



Ministry
of Defence

Ministry of Defence
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22 December 2014

Dear [REDACTED]

Thank you for your email of 19 November 2014 in which you requested the following information on

Whether consideration was given to including a table for Chronic Fatigue Syndrome (CFS) in the Armed Forces Compensation Scheme (AFCS) tariff. Please let me know what consideration was given, how that consideration arose, the reasons for deciding not to draft such a table, and disclose any documents evidencing that.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and a response to your request is provided in the attached annex.

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

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

Yours sincerely,

Defence Personnel Secretariat

Annex A

The Armed Forces Compensation Scheme (AFCS), introduced in April 2005 and covering injury or disorder due, on balance of probabilities, to service on or after 6 April 2005 is a Tariff based full and final scheme. Awards are paid as lump sums from one of 15 tariffs and, where the accepted condition is likely to lead to functional compromise for civilian work, an additional guaranteed income payment (GIP) is made. The legislation includes the Scheme tariff which comprises of 9 tables of injury categories; these are set out as a list of descriptors with a corresponding tariff award level.

For mental health and physical disorders the tables are necessarily generic because they provide the Scheme with the flexibility to consider a broad range of diagnoses, avoiding the need to continually update and differentiate between accepted conditions. It is for these reasons that there is, and would be, no reason to have a Chronic Fatigue Syndrome (CFS) descriptor.

If a claimed injury is demonstrated to have a causal link to service but no suitable descriptor is on the tariff, the legislation includes a provision for the making of a temporary award at an appropriate tariff level. Any such award should be finalised within a year and a new descriptor inserted into the legislation