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[Redacted]

30 September 2016

Dear [Redacted]

Thank you for your email of 1 September 2016 requesting the following information:

- a. The number of UK Regular Armed Forces personnel medically discharged with a principal or contributory cause of Non-Freezing Cold Injury between 1 April 1995 and 31 March 2016.
- b. The number of UK Armed Forces personnel that have been awarded compensation under the Armed Forces Compensation Scheme (AFCS) for non-freezing cold injuries each financial year between 6 April 2005 and 31 March 2016, presented by tariff level of award.
- c. The total amount paid out in the form of lump sum awards to those awarded under the AFCS for non-freezing cold injuries during the past two financial years, 2014/15 and 2015/16.

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 I can confirm that all of the information in scope of your request is held.

Between 1 April 1995 and 31 March 2016, **six**^P UK Regular Armed Forces personnel were medically discharged with a principal or contributory cause of Non-Freezing Cold Injuries (NFCI). Please note data are provisional, see section 16 (advice and assistance) for more information.

Table 1 shows the number of UK Armed Forces personnel that have been awarded compensation under the Armed Forces Compensation Scheme (AFCS) for Non-Freezing Cold Injuries (NFCI) each financial year between 6 April 2005 and 31 March 2016 (the latest data available), presented by tariff level of award. Please note data has been compiled using different methodologies, please see section 16 (advice and assistance) for more information.

Table 1: UK Armed Forces personnel awarded compensation under the Armed Forces Compensation Scheme (AFCS) for Non-Freezing Cold Injuries (NFCI), by financial year and tariff level of award¹
 1 April 2005 – 31 March 2016

Tariff Level	All Years	2006/07	2007/08	2008/09	2009/10	2010/11	²	2011/12	2012/13	2013/14	2014/15	2015/16
All	1,235 ^P	10 ^P	33 ^P	83 ^P	86 ^P	138 ^P		200 ^P	166 ^P	194 ^P	150 ^P	175
10	2 ^P	0 ^P	0 ^P	0 ^P	0 ^P	0 ^P		0 ^P	0 ^P	1 ^P	1 ^P	0
11	2 ^P	0 ^P	2 ^P	0 ^P	0 ^P	0 ^P		0 ^P	0 ^P	0 ^P	0 ^P	0
13	766 ^P	1 ^P	12 ^P	24 ^P	0 ^P	0 ^P		179 ^P	125 ^P	155 ^P	122 ^P	148
14	368 ^P	9 ^P	12 ^P	31 ^P	68 ^P	95 ^P		20 ^P	41 ^P	38 ^P	27 ^P	27
15	97 ^P	0 ^P	7 ^P	28 ^P	18 ^P	43 ^P		1 ^P	0 ^P	0 ^P	0 ^P	0

Source: Compensation and Pensions System (CAPS)

1. For awards prior to the 1 April 2011 the tariff level presented is the highest tariff awarded for the whole claim which may include other awards for conditions other than NFCI. For awards on or after 1 April 2011 the tariff level presented is the tariff level awarded for the NFCI. Therefore this may not be the tariff level awarded for NFCI.
 2. Information prior to 1 April 2011 has been compiled using a different methodology to information provided on or after 1 April 2011. Please see Section 16 (Advice and Assistance) for further information.
- P Data are provisional due to data quality issues. See Section 16 (Advice and Assistance).

The total amount of compensation paid out in lump sum awards under the AFCS for NFCI was:

- £1,237,200 in 2014/15
- £1,486,200 in 2015/16

Under Section 16 (Advice and Assistance) you may find it helpful to note the following:

UK Regular Armed Forces figures include Gurkhas and Military Provost Guard Service (MPGS) personnel.

Medical Discharges

Defence Statistics release annual updates on medical discharges in the UK Armed Forces as an Official Statistic publication. The latest report (published on 14 July 2016) can be found at: <https://www.gov.uk/government/collections/medical-discharges-among-uk-service-personnel-statistics-index>

Medical discharge data are compiled by Defence Statistics from three sources:

- Medically discharged personnel are identified in monthly downloads taken from the Joint Personnel Administration System (JPA). JPA is used to hold the administration data for all Regular Forces. The number of Service personnel in each year is also taken from the monthly downloads from JPA.
- The principal and contributory causes of medical discharge are taken from F Med 23's. FMed 23's are official medical documents used to record all medical board proceedings. Defence Statistics are supplied FMed 23's by the single Service medical boards and code them into the medical discharge database. If consent for Defence Statistics to hold the information is not given the individual appears in the database with no clinical information recorded.
- Where paper versions of the FMed 23 form have not been made available to Defence Statistics, the electronic version as recorded on the Defence Medical Information Capability Programme (DMICP) has been utilised.

Medical discharges for NFCI were compiled using the International Classification of Diseases and Related Health Problems Version 10 (ICD), specifically T69.0 (Immersion hand and foot) and T69.1 (Chilblains).

In 2013/14 and 2014/15, Defence Statistics (Health) did not receive all trained Army FMED23 discharge paperwork which confirms the cause information for the discharge. In 2015/16, this issue was extended to include both Naval Service and RAF data. Therefore, Army cause code data for 2013/14, 2014/15 and 2015/16 are provisional. Naval Service and RAF cause code data for 2015/16 are also provisional and therefore the figure supplied should be treated as a minimum.

Principal condition is the first principal ICD 10 code on the medical discharge documents (FMED 23). Contributory cause contains all other principal conditions and any contributory conditions on the medical discharge paper (FMED 23).

Medical discharges are the result of a number of specialists (medical, occupational, psychological, personnel, etc.) coming to the conclusion that an individual is suffering from a medical condition that pre-empts their continued service in the Armed Forces. Statistics based on these discharges do not represent measures of true morbidity or pathology. At best they indicate a minimum burden of ill-health in the Armed Forces. Furthermore, the number and diversity of processes involved with administering a medical discharge introduce a series of time lags, as well as impact on the quality of data recorded.

Although Medical Boards recommend medical discharges they do not attribute the principal disability leading to the board to Service. A Medical Board could take place many months or even years after an event or injury and it is not clinically possible in some cases to link an earlier injury to

a later problem which may lead to a discharge. Decisions on attributability to Service are made by Vets UK (formerly Service Personnel and Veterans Agency).

Armed Forces Compensation Scheme

The AFCS came into force on 6 April 2005 to pay compensation for injury, illness or death attributable to Service that occurred on or after that date. It replaced the previous compensation arrangements provided by the War Pensions Scheme (WPS) and the attributable elements of the Armed Forces and Reserve Forces Pensions Scheme.

A biannual Official Statistic provides summary statistics on claims and awards made under the Armed Forces Compensation Scheme, paying compensation for injury, illness or death caused by Service. This is published on the Gov.UK website:

<https://www.gov.uk/government/collections/armed-forces-compensation-scheme-statistics-index>.

The latest version of the report was released on 2 June 2016.

There are currently ongoing investigations into the accuracy of outcome data for a small proportion of AFCS claims. Therefore all outcome information presented within this FOI, as extracted from the Compensation and Pensions System has been marked as provisional. More information can be found in the Armed Forces Compensation Scheme background quality report at

<https://www.gov.uk/government/statistics/armed-forces-compensation-scheme-statistics-background-quality-report>

Awarded conditions that are recorded on the AFCS dataset were identified using two different methodologies due to a tariff descriptor being added for non-freezing cold injuries (NFCI) from the 1 April 2010. This tariff descriptor was introduced following the Lord Boyce review which recognised that NFCI needed to be added into the AFCS legislation.

To identify claims awarded for NFCI prior to 1 April 2011, we used all awarded claims that were registered between 6 April 2005 and 31 March 2011 and searched the claimed condition field for 'nfcI', 'non freez' and 'non-freez'. Please note the claimed condition field is free text and some records with reference to NFCI may not have been identified, and therefore the figures supplied should be treated as a minimum. Using this methodology we are unable to identify the tariff level for the condition awarded and therefore the tariff level for the whole claim has been provided. Therefore this may not be the tariff level awarded for NFCI.

To identify claims awarded for NFCI on or after 1 April 2011, we used all awarded claims that were registered between 1 April 2011 and 31 March 2016 and searched the tariff description field for 'non-freezing'. Even though the tariff description field has set descriptions they are typed in and may contain typing errors. Therefore some records with reference to NFCI may not have been identified and the figures supplied should be treated as a minimum. The tariff level provided is the level awarded for NFCI.

A lump sum is payable to the service person or former service person based on the tariff level for their injury/injuries. The AFCS Tariff has 15 levels from 1 (most severe) to 15 (least severe). Each tariff level has a corresponding level of lump sum payment.

In addition to claiming for 'no fault' compensation under the AFCS, an injured Service or ex-Service person may also claim for common law damages if they consider that injury or illness occurred as a result of MOD or third party negligence. Decisions under the AFCS and common law damages are made entirely independently from one another. However, in some cases where MOD 'no fault' compensation has been paid and common law damages awarded, either the AFCS award or the common law damages will be adjusted (or abated) where payments are made twice to compensate for the same aspects of injury. In this case, three individuals awarded compensation had their AFCS lump sum award abated and the amounts paid presented exclude any annual AFCS lump sum award to these three individuals.

Figures provided are sourced from data stored on the Compensation and Pensions System (CAPS) and linked with financial information provided by Defence Business Services (DBS).

Would you like to be added to our contact list, so that we can inform you about updates to our statistical publications covering medical discharges and Armed Forces Compensation statistics and consult you if we are thinking of making changes? You can subscribe to updates by emailing: DefStrat-Stat-Health-PQ-FOI@mod.uk.

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, 2nd 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, <https://ico.org.uk/>.

Yours sincerely,

Defence Statistics (Health) Head (B1)