding these back initially through Veterans UK or any mechanism put in place by the service provider.</td>
<td></td>
</tr>
<tr>
<td><strong>3. Welfare</strong>&lt;br&gt;Understand the Welfare Provision Network across the regions and make best use of Committee Member SMEs and Sub-Committees to assist Veterans and dependents in accessing local services as envisaged under the Armed Forces Covenant, where individuals are unable to obtain the required support. Support Veterans UK by monitoring its welfare service and liaising with other organisations with a view to ensuring the welfare needs of veterans and their dependants are addressed.</td>
<td></td>
</tr>
<tr>
<td><strong>5. Advising and representing</strong>&lt;br&gt;Manage complaints from WPS and AFCS customers by making best use of the knowledge within their Committees to assist in the timely resolution of where there is no formal recourse to an independent body, liaising closely with Veterans UK.</td>
<td></td>
</tr>
<tr>
<td><strong>6. Consultation</strong>&lt;br&gt;To act as a conduit for local consultation based on involvement in the wider process and contact with individuals in the local areas, with Ministers, the Ministry of Defence and Veterans UK on issues affecting recipients of compensation from the War</td>
<td></td>
</tr>
</tbody>
</table>
Pensions Scheme and Armed Forces Compensation Scheme.

7. **Chairing Skills**

The ability to run effective meetings; maintain appropriate membership levels by carrying out recruitment activity in accordance with OCPA guidelines as directed by MOD sponsor team/Civilian Personnel; and, by example, to build a team approach amongst VAPC members, Veterans UK and other stakeholders

8. **Overall comments on performance**

<table>
<thead>
<tr>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name and Job Title</td>
</tr>
<tr>
<td>Date</td>
</tr>
</tbody>
</table>
PROVIDE QUALITY ASSURANCE - VETERANS WELFARE SERVICE (VWS)

VAPC Quality Assurance Role

SI 2006 No 3152 amended SI 2000 No 3180 by restricting the monitoring role of VAPC to the Veterans Welfare Service.

Quality Assurance Tasks

As a result of VAPC direct involvement with Veterans and their dependents coupled with their close working relationship with the Veterans Welfare Service, they are well placed to provide quality assurance at local level. The efficient performance of this role not only benefits Veterans UK by inviting their attention to potential deficiencies in the system but ensures that appropriate customer comment is made known to senior management.

The Quality Assurance role covers:

• The quality of welfare support to VWS client groups
• The efficiency of local marketing and publicity.
• The applicability and standard of staff training.
• Customer complaints/ comments and procedures.

Method of Quality Assurance Measurement

Quality Assurance must be carried out in the most cost-effective way. This can be achieved by:

• Receipt of performance Data Reports from Regional Welfare Managers.
• By visiting welfare centres and having discussion with welfare staff.
• Accompanying welfare staff on visits to VWS clients.
• VAPC Chairmen or Vice Chairmen attending meetings of the Regional Welfare Managers and staff within their local area.
• Involvement with, or attending, publicity events.

Chairmen, whose regional responsibilities involve more than one VWS Centre, should liaise to ensure that only one chairman or VAPC member visits in any given period

Frequency of Quality Assurance

• Formal visits should not exceed two per year and these should take place within two months prior to the biannual chairmen’s’ conference. This does not preclude informal visits in connection with welfare cases in which VAPC may be involved.
• VAPC members accompanying welfare staff on visits to VWS clients should not exceed 6 per year unless requested to do so by the Veterans Welfare Service staff.

Results of Quality Assurance - Reporting

• Feedback should be given to the Regional Welfare Managers (RWMs). Positive comments will be fed back to staff and used as best practice where possible. If local issues are encountered, the respective VAPC should raise the matter initially with the RWM. Any written comments should be copied to the Focal Point.

• In certain situations, it may be necessary to refer specific issues to Senior Management who may be the only people in a position to resolve the problem. Additionally, this level of Management require assurance that local management are responding positively to comments raised by VAPC and that where appropriate, lessons learned are promulgated more widely.

• Committee chairmen are to produce a short report annually, summarising the committee’s view of Veterans Welfare Service performance in its area of responsibility. Reports are to be forwarded to the local RWM with copies to the VAPC Focal Point and the Officer in Charge of VWS. Reports are to be submitted by 30th April.

VAPC MEMBERS VISITING PROTOCOL

To facilitate the Quality Assurance role, VAPC members are permitted to accompany a Welfare Manager (WM) on a visit or to conduct an independent follow-up to a client where a WM visit has already been carried out. The following protocols are to aid the process:

Agreeing Visits

• The VAPC Chairman and the RWM should agree, at the outset, the total number of visits to be undertaken over the coming year. This total, which will include both accompanied and independent visits, should be for the whole of the committee area and should be spread fairly and evenly amongst the Welfare Managers covering that area.

• Visits, which have been declined, cancelled or ineffective during the year, will count towards the agreed total.

• Each Welfare Manager will be responsible for identifying the clients to be visited within their area and for notifying the VAPC member accordingly.

Arranging Visits

a. All visits involving VAPC members must have the prior consent of the client.

b. Where an accompanied visit is proposed, the Welfare Manager should, after confirming the VAPC member’s availability, phone the client to confirm the visit and:

• explain the role of the VAPC where necessary,

• obtain verbal consent for the presence of the VAPC member
c. Where telephone contact is not possible, a consent form should be sent, with the visit notification, for signature and return. Note the date of the visit on the tear-off section prior to issue. The VAPC information flyer should also be sent.

d. Independent follow-up visits should be identified by the WM at the initial visit and the consent obtained at that time. The WM should have the customer sign Part 2 of the VAPC visit report form. That form should be sent to the VAPC at the appropriate time.

e. If consent is not received either verbally or in writing, the VAPC may not accompany the WM or visit independently.

f. The WM will set the timetable for independent follow-up visits. These should be within four weeks of the WM visit. The VAPC member will contact the client directly to arrange the visit.

g. Arrangements for travel or transport to and from the visit address on accompanied visits should be agreed between the WM and the VAPC member and should be the most cost effective and efficient method available.

At the Visit

• If written consent was not received prior to the visit, the WM should have the client sign the relevant section of the visit report pro-forma on arrival and before the visit commences.

• It is important to remember that the VAPC function is one of quality assurance of the service provided and that the member is there in no other capacity. VAPC members will be instructed in this role by their committee chairman.

• On accompanied visits the WM should introduce the member and explain the role to the client.

• If during the course of an accompanied visit the member requires clarification this should be raised with the WM immediately after the visit. Should any concerns arise from that, the member should refer the matter to the appropriate RWM via the VA&PC chairman.

• All welfare problems/issues that are identified by a member during an independent visit must, in the first instance be reported by phone to the appropriate WM as soon after the visit as possible. Issues identified relevant to a particular ex-service group, e.g. a request for a holiday through the RBL, will be referred on by the WM. A written record of the problems or issues identified must be included in the visit report. The member must also note in the report that the WM has been made aware of the matter. The RWM should send a copy of the report to the WM to update the client’s records and for any necessary follow-up action.

Post-Visit Action

After the visit the VAPC member should complete a visit report and note any highlights, issues or concerns, which arose during the visit. The report should then be forwarded to the appropriate RWM via the VAPC chairman. The chairman should sign-off the report in the box on the reverse of the form. The RWM should make the WM aware of any welfare issues identified and also sign-off the report on the reverse of the form.
Visit Report Form

VETERANS ADVISORY & PENSIONS COMMITTEE

ACCOMPANIED VISIT PRO-FORMA

Name...........................................................................................................

Address........................................................................................................

.......................................................................................................................

Welfare Manager.................. ........VAPC Member...........................................

Reason for visit........................ Date of visit..............................

.....................................................................................................................

Welfare Manager.................. ........VAPC Member...........................................

Reason for visit........................ Date of visit..............................

I agree to the visit by a member of the Veterans Advisory & Pensions Committee as above.

Signed............................................................ Date.................................

REPORT
Signed……………………………………     Date………………

(VAPC Visitor)

VAPC Chairman

Name and Region ............................

Signed.................................

Date..............................

RWM

Name and Region ............................

Signed.................................

Date..............................
Independent Complaints Panel (ICP) – Terms of Reference

1 The role of the ICP is to review the Agency’s action in relation to the complaint to see if:
   (a) it was dealt with promptly at all stages
   (b) a thorough and fair investigation was carried out
   (c) the reply given was full and accurate
   (d) appropriate action has been taken to remedy errors or shortcomings in service

2 The ICP will be able to consider any complaint about the quality of service provided to an individual but will be excluded from considering those issues for which there are alternative arrangements, i.e.:
   (a) Dissatisfied with a decision to which there is a right of appeal
   (b) Dissatisfaction with a decision which is subject to review by a VA&PC panel
   (c) complaints about the actions or conduct of other organisations and their staff, e.g.: Appeal Tribunals, Medical Examining doctors at medical boards, audiology testing staff.

3 Complaints may be considered either individually or collectively by the panel.

4 Complaints will be referred to the ICP within 7 days of receipt of the request being received. The ICP will seek to complete its review and report back to the Agency within 28 days.

5 The Agency will respond to the complainant within 7 days of receipt of the ICP’s report and will copy the responses to the ICP.

6 The ICP will be asked to comment on the Agency’s procedures for complaint handling on an as and when basis and may be asked to furnish an annual report on the cases with which it has dealt.