

8 July 2015

See Distribution

MINUTES OF THE 160th MEETING OF THE CENTRAL ADVISORY COMMITTEE ON COMPENSATION (CAC) HELD ON 17 JUNE 2015

Present	Mark Lancaster MP	Minister for Defence Personnel and Veterans (DPV)	Chair
	Air Cdre Garry Tunnicliffe	Head of Armed Forces Remuneration, MOD	
	Trish Wilson	Deputy Head Armed Forces Remuneration	
	Jon Parkin	Head of Defence Business Services Veterans UK, MOD	
	Sue Freeth	Royal British Legion	
	Irene Wills	War Widows Association (WWA)	
	Brig (Retd) Barry Le Grys	BLESMA	
	Col (Retd) Tony Phillips	Veterans Advisory & Pensions Committee (VA&PC)	
	Prof Sir Anthony Newman Taylor	Independent Medical Expert Group (IMEG)	
	Dr Anne Braidwood	CDP Medical Adviser	
	Andrew Bates	AF Rem Armed Forces Compensation, MOD	
	Lt Cdr Scott Bell	Representing Royal Navy Pay Colonel	
	Col Mark Pomroy	Army Pay Colonel	
	Gp Capt Richard Paul	Royal Air Force Pay Colonel	
	Angela Owen	AF Rem AFC, MOD	Sec
Apologies	Maj (Retd) Paul Kingham	Veterans Advisory & Pensions Committee (VA&PC)	
		Navy Families Federation (NFF)	
	Lt Col (Retd) Peter Poole	Combat Stress	
	Cathy Walker	Soldiers, Sailors, Airmen and Families Association (SSAFA)	

Ser	Decisions	Action
1.	<p>Item 1 – Chairman’s Opening Comments:</p> <p>a. Minister(DPV) welcomed members to the 160th meeting.</p>	
2.	<p>Item 2 – Minutes of the 159th Meeting:</p> <p>a. There were no changes to the minutes of the 159th meeting.</p> <p>b. The minutes of the last meeting were approved by the Committee.</p>	

Ser	Decisions	Action
	<p>Item 3 – Matters Arising from Previous Minutes:</p> <p>The following actions from the last meeting on 11 December 2014 were noted:</p> <p>a. Central Advisory Committee going forward. This would be discussed under Item 4 of the agenda.</p> <p>b. War Pensions Mobility Supplement. BLESMA's proposal was that the War Pensions Mobility Supplement (WPMS) be made available automatically to all lower limb amputees assessed at 40% or more disablement. Revised medical opinion was accepted by the previous Minister who approved a change of policy. BLESMA were informed in writing of the Ministerial agreement in February. The change to policy came into effect on 1 April 2015. Advice for claimants had been published on gov.uk. Additionally, BLESMA had written to potential beneficiaries and the Royal British Legion had been advised of the change. To date, Veterans UK had received 11 claims.</p> <p>c. Mesothelioma Update. This would be discussed under Item 5 of the agenda.</p> <p>d. Personal Accident Insurance (PAX) information and two outstanding cases. Information on Personal Accident Insurance (PAX) was sent to the Naval Families Federation on 17 December. An article on the subject appeared in the Spring 2015 edition of their magazine, Homeport.</p> <p>Naval Families Federation had advised of two longstanding Personal Accident Insurance (PAX) claims which were investigated after the last meeting. One of these cases was successfully resolved and the other was awaiting additional specialist medical information prior to finalising the award. There was no indication of an underlying problem with the product.</p> <p>e. Uprating compensation payments using the 'Triple lock'. The Royal British Legion had proposed uprating of compensation payments using the 'triple lock' method. This matter was discussed at the last Central Advisory Committee meeting when it was agreed the Deputy Head of Armed Forces Remuneration would meet the Royal British Legion. The meeting took place on 15 December when officials advised that the matter would be proposed for consideration under the Armed Forces Compensation Scheme quinquennial review.</p>	
4.		

Ser	Decisions	Action
	<p>Item 4 – Confirmation of the revised terms of reference for the CAC:</p> <p>a. In the previous Central Advisory Committee Meeting, officials undertook to update the Terms of Reference for the body to reflect both the transfer of pension-related matters to the Armed Forces Pension Board and the change of status of the body from a Non-Departmental Public Body to a Stakeholder Advisory Group. A draft copy of the terms of reference had been sent out to members of the CAC on 4 March. No comments had been received.</p> <p>b. The terms of reference were confirmed, but Andrew Bates advised that they would be re-issued to members in June so as to include the new Ministerial title. (<u>Afternote</u>: The updated terms of reference are attached to these minutes)</p>	<p>Action: AF Rem AFC to circulate updated ToRs.</p>
5.	<p>Item 5 – Mesothelioma lump sum proposal:</p> <p>a. Minister(DPV) invited Andrew Bates to update the committee on MOD's consideration of Royal British Legion's mesothelioma proposal. Mr Bates advised that officials had been working with other Government Departments to consider the effect of a lump sum in relation to means tested State benefits or any other entitlements. In parallel, Veterans UK had been considering the process changes, including the information that claimants would need to make an informed decision on whether to opt for a lump sum or to receive a War Disablement Pension income.</p> <p>b. The Minister said that he was aware of the need for urgency. He asked officials to bring the work to an early conclusion so that a decision could be made. Sue Freeth said that she was interested to hear of the work to date and would comment further when the details were known.</p>	<p>Action: AF Rem AFC to provide early advice to Min(DPV).</p>
6.	<p>Item 6 – Independent Medical Expert Group (IMEG) update:</p> <p>a. Prof Sir Anthony Newman Taylor reminded the committee that IMEG's role was to advise the Minister on medical and scientific aspects of AFCS and related matters.</p> <p>b. He discussed IMEG's Third Report which covered work that the group had undertaken since 2013. This included consideration of fatiguing illness following infection in deployed service, Non Freezing Cold Injury (NFCI), traumatic amputation, combat related complex lower limb injuries and mesothelioma. Their third report had been published in March 2015.</p>	

Ser	Decisions	Action
	<p>c. Barry Le Grys said that BLESMA were very supportive of IMEG's position on amputation and would be willing to help with the ADVANCE study, including the provision of data if it would be useful.</p> <p>d. Sir Anthony went on to outline the IMEG's proposed work programme for 2015-2016. This included worsening and a review of Traumatic Brain Injury which were approved by Ministers previously. In addition, IMEG was seeking permission to investigate skin cancer, pes planus (flat foot), plantar fasciitis (heel pain), musculoskeletal disorders, cases spanning AFCS and its predecessor the War Pensions Scheme and AFCS awards ten years on.</p> <p>e. The Minister thanked the IMEG for their work and its contribution to the Armed Forces Compensation Scheme.</p>	
7	<p>Item 7 – DBS Veterans UK Update:</p> <p>a. Jon Parkin referred to the reduction in Armed Forces Compensation Scheme claims processing times from 99 working days in August 2014 to 59 days in May 2015. In tandem, Veterans UK staff were also working hard on reducing the number of War Pensions Scheme claims on hand and the average clearance time was now 113 working days in May 2015. He was grateful for the forbearance of members while Veterans UK had been re-organising.</p> <p>b. Sue Freeth said that the good relationship between RBL and Veterans UK was very encouraging and she was keen to build on it. Tony Phillips said that while he felt MOD did not always keep the VA&PCs informed about potential changes affecting veterans, there were good communications from Veterans UK. These were key in assisting veterans to obtain the support they required. The Minister said that he would look for opportunities to ensure that veterans issues were well represented when engaging with Government colleagues.</p>	
8.	<p>Item 8 – Any Other Business:</p> <p>a. <u>Quinquennial Review of the Armed Forces Compensation Scheme</u>. Trish Wilson reminded members that Ministers had sought stakeholder views on topics for the Quinquennial Review last year. This had generated a number of recommendations; some of which were particularly complex. A policy assessment was underway to determine if any of the proposals could be taken quickly and progressed as normal business, rather than wait for the outcome of the review. For example, the Tribunal Service had asked that serving personnel be required to attend hearings</p>	

Ser	Decisions	Action
	<p>as a duty – this could be addressed with the single services and promulgated through the chain of command and need not feature as part of the review.</p> <p>Once this assessment was complete, officials would provide advice to Minister(DPV) on the required scope of the review. When the scope was clarified the MOD could then seek to recruit the review lead. It would be important to have the right person, with the right skills, at the right level to engage across Government (for example, on the implications of the ‘triple lock’ proposal). Once the lead reviewer was identified early engagement with CAC members would be invited. The time to complete the review would depend entirely on the scope but the Department remained committed to start it this year.</p> <p>The Minister stressed that it was important to find the right person to lead the review and strike a balance on content to ensure the scope was both manageable and achievable.</p> <p>b. <u>Social Care Disregards</u>. Sue Freeth reminded members that while Guaranteed Income Payments under the Armed Forces Compensation Scheme were disregarded in Department of Health’s assessment for social care, there was no similar disregard for the War Pensions Scheme.</p> <p>The Minister said that recently he had mentioned the matter to Alistair Burt, Minister of State for Community and Social Care, and would arrange to meet him in due course.</p>	
9	<p>Item 9 – Date of Next Meeting:</p> <p>a. The date of the next meeting would be circulated to members in due course.</p>	

Angela Owen
Secretary to the CAC

Distribution:
CAC Members and meeting attendees

Central Advisory Committee on Compensation

TERMS OF REFERENCE

The committee was established under primary legislation governing war pensions in 1921 in the following terms (as amended):

“... the Minister shall constitute a central advisory committee consisting of officers of the ministry (local and central), ex-servicemen and at least one person from one of the committees under section 25 of the Social Security Act 1989 and for the time being in existence to consider such matters as may be put before them for their advice.”

(The committees referred to under section 25 etc are the War Pensions Committees, which are now renamed Veterans Advisory and Pensions Committees (VAPC).)

The remit of the committee now is to act as a policy advisory and consultative body for compensation issues.

Role

The role of the committee is to provide: advice on policy issues affecting the War Pensions Scheme and the Armed Forces Compensation Scheme including reviews of the control and governance arrangements and to maintain a credible and visible consultative mechanism for these schemes.

The committee does not advise on issues of wider concern to veterans or service personnel, such as welfare, for which other forums exist, or routinely become involved in issues of scheme operation and delivery where, again, other mechanisms are in place.

Function

The committee functions through twice yearly meetings, chaired by the Minister for Defence Personnel and Veterans, and correspondence out of committee. In addition, there might be other engagements during the year, the nature of which is driven by the business of the committee and might take the form of a meeting of members, educational workshop, written consultation document or information update.

Details of the committee membership and minutes of meetings are made available on the committee's webpage:

<https://www.gov.uk/government/organisations/central-advisory-committee-on-pensions-and-compensation>

When acting as a consultative mechanism, the Chair will aim to ensure that the process follows existing guidance¹ when that is necessary and appropriate. However, it has been recognised that consultation on matters relating to the Armed Forces cannot be the same as in other areas of Government policy, not least because of the role of the Principal

¹ Consultation and the Ministry of Defence, October 2007

Personnel Officers (PPOs). Where issues are specific and/or technical in nature or impact quite a narrow group, consultations may be conducted in short timescales or with limited individuals/groups. Consultation exercises under the committee's interest may be publicised via the web-page.

Membership

Chair:

Minister for Defence Personnel and Veterans

Members:

Two members of the network of VAPCs².

A minimum of one and a maximum of six appointments are available to ex-service organisations².

One appointment is available to one of the three Service Families Federations on a three year rotational basis.

The Chairman of the Independent Medical Expert Group, which provides advice in relation to the AFCS.

In addition, three non-member in-service representatives from each of the Principal Personnel Officer areas will attend as well as such officials as the Chair deems appropriate³.

Internal appointments are managed on an ex-officio basis. External appointments are managed on a basis similar to that known as 'nominating bodies' i.e. organisations which have been identified as able to provide a relevant perspective are asked to nominate potential members (at least two from all but the smallest organisations) so that the Minister may make the final choice, in line with the Code of Practice for Ministerial Appointments to Public Bodies. As long as there are a number of ex-service personnel on the Committee, the Chair may appoint members who have not served in the military. Members are expected to attend meetings personally but may exceptionally be represented by another individual from their organisation.

Appointment length will usually be open ended. Appointments will usually end in the event that an individual's role within their representative organisations ends/changes significantly so as no longer to be relevant to the Committee. In any case, the Chair may end an appointment at any time.

Amendment

The Terms of Reference may be amended at any time; a member or the Chair may propose a change and the Chair will usually hear views before deciding the amendment. The Chair has the final decision.

June 2015

² These members must include ex-service persons, as required in the legislation that established the Committee

³ Usually a senior official from the compensation policy area, an official from the compensation delivery area, a specialist medical representative and a Secretary.