



Ministry
of Defence

Ministry of Defence
Defence Business Services
Secretariat
Room 6303
Tomlinson House
Norcross
Thornton-Cleveleys
FY5 3WP

Ref: FOI2016/06137

20th June 2016

Dear [REDACTED]

Thank you for your email dated 12 June 2016, to the Ministry of Defence (MOD) requesting the following information:

"Please provide me with the guidance of how a percentage is calculated in regards to the level of accepted disability to limbs that have osteoarthritis.

e This includes both of a pair of organs/limbs, and must include an explanation of how the assessment takes into account the loss of functional capacity of both organs/limbs working together and or not working together.

o And what elements of factors, are taking into account when the level of percentage is allocated , and the total effect of the disability on that person to deal with coping with every day to day daily issues in order to function

Plus copies/links to all material/information which is currently used in assessing the above allowances , including but not limited to, guides, pamphlets, manuals, policies and procedures."

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 the information in scope of your request is held.

War Pensions assessment is determined in accordance with Article 42 of the Service Pensions Order. This states that the degree of disablement due to service of a member of the Armed Forces shall be assessed by making a comparison between the condition of the member as so disabled and the condition of a normal healthy person of the same age and sex, without taking into account the earning capacity of the member in his disabled condition in his own or any other specific trade or occupation, and without taking into account the effect of any individual factors or extraneous circumstances. This Article also provides for the duration or period of award.

Assessment is a medical judgement as to the degree of disablement present. It represents the extent by which disablement has reduced the physical and mental capacity for the exercise of the necessary functions of a normally occupied life, one which can be expected in a healthy person of the same age and sex.

There are some assessments which are specified in the legislation and these are the statutory scheduled assessments and specified minor injuries. These mainly refer to loss of body parts i.e. amputations and they are incorporated into a desk aid known as the **MPM200**. They can be used as a benchmark when determining assessment. The assessment bands are also specified in the legislation. These cover a range of disablement and the composite assessment is made by reference to the combined effects of all accepted injuries.

In essence the assessment decision is made in accordance with the legislation, contemporary medical understanding and the case specific facts.

Under Section 16 of the Act (Advice and Assistance), a copy of The Naval, Military and Air Forces Service Pensions Order 2006 can be found at the following link –
<http://www.legislation.gov.uk/ukxi/2006/606/contents>

A copy of the MPM200 can be found at the following link –
[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/501016/20160212-MPM200 Medical Advisers Desk Aid and Assessment Claims Handout.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/501016/20160212-MPM200_Medical_Advisers_Desk_Aid_and_Assessment_Claims_Handout.pdf)

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,

A large black rectangular redaction box covering the signature of the sender.

A/Head of DBS Secretariat