



Ministry
of Defence

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Dear [REDACTED],

Thank you for your email of 17 January 2015 requesting the following information:

- *I would like to know the number of serving military personnel and veterans who have been given an AFCS award, for mental health issues caused or made worse by their service, at or above Level 11 (i.e. triggering a GIP on discharge)*
- *How many cases were awarded at this level as a result of either a reconsideration request or at a Pensions Tribunal Appeal.*
- *I would request that this information cover the period from 1 Jan 2010 until 30 Sept 2014.*

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

There were **110** military personnel and veterans awarded compensation under the Armed Forces Compensation Scheme (AFCS) for mental disorders, at tariff levels 1-11, between 1 January 2010 and 30 September 2014 (Source: Compensation and Pensions System).

Of these **110** awards:

- **35** were awarded at the above tariff levels as a result of a claim or additional claim
- **40** were awarded at the above tariff levels following a reconsideration. Please note that **35** of these awards were previously made at tariff levels 12-15.
- **35** were awarded at the above tariff levels following an appeal. Please note that **25** of these awards were previously made at tariff levels 12-15.

Under Section 16 of the Act (Advice and assistance) you may find it useful to note the following:

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.

Awarded conditions are recorded on the AFCS data in a free-text field containing the tariff of injury table condition groupings. To identify claims awarded for mental disorders, we used this 'tariff description' field for 'mental'. Please note that due to the free text nature of this data it is possible that some records with reference to mental health have not been identified, and therefore the figures supplied should be used as an estimate only.

A Guaranteed Income Payment (GIP) is payable when an award has been made and the injury or illness is in tariff levels 1 to 11. A GIP is a tax free, index linked monthly income stream paid to recognise the effect of the injury on the future earnings capacity of the individual once they stop receiving their military salary. Therefore if a GIP is awarded as the result of an in-Service claim it will be deferred until the claimant has left the Services. Once awarded, a GIP is payable for life and uprated annually in line with inflation to the Consumer Price Index (CPI).

If a claimant is not satisfied with the outcome of their claim they may ask for a reconsideration. Where the claimant has asked for a reconsideration only, they must provide written reasons why they disagree with the decision. The request must be received within three months from the date of notification of the outcome of the original claim.

If a claimant is not satisfied with the outcome of their claim they may lodge an appeal to an appropriate Tribunal. Where an appeal has been lodged and a reconsideration has not already been carried out, the agency must carry out a reconsideration of the original decision and notify both the claimant and the Tribunal of the outcome of the reconsideration. The request must be received within 6 months from the date of notification of the outcome of the reconsideration, or the original claim where no reconsideration has taken place. The Tribunal is totally independent from Defence Business Services (DBS) and their decisions are legally binding on both the appellant and DBS. The Tribunal is bound by the rules of the scheme.

The initial outcome given for an injury/illness claim is based on the evidence that was available to the decision maker at the time of the claim. The reconsideration and appeal process gives the claimant an opportunity to present additional evidence that may change the perspective and outcome of a case, ensuring the correct outcome for the claimant.

In line with Defence Statistics' Rounding Policy for AFCS data, all figures of five or more have been rounded to the nearest 5 and figures fewer than five have been suppressed and marked ~. Due to rounding, the figures provided may not sum to totals.

Would you like to be added to our contact list, so that we can inform you about updates to our statistical publications on the AFCS 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, 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://ico.org.uk>.

I hope this is helpful.

Yours sincerely

Defence Statistics (Health) Head (B1)