Background Quality Report

Armed Forces Compensation Scheme Annual Statistics: 6 April 2005 to 31 March 2018

The purpose of a background quality report is to inform users of the statistics about the quality of the data used to produce the publication, and any statistics derived from that data. It also discusses existing uses of the statistics and user requirements.

This assessment relates to the annual 'Armed Forces Compensation Scheme' statistics published by Defence Statistics.

1. Introduction

- This annual Statistical Notice provides summary statistics on claims and awards made under the Armed Forces and Reserve Forces Compensation Scheme (AFCS), paying compensation for injury, illness or death caused by Service.
- 2. The findings in these Statistics are presented in six sections:
 - Registered and cleared claims under the AFCS by latest recorded outcome: This section provides the overall numbers of claims registered and cleared under the scheme by the latest recorded outcome, broken down by claim type and financial year. This is provided to show the volume of claims that are dealt with under the scheme, the success rates associated with each type of claim and the key trends over time. This section also includes information on reconsiderations, appeals and reviews registered and cleared. Defence Statistics and DBS Veterans UK are currently investigating potential quality issues with the underlying data used to compile the outcomes of reconsiderations, appeals and reviews. Therefore Tables 3 to 5 in the accompanying Annex A have not been updated since the previous release (as at 31 March 2017). Tables 3 to 5 will not be updated until the issues have been determined and resolved.
 - AFCS claim clearance times: This section presents the average clearance times (median number of working days) for all cleared claims, by claim type and financial year. This information is presented in order to show the average time (medium number of working days) that claimants have waited for their claim to be cleared.
 - Recipients of Lump Sum Payments and GIPs under the AFCS based on the outcome of their latest claim: This section gives further details (e.g. by Service, age-group, tariff level and tariff of injury grouping) for all Serving/ex-Serving personnel who have been awarded compensation for an injury/illness caused by Service. Injury/illness claims make up the majority of all claim types and Defence Statistics deal with the highest volume of requests for this area. Therefore further details are provided on the latest claim outcome to deal with the demand for information on these claims.
 - Recipients of Guaranteed Income Payments only under the AFCS: This section gives information on the number of people who are in receipt of ongoing compensation payments under the scheme (i.e. Serving/ex-Service personnel with more severe injuries at tariff levels 1-11), and spouses/children in receipt of compensation as a result of a death caused by Service. It also provides a summary of demographic factors for these individuals. A GIP only begins when an individual leaves the Services and therefore this section is provided to show the number of people that are actually in receipt of a GIP, as opposed to the number who have been awarded a GIP.
 - AFCS expenditure: This section gives information on the amounts paid out to serving personnel in the form of lump sum awards and guaranteed income payments by financial

- year. It also provides information on survivor's guaranteed income payments by financial year.
- Registered and cleared claims under the AFCS by initial recorded outcome: This section
 provides the overall numbers of claims registered and cleared under the scheme by the
 initial recorded outcome. This is provided to show the volume of claims that are dealt with
 under the scheme and the success rate.
- 3. These statistics, first released in September 2008, presented quarterly trends over time since the scheme began on 6 April 2005, and were subsequently published on a quarterly basis. Following consultation with internal and external users the frequesncy of reporting was reduced to biannual in June 2011 and annual in June 2018.
- 4. In May 2018, an internal consultation was run to seek approval to remove initial AFCS claim outcomes and quarterly trends from the accompanying tables to the annual report, and change the methodology used to calculate the AFCS clearance times from 1 April 2017. These changes have been applied to the June 2018 report.
- 5. These statistics were designated National Statistics in 2013, and are published as National Statistics, adhering to the <u>UK Statistics Authority (UKSA)</u>¹ protocols on <u>pre-release access</u>².
- 6. Ad-hoc interrogation of the data used to compile these statistics is regularly undertaken by Defence Statistics to answer Freedom of Information requests, Parliamentary questions and internal queries from within the Ministry of Defence.

Scheme information and definitions

- 7. This section provides a summary of the AFCS. Full scheme information, including advice on how to submit a claim for compensation under the AFCS can be found on the Gov.uk website³
- 8. The AFCS came into force on 6 April 2005 and is managed by the Ministry of Defence (MOD), with all compensation claims administered by Defence Business Services (DBS) <u>Veterans UK</u>⁴. The AFCS replaced the previous compensation arrangements provided by the War Pensions Scheme (WPS) and the attributable elements of the Armed Forces Pensions Scheme. Defence Statistics also publishes separate <u>annual WPS National Statistics</u>⁵ on claims and awards under the WPS.

AFCS Injury / Illness claims and awards

- 9. All current and former members of the UK Armed Forces, including reservists, may submit a claim for compensation under the AFCS where injury or illness has been caused, or made worse, by Service on or after 6 April 2005. Unlike the War Pension Scheme, claimants can submit a claim for compensation whilst still in Service. Individuals have up to seven years to make an injury/illness claim from the date of their initial injury/diagnosis. There are some exceptions to this such as late-onset illnesses. Claims for a late-onset illness can be made at any time after the event to which it relates, as long as it is done so within three years of diagnosis. A late onset illness is a malignancy or other physical disorder which is capable of being caused by an occupational exposure occurring more than 7 years before the onset of the illness. Late onset also covers mental disorders which are capable of being caused by an incident occurring more than 7 years before the onset of the illness.
- 10. Full details of the eligibility criteria to claim and the decision-making process can be found in the found in the MOD's AFCS Statement of Policy⁶.
- 11. Injury/illness claims are presented within the supplementary tables and the Statistical Bulletin in three groups:

- a) **In-Service claims**: Those registered by serving members of the UK Armed Forces at the date of their claim.
- b) **Post-Service claims**: Those registered by former UK Service personnel at the date of their claim.
- c) **Medical discharge claims**: Automatic claims raised by the MOD for personnel medically discharged from Service where they meet the following criteria:
 - i) They have served more than two years' reckonable Service.
 - ii) Their medical discharge was as a result of injury/illness due to Service on or after 6 April 2005. Where injury/illness was a result of Service prior to this date they will be considered under the WPS.
 - iii) They have not been previously awarded under the scheme following an in-Service claim for the injury/illness/condition which led to their medical discharge.
 - iv) They are a member of the Armed Forces Pension Scheme (AFPS) 75 pension scheme; or they are a member of the AFPS 05 scheme AND are in receipt of Tier 2 or Tier 3 ill health benefits from that scheme. Further information on the <u>AFPS 05 ill health benefits</u>⁷ can be found on the Gov.uk website.
- 12. An initial decision is made by the MOD on whether to award each injury/illness claim. There are three outcomes to an initial injury/illness claim:
 - a) Awarded: Injury/illness accepted as due to Service AND falls under one of the 15 tariff levels, as discussed in paragraph 15 below.
 - b) Accepted- No award: Injury/illness accepted as due to Service but the severity does not meet the minimum tariff level, and therefore no financial compensation is paid out.
 - c) Rejected: Injury/illness not accepted as due to Service.
- 13. **Tax-free lump sum awards** are paid to all Service personnel and veterans as compensation for pain and suffering for an injury or illness that is predominantly caused or made worse by Service. Lump sum awards can be made whilst the claimant is still in Service.
- 14. All injuries/illnesses are considered under a relevant tariff of injury table. There are nine tables which each cover the legislation surrounding the payment of compensation for 1. Burns; 2. Injury, Wounds and Scarring; 3. Mental Disorders; 4. Physical Disorders; 5. Amputations; 6. Neurological Disorders; 7. Senses; 8. Fractures and Dislocations; 9. Musculoskeletal Disorders. This legislation determines the tariff level at which each injury/illness should be paid compensation. The full tariff of injury tables are published online by Infolaw, a publisher of legal resources.
- 15. There are 15 tariff levels under which successful claimants are awarded, each reflecting the severity of the injury or illness. The lower numerical tariff levels (i.e. 1-4) reflect the more severe injuries/illnesses. Where a lump sum award has been made at tariff levels 1-11 (reflecting a more serious injury/illness), the claimant will also be awarded a tax-free index-linked income stream known as a **Guaranteed Income Payment (GIP)**. A GIP will then be paid from Service termination for life to recognise long-term loss of earnings.
- 16. Tariff levels 1 to 11 are divided into four bands and they refer to the percentage used to calculate the annual amount of the GIP; 100% for Band A (most severe condition awarded at tariff levels 1-4), 75% for Band B (most severe condition awarded at tariff levels 5-6), 50% for Band C (most severe condition awarded at tariff levels 7-8) and 30% for Band D (most severe condition awarded at tariff levels 9-11).
- 17. Service personnel awarded a GIP at 50% or above (Tariff Bands A-C) are eligible to apply for additional financial support via the <u>Armed Forces Independence Payment (AFIP)</u>9. The AFIP is a benefit to help with the extra costs of a long-term health condition or disability. The weekly AFIP payment is the same as the enhanced rate of the <u>Personal Independence Payment</u>10 (PIP) components and the highest rate of the <u>Disability Living Allowance</u>11 (DLA) components.

Therefore, veterans already receiving the enhanced PIP or the highest rate DLA support may not apply to receive the AFIP since the benefits are the same.

- 18. The AFCS aims to compensate as early as reasonably possible. In most cases it is possible, on the advice of medical advisors, to determine the long-term severity of successful injury/illness claims and claimants are awarded in accordance with the appropriate tariff of injury table and tariff level. However, in some cases it is not possible to make an early decision on the appropriate compensation amount. In these cases, successful claims will be awarded an interim award. Interim awards are designed for cases where an injury or illness is clear but its on-going effect is not. The MOD will provide claimants with some financial security pending their full and final award. Interim awards are reviewed after two years, via an **interim review**, and then if necessary again at four years, to see if a final award can be made.
- 19. There are several other ways in which initial claim outcomes can also be reviewed. All types of review discussed below, as well as interim reviews, are presented together within these National Statistics:
 - a) Where a claimant has made a claim under the AFCS and an award has been made within the seven years prior to their leaving Service, they can request a **Service Termination Review** of their award up to a year after leaving. In cases where the injury for which the initial award was made has worsened, or a further injury developed, this review can result in the award being maintained or increased. This review cannot result in the reduction or removal of an award.
 - b) The Scheme is designed to provide a full and final award, taking into account the expected effects of the injury and its treatment through life. There may, however, be circumstances where an injury unexpectedly deteriorates or consequential problems develop beyond those anticipated. In these cases, the award given may not be appropriate in the longer term. If this occurs within ten years from the original decision, the claimant can request an **Exceptional Review** of their award. This review can result in the award being maintained or increased, and cannot result in the reduction or removal of an award.
 - c) A decision under AFCS can be reviewed at any time if it was made in ignorance of a fact, or based on a mistake as to a material fact or of a mistake as to the law. An **Ignorance or Mistake Review** can be instigated either by the claimant or the MOD. This review can lead to the previous award being maintained or increased, it can also lead to a previous award being cancelled or reduced where there is compelling evidence of a mistake or ignorance of a fact.
 - d) Where more than ten years have passed since the AFCS decision, a Final Review of an AFCS award can be requested. Given the number of review points that are available for an award before the ten-year point, and the basis of AFCS as a Scheme which makes final decisions only once prognosis is clear, it is anticipated that there will be exceptionally rare occasions where the AFCS award is found to be inappropriate beyond the ten-year point. Where this does happen and the claimant can provide new and compelling evidence that maintaining the award as it stands would be manifestly unjust, then this type of review can be requested. This final review cannot result in a reduction or removal of an award.
- 20. In cases where claimants are unhappy with the initial outcome of their claim, they can request for DBS Veterans UK to arrange a different assessing officer to reassess their claim, via a reconsideration. During reconsideration, DBS Veterans UK can either maintain the decision already made or increase the award. The award cannot be reduced or removed.
- 21. If a claimant continues to be unhappy with the reconsidered outcome of their claim they can lodge an appeal to an independent tribunal. Where an appeal has been lodged and a reconsideration has not already been carried out, the MOD 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 six 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 held by the <u>HM Courts and Tribunals Service</u>¹² (England, Scotland and Wales) and the <u>Northern Ireland Courts and Tribunals Service</u>¹³ and is independent from the MOD. Tribunal decisions are legally binding on both the appellant and the MOD. The Tribunal is bound by the rules of the scheme.

AFCS Survivors' claims and awards

- 22. Where the death of an individual was caused by service in the UK Armed Forces, the AFCS pays benefits to the individual's dependants. AFCS payments can be made to an eligible partner in recognition of the financial loss suffered as a result of the bereavement.
- 23. An eligible partner is a person who was married to the deceased or was their civil partner, and the marriage or civil partnership was in place for at least six months before the bereavement. If there is no spouse or civil partner, a person who fulfils the following criteria may be entitled to benefits under the Scheme:
 - They lived with the deceased as partners in a substantial and exclusive relationship.
 - They were not prevented from marrying or forming a civil partnership; and they were financially dependent on the deceased or they were financially interdependent.
- 24. In the event of a death caused by service where there is no spouse or civil partner, it will be important to establish whether a relationship meets the above criteria to determine whether compensation is due to be paid. In order to determine whether a person may be entitled to compensation, a range of evidence will be considered to establish whether the relationship was substantial and exclusive, and whether there was financial dependence or inter-dependence.
- 25. Payments may also be made to eligible children. An eligible child is a birth child, an adopted child or other child who was financially dependent on the deceased. A child is defined for these purposes as someone who is under 18 years of age or, if in full-time education or vocational training, someone aged under 23. This includes a child born to the individual's partner within 12 months of the bereavement. The age criteria do not apply if the child is unable to support themselves because they are suffering physical or mental disability.
- 26. Compensation is paid to an eligible partner and /or child when death is caused by service and:

 I. The death occurred in service;

or

- II. The death occurred within seven years from when service ends and was caused by:
 - An injury which was caused by service, or
 - the worsening by service of an injury which existed before or arose during service and which was not caused by service;

or

- III. The death occurred more than seven years after service ends and:
 - The death is caused by a late-onset illness which was caused by service
 - The predominant cause of the death is an injury for which an AFCS award has been made where the lump sum fell within levels 1 to 919 of the tariff.
- 27. Where death is not wholly caused by service, compensation is only payable if Service is the predominant cause of the death, on the balance of probabilities.
- 28. Full details of the eligibility criteria for eligible partners and children can be found in the MOD's AFCS Statement of Policy⁶.
- 29. **Survivors' claims** are presented within the supplementary tables and the Statistical Bulletin in three groups:
 - **Death-in-Service claims**: Claims following an in-Service death.
 - Death-post-Service claims: Those registered by surviving dependents of veterans who died after leaving Service.

- Additional child claims: Those registered for an additional child who was not included within the initial claim.
- 30. An initial decision is made by the MOD on whether to award each survivors' claim. There are two outcomes to an initial survivors' claim:
 - a) Awarded: Death accepted as caused by Service.
 - b) Rejected: Death not caused by Service.
- 31. Where death is caused by Service the AFCS provides an income stream known as the Survivor's Guaranteed Income Payment (SGIP). This is payable to the spouse, civil partner or adult dependent for life. Compensation is also paid to eligible children whilst they are in full-time education, known as the Child Payment (CP).
- 32. If a claimant is unhappy with the outcome of their claim, they are entitled to request for their claim to be reassessed via a **reconsideration** (as detailed in paragraph 20), and **appeal** (as detailed in paragraph 21).

Reviews of the Scheme

- 33. Lord Boyce Review: In 2010 a review of the AFCS was conducted under the independent chairmanship of former Chief of Defence Staff, Admiral the Lord Boyce. The Review found the Scheme was fundamentally sound but required adjustment in some areas. A full summary of the Lord Boyce Review¹⁴ can be found on the Gov.UK website. A principal amendment to the scheme was the increased lump sum award amounts assigned to the scheme's tariff levels (presented in Table A1 below), with those awarded prior to the review also receiving a 'top-up' to make up the difference. Information presented within the Statistical Bulletin on the total amounts paid out under the scheme reflects the increased payments.
- 34. **Quinquennial Review:** In 2016 a further independent review, the <u>Quinquennial Review</u>, or <u>QQR</u>¹⁵, was conducted to make sure that, ten years on, the scheme remained fit for purpose and displayed the flexibility to adapt to changing conditions and environments. Overall the QQR concluded that the AFCS remained on track and fit for purpose, with some areas needing improvement. It recognised that the scheme had evolved over the years, and had the flexibility to adapt to changing circumstances. The QQR team suggested a combination of building on existing measures and creating new ones for future improvements to the scheme.
- 35. In April 2018, the MOD published the 'One Year On' Report¹⁶ to discuss the response to the recommendations and progress on implementation over the previous year.
- 36. The key recommendations were:
 - An uplift of tariff 1 lump sum from £570,000 to £650,000, and tariff 2 to 15 lump sum awards to be uplifted by the Consumer Price Index (CPI) measure of inflation to maintain their value.
 - An increase in the total lump sum payment awarded for multiple injuries from £570,000 to £650,000.
 - A review of the maximum tariff level award for mental health conditions upwards (potentially from level 6 (£140,000) to level 4 (£290,000).
- 37. These recommendations have been approved and will be implemented on 9 April 2018 for new claimants only these recommendations will not be applied retrospectively to those awarded under the scheme prior to 9 April 2008. As such, these changes will not impact the statistics in this report, which covers the financial years 2005/06 to 2017/18, but may affect future published statistics.

Table A1: AFCS Lump Sum Award Values by Tariff Level, £

6 April 2005 to 9 April 2018

	Lump Sum Award Values		
	Awards up to 8 April 2018		Awards on
	Pre-Lord	Post-Lord	or after 9
Tariff	Boyce	Boyce	April 2018 ³
Level	Review ¹	Review ²	April 2016
1	570,000	570,00	650,000
2	402,500	470,000	484,100
3	230,000	380,000	391,400
4	172,500	290,000	298,700
5	115,000	175,000	180,250
6	92,000	140,000	144,200
7	63,825	90,000	92,700
8	48,875	60,000	61,800
9	34,100	40,000	41,200
10	23,100	27,000	27,810
11	13,750	15,500	15,965
12	9,075	10,000	10,300
13	5,775	6,000	6,180
14	2,888	3,000	3,090
15	1,155	1,200	1,236

- 1. Lump sum awards paid out to successful injury/illness claimants prior to the Lord Boyce Review in 2010.
- Lump sum awards paid to successful injury/illness claimants after the Lord Boyce Review recommendations were implemented, until 8 April 2018. Note that those awarded prior to the Lord Boyce Review had their awards retrospectively uplifted.
- 3. Lump sum awards paid out to successful injury/illness claimants on or after 9 April 2018. Note that uplifts were not paid retrospectively.

Methodology

Data Sources

- 38. Most of the information presented within this Statistical Bulletin is sourced from quarterly AFCS data extracts from the Compensation and Pension System (CAPS), managed by DBS Veterans UK.
- 31. Defence Statistics also receive separate datasets from the DBS Veterans UK Finance team which are used to report on recipients of Guaranteed Income Payments, and the overall financial amounts paid out under the scheme.
- 32. Information on those in receipt of the AFIP is recorded by DBS Veterans UK in a separate Excel spreadsheet. These data have been used to provide the number of individuals in receipt of AFIP.
- 33. Deployment data were used to determine those awarded under the AFCS that have previously deployed to Iraq and/or Afghanistan. Defence Statistics maintains a database of individual deployment records from November 2001. Data prior to April 2007 was derived from the single Services Operation Location tracking (OPLOC) systems and data since April 2007 is obtained from the Joint Personnel Administration (JPA) system. The data covers deployments on Op TELIC (2003-2009) and Op VERITAS/Op HERRICK (2001-2014).

Data Extraction and Manipulation Process

- 34. The raw data extracts from the CAPS include 'non-genuine' AFCS claims which include the following:
 - 'Spanning' claims: Claims considered first for entitlement under the Armed Forces Compensation Scheme, but passed to the War Pension Scheme where the cause of injury

- or onset of illness occurred prior to 6 April 2005. Between 6 April 2005 and 31 March 2018 there were 12,530 spanning cases included within the AFCS claims processing workload which were not reflected within these statistics.
- 'Treat as never made' claims: Claims which are entered onto CAPS but later abandoned either due to the claim being entered in error or the claimant not proceeding with the claim.
- 35. Following the removal of non-genuine AFCS claims, Defence Statistics conduct a series of consistency checks on the data. For example, the numbers of records received is compared to the previous extract to ensure the total number is as expected. If any data quality issues are evident following receipt of data, Defence Statistics liaise with DBS Veterans UK to determine whether any investigation is required.
- 36. The CAPS data are processed through a series of automated programming in a MYSQL database that produces a series of summary tables on AFCS claims and awards that are then used to populate final tables within the report. The tables within the report present information on claims and awards over the length of the scheme by financial year. This enables long-term comparisons to be made.

Reporting latest claim outcomes.

- 37. Prior to the March 2017 AFCS Statistical Bulletin, injury/illness claim outcomes and survivors' claim outcomes were determined from the outcome of the initial claims, as recorded on the CAPS.
- 38. However, the methodology was amended in 2017 so that the statistics reflect the latest outcome of all claims.
 - All initial claims with no further activity (i.e. no subsequent reconsiderations, appeals etc.)
 retained their initial outcome, and
 - Initial claims with later registered reconsiderations, appeals and/or reviews were analysed to determine the latest tariff level awarded

Calculating Clearance Times

- 39. Clearance times calculations are conducted separately to the automated process. All closed genuine AFCS claims (claims with a 'cleared date' recorded on the CAPS) are identified, and the number of working days (excluding weekends and bank holidays) are calculated to clear each claim, reconsideration, appeal and review. The average (median) has been provided as an indication of how long, on average, claimants waited for a decision to be made. Due to variations in the time taken to process each type of AFCS claim, average clearance times were calculated separately for each claim type: injury/illness claims, survivors' claims, reconsiderations and appeals.
- 40. When Defence Statistics began publishing AFCS clearance times in June 2016, the underlying methodology was developed in line with that used by DBS Veterans UK. However, it transpired that the method used was not capturing the full claim process. The AFCS clearance time calculation used the date each claim was registered on the CAPS, rather than the date each claim was received by DBS Veterans UK (which are often not the same day), and was therefore excluding any time lag between the claim being received by the department and the claims details being entered onto the CAPS. The time lag could be considerable in complex cases, for example where detailed assessments had to be conducted initially to determine whether the claim should be formally assessed under the AFCS or the WPS.
- 41. In 2017 DBS Veterans UK amended their methodology to measure clearance times from the date on which each claim, reconsideration, appeal and review was received by the department and the date on which each claim was cleared. To ensure consistency, Defence Statistics have amended the methodology used to calculate AFCS clearance times in line with DBS Veterans UK from the June 2018 report (as at 31 March 2018).

- 42. Data on when claim forms were received by DBS Veterans UK have been captured since late 2016 and have not been entered retrospectively on the CAPS and it was not possible to revise the historic time series for clearance times. Therefore, Tables 6-9 in Annex A present a break in the time series from 2017/18 to reflect the change in methodology.
- 43. It is important to note that any increase in clearance times for 2017/18 does not mean that claimants have had to wait longer for their claim to be cleared; 2017/18 figures are a more accurate reflection of the full end-to-end claim clearance process.
- 44. Information on AFCS claim clearance times has been presented as a median average with an inter-quartile range rather than a mean average and standard deviation, as these statistics are affected less by outliers. An outlier is an observation within a dataset that appears to be inconsistent with the remainder of the dataset.
 - The median is the value in the centre of the data set when they are arranged from smallest to largest.
 - A quartile is any of three values (first/lower quartile, second quartile (median), third/upper quartile) that divides the sorted (from smallest value to largest value) dataset into four equal parts. The lower quartile (LQ) is the value that at which 25% of the values in the dataset will be below. The upper quartile (UQ) is the value that at which 75% of the values in the dataset will be below.
 - The inter-quartile range (IQR) is the range in which the middle 50% of the data points fall (i.e. the distance between the lower and upper quartile). The longer the inter-quartile range, the wider the spread of data.
- 45. The median has been presented in these statistics as it better reflects the average typical experience for the individual making a claim. The accompanying Excel tables to this publication also present the mean average. The mean average has also been presented as it is used internally as a measure of performance on the management of cases.
- 46. In previous reports Survival analysis has been used to investigate further the length of time between claims being registered and cleared, taking into account pending cases as well as cleared cases. This analysis was carried out for each claim type: injury/illness claims, survivors claims, reconsideration and appeals. Due to the methodology change for compiling clearance times for claims cleared in 2017/18, there are insufficient historic data and therefore the use of this statistical technique is currently under review. Table 10 in the accompanying Excel tables has therefore not been updated. Updated statistics will be published once more historic data has been compiled.
- 47. Survival analysis is a statistical method designed to identify if two or more populations show differences in the rate of a "failure" event over time, and to predict the probability that a failure will or will not have occurred after a set period of time. The analysis takes account of open claims as well as cleared claims and is used to predict the probability that a claim will have been cleared by a certain point in time. In the context of this report "Survival" does not refer to a death, but to the length of time taken for a claim to be cleared by the MOD. A "failure" will occur when a claim is cleared by the MOD, i.e. a decision is made on the outcome of the claim.

Determining awarded claimants who previously deployed to Iraq and/or Afghanistan

48. In order to provide specific figures for those who previously deployed on Op TELIC (Iraq) and Op HERRICK (Afghanistan), Defence Statistics' deployment data have been linked to AFCS data held on the CAPS. Prior to the introduction of JPA in April 2007, dates in and out of theatre are unreliable and therefore it is only possible to identify that a Service person has deployed and not when they deployed/returned from Operations. For this reason it has not been possible to identify personnel deployed on Op VERITAS (Afghanistan) between 6 April 2005 and the end of the Operation in March 2016.

- 49. There were 445 awards made to claimants deployed on Op TELIC, and 80 awards made to claimants deployed on Op HERRICK where it was not possible to determine the specific date of deployment. Therefore, there is a chance that these awards were made prior to individual's deployment.
- 50. Please note that person level deployment data for Afghanistan was not available between 1 January 2003 and 14 October 2005. Therefore, it is possible that some UK Armed Forces personnel who were deployed to Afghanistan during this period have not been identified in the figures provided.
- 51. Please note that **it is not possible to attribute injuries/illnesses to a specific deployment**. Therefore, some of the individuals included in the figures provided may have claimed compensation for an injury/illness that did not occur during their deployment.

Determining Armed Forces Independent Payment (AFIP) recipients

52. Data on those in receipt of the AFIP are sourced directly from DBS Veterans UK. Defence Statistics carry out checks on the AFIP spreadsheet and ensure that only records for the relevant reporting period are included in the figure provided.

2. Relevance

Coverage

- 53. The data presented include all claims for compensation under the AFCS registered between 6 April 2005 and 31 March 2018 by regular and reserve UK Service personnel and their dependants following injury/illness/death potentially caused by Service on or after 6 April 2005.
- 54. Although the figures presented cover all claims registered during the reported time period, the figures do not represent all individuals who have sustained a Service related injury/illness during that time. This is because there can be a time lag between an individual's injury/illness and the date they make a claim. Individuals have up to seven years to make an injury/illness claim from the date of their initial injury/diagnosis. There are some exceptions to this such as late-onset illnesses. Claims for a late-onset illness can be made at any time after the event to which it relates, as long as it is done so within three years of seeking medical advice. Families have up to three years to make a claim as a result of a death caused by Service.
- 55. Please note that some information on the outcomes of appeals made under the AFCS is not recorded on the CAPS and is therefore not presented in this report. All registered appeals are recorded on the CAPS. However only outcomes at the first stage of the appeal process (First Tier Tribunal) are recorded on the CAPS. Information on appeals that progress to further stages (e.g. Upper Tier Tribunal) is held offline, i.e. not on the CAPS. Defence Statistics are planning to work with DBS Veterans UK to investigate how final appeal outcomes are captured in order to improve the information presented in the future.
- 56. DBS Veterans UK have migrated data from their interim system onto the CAPS. The interim system contains claims registered under the AFCS at the start of the scheme between 6 April 2005 and 31 October 2005. Please note that Veterans UK have only migrated successful interim system claims to the CAPS and therefore interim system claims that were rejected or withdrawn are not included in the publication tables. For information, there were 115 injury claims and 25 survivors' claims rejected, as recorded on the interim system.
- 57. In a given table, numbers of people for each financial year may not sum to the total number of people. This is because one person can make more than one claim spanning different financial years, but would only be counted once in the overall total.

User Needs

- 58. These statistics have been provided in response to an increasing number of requests for information about claims and awards under the scheme, including the number of individuals currently in receipt of compensation payments under the scheme and the time taken for a claim to be cleared.
- 59. A range of information is requested including further details of claims and awards (e.g. by claim type or outcome) and further information on those awarded compensation (e.g. age and Service at time of award). Requests are also frequently made for information on AFCS awards made to specific sub-groups of people e.g. those who have submitted a compensation claim following an injury sustained in Afghanistan, those who have been medically discharged for a specific condition, or those living in a particular area of the country. Defence Statistics are often able to link to other sources of data to provide this additional information.
- 60. In 2012 and 2013, Defence Statistics carried out an internal and an external consultation to review the War Pension Scheme (WPS) National Statistic and the Armed Forces Compensation Scheme (AFCS) National Statistic to ensure they are coherent and continue to meet users' needs. The consultations were prompted by the UK Statistics Authority Assessment Report 197: Statistics on Defence Health, which required a review of the content of the publications in consultation with users.
- 61. Following the consultations the majority of the recommendations were implemented. Recommendations included presenting numbers in terms of people as well as the number of claims and presenting information on numbers awarded who have been deployed.
- 62. Further additions have been made to these statistics during 2015 following public interest (in the form of Freedom of Information requests) and requests for information submitted by the House of Commons Defence Committee: information on clearance times, recipients of AFIP and total financial spend.

3. Accuracy

- 63. DBS Veterans UK is responsible for ensuring the quality of Compensation and Pension System (CAPS) data supplied to Defence Statistics. The CAPS is a large administrative database and is subject to the data quality issues of any large administrative system with data collated by a large number of staff for operational delivery purposes.
- 64. Further validation checks are carried out after the data has been processed to ensure that all processes and queries have run correctly and the final numbers are an accurate reflection of data received from DBS Veterans UK. Manual checks are then carried out on the final report to ensure that figures quoted in the commentary reflect those in the tables, and that the numbers sum to the totals provided.
- 65. The main sources of potential error in the production of the AFCS statistics are as follows:
 - Incomplete/incorrect CAPS data extracts.
 - Data processing errors resulting in incorrect data outputs.
 - Manual error during production of report tables, graphs and commentary.
- 66. To ensure that potential errors are identified and resolved, Defence Statistics implement a series of data quality checks throughout the report production. These checks involve close liaison with DBS Veterans UK when required, to ensure the accuracy of the figures published. Where there is concern over the accuracy of the data, Defence Statistics will not update tables/figures from the previous year.

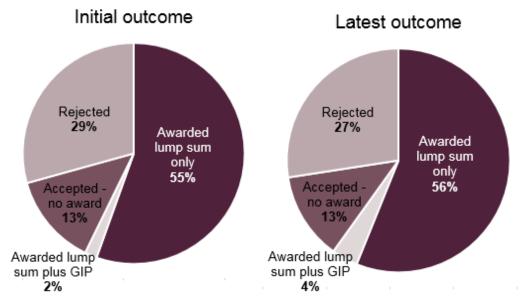
- 67. Concern was raised during the production of the March 2018 statistics regarding the reconsideration, appeal and review outcome data. Figures for 2017/18 where different to the historic trend. Defence Statistics have been working with DBS Veterans UK to understand reasons behind the change in trend. This work is ongoing at time of publication of the March 2018 statistics and therefore Tables 3, 4 and 5 in the accompanying Annex A have not been updated since the previous release (as at 31 March 2017). Defence Statistics will re-release the Annex A tables once the differences are understood and any errors (if errors are discovered) have been corrected. Depending on how long this exercise takes, the 2017/18 figures may not be published until the next scheduled release of these statistics in 2019.
- 68. These statistics are subject to routine revisions as the CAPS is a live data system and historic data is amended between data extracts. These figures can be identified by a revision marker ('r').
- 69. Figures presented in Tables 1 and 2 in Annex A are marked provisional ('p') and may change if cases currently pending are later identified as 'non-genuine' AFCS cases. As such, these figures may reduce as the pending cases are cleared and should not be considered final. This is expected to impact most greatly on registered injury/illness claims. For example, as at 31 March 2017 there were 9,700 registered injury/illness claims on the CAPS. This figure was reduced to 9,091 as at 31 March 2018 following later removal of non-genuine cases. Therefore the 2017/18 trend for injury/illness claims presented in Figure 2 in the Statistical Bulletin has been presented as provisional and marked with '- '. A second provisional line (in lighter font) has also been presented to show the potential trend for 2017.18 if all pending cases are later identified as 'non-genuine'. It is currently unknown where in this range the numbers of registered injury/illness claims will fall following the removal of non-genuine cases.
- 70. The number of reconsiderations registered in 2016/17 increased from 649 as at 31 March 2017 to 1,580 as at 31 March 2018. This is due to a delay at DBS Veterans UK with regards to entering reconsiderations onto the CAPS. Therefore, it expected that the numbers of registered reconsiderations in 2017/18 will increase in future releases. For this reason the 2017/18 trend for reconsiderations presented in Figure 2 in the Statistical Bulletin has been presented as provisional and marked with '--'.
- 71. Figures presented for the 2017/18 financial year in Table 19 in Annex A are also marked provisional ('p'). Accounts for the 2017/18 financial year are pending an audit and may change in future.
- 72. Following a series of identified data quality issues in 2015, Defence Statistics set up a working group with colleagues in DBS Veterans UK to continually review the quality of AFCS data. This working group continues to review data to ensure accuracy in reporting.

Changes in methodology to improve accuracy on reporting of claim outcomes

Reporting latest claim outcomes

- 73. Since 2017 these statistics have more accurately reported on the outcome of registered claims, presenting the latest claim outcomes. All statistical Bulletins prior to March 2017 reported on the outcome of initial claims only.
- 74. **Figure A2** compares claim outcomes when considering initial outcome only and the latest outcome using data as at 31 March 2018, as an example.

Figure A2: AFCS cleared injury/illness claims by initial and latest outcomes, percentages 6 April 2005¹ to 31 March 2018



Source: Compensation and Pension System (CAPS)

1 The AFCS began on the 6 April 2005.

Claim clearance times

- 75. As discussed in paragraphs 39 46, the clearance times methodology was amended in 2017. This has resulted in more accurate clearance times statistics for claims, reconsiderations, appeals and reviews cleared in 2017/18.
- 76. It was not possible to revise the historic time series for clearance times. Therefore, Tables 6-9 in Annex A present a break in the time series from 2017/18 to reflect the change in methodology. Table 2 and Figure 3 below present only 2017/18 data to prevent comparison with previous years.
- 77. It is important to note that any increase in clearance times for 2017/18 does not mean that claimants have had to wait longer for their claim to be cleared; 2017/18 figures are a more accurate reflection of the full end-to-end claim clearance process.

4. Timeliness and Punctuality

Timeliness

- 78. Data are provided to Defence Statistics on a monthly basis. From September 2008 to March 2011 figures were published on a quarterly basis. Following user consultation the frequency of publication was reduced from quarterly to biannual from June 2011, and from biannual to annual from June 2018.
- 79. Figures as at 31 March are published in June. It takes four weeks to extract, validate and process data extracted from the CAPS. It takes a further six weeks to compile and to quality assure the report.

Punctuality

80. The National Statistics reports have all been published on time to meet pre-announced release dates. Future publication dates will also be announced on the Gov.UK at least one month in advance.

5. Accessibility and Clarity

Accessibility

- 81. The statistics can be accessed through the Gov.UK website at the following link: https://www.gov.uk/government/collections/armed-forces-compensation-scheme-statistics-index.
- 82. 24 hour pre-release access to the report is available to a limited distribution list within MOD. The full list can be found in the pre-release access list available on the Gov.UK website: https://www.gov.uk/government/statistics/defence-statistics-pre-release-access-list¹⁸.

Clarity

- 83. Users with an interest in the key findings can read a short summary of main messages within the Introduction of the report. The report is then split into six distinct sections to help users navigate their way through the publication.
- 84. Microsoft Excel versions of all AFCS report tables are also available on the Gov.UK website alongside each published report.
- 85. A glossary of key terms is provided in the Statistical Bulletin.

6. Coherence and Comparability

Coherence

86. The CAPS is the administration system for the Armed Forces Compensation Scheme; there are no other data sources from which information is being presented. However, the MOD produced internal management information from the CAPS. DBS Veterans UK and Defence Statistics work closely to ensure the management information and the statistics within the National Statistic are consistent.

7. Trade-offs between output quality components

87. Defence Statistics minimise the cost to Government of producing these statistics through using data already collated for operational delivery purposes within the MOD's administrative system. As a large administrative system, data quality across fields is of varying quality and completeness and this limits the information available to customers in our statistics and requests for information.

8. Assessment of User Needs and Perceptions

- 88. In reference to the UK Statistics Authority report, <u>The Use Made of Official Statistics</u>¹⁹, the AFCS statistics are used by:
 - (i) Government Policy Making
 - (ii) Government Policy Monitoring
 - (iii) Local Government Service Delivery
 - (iv) Academia Facilitating Research
 - (v) Charities Service Delivery

Description of Users and Usage of Statistics

- 89. The AFCS statistics have been published in response to user demand. Interest has come from internal MOD policy makers, Parliament, Government Departments, the third Sector, academics, the media, and the general public.
- 90. The AFCS statistics are used by the following groups of customers:
 - AFCS policy teams use these statistical publications as a basis for policy making. The MOD uses these figures for background information and for planning purposes e.g. estimating the volume/workload for different types of claims. These statistics allowed the MOD to forecast the financial implications of proposed changes to the AFCS as part of the 2010 AFCS Review and the QQR One Year On Report.
 - External organisations such as Clinical Commissioning Groups (CCGs), local Government and Armed Forces charities (e.g. RBL) use the reports and location figures as part of estimating and planning veteran casework provision e.g. to assess the numbers and needs of Service personnel and veterans in their local area.
 - AFCS statistics are also used by the media to give context to reports on Armed Forces Compensation.
- 91. The publication of the statistics also plays an important part in ensuring the Department's accountability to the British public.
- 92. AFCS questions from outside the MOD (e.g. FOI requests) tend to ask for more detailed information on the data provided e.g. age, Service, location breakdowns. Defence Statistics receive a high volume of requests asking for information on compensation paid out for particular conditions and for information on the financial amounts paid out in compensation to particular subsets of individuals. Defence Statistics also receive a high volume of requests from external organisations e.g. NHS Clinical Commissioning Groups and charities, who use breakdowns by detailed location for estimating the number of veterans in particular regions of the UK.
- 93. Following the MOD's launch of the Armed Forces Community Covenant in June 2011, Defence Statistics received an increasing volume of requests from within the MOD, local Government departments and CCGs for information on the number of veterans by location. This was required to assist with planning for the needs of Service personnel and veterans in each specific area of the UK.
- 94. To meet these requirements, Defence Statistics compiled information on the numbers of Armed Forces Pension Scheme (AFPS), War Pension Scheme (WPS) and Armed Forces Compensation Scheme (AFCS) recipients with summaries by location. This was initially published in November 2011, and Defence Statistics has continued to publish annual updates, with the latest statistics on the Location of Armed Forces Pension and Compensation recipients²⁰, as at 31 March 2017, published on the Gov.UK website.

Strengths and Weakness in Relation to User Needs

- 95. Defence Statistics has carried out consultations to review the War Pension Scheme (WPS) National Statistic and the Armed Forces Compensation Scheme (AFCS) National Statistic to ensure they are coherent and continue to meet users' needs. The consultations were prompted by the UK Statistics Authority Assessment Report 197: Statistics on Defence Health, which required a review of the content of the publications in consultation with users.
- 96. A consultation was carried out with internal stakeholders in September 2012. Based on the feedback received during the internal consultation, an external consultation was run alongside the release of the AFCS Official Statistic on 6 December 2012. This gave an opportunity for external customers to give feedback on the proposed changes to the AFCS and WPS publications.

- 97. During 2017/18, the Armed Forces Compensation Scheme National Statistic had over 3,200 unique web hits via the Gov.UK website.
- 98. The key strength of the Armed Forces Compensation Scheme data is the efficient methods adopted to capture AFCS data extracts. Validation checks are undertaken to ensure that the information provided in the reports is accurate.
- 99. The key weakness is that Defence Statistics have to rely on the level of detail that DBS Veterans UK manually enter for each claim. There are no other data sources that can be used to validate the information provided to Defence Statistics. Furthermore, a great deal of the information is recorded in free text fields.
- 100. Users external to the MOD are encouraged to give feedback via email (<u>DefStrat-Stat-Health-PQ-FOI@mod.gov.uk</u>).

9. Performance cost and respondent burden

Operational Cost

- 101. During 2017/18, the production of the annual AFCS statistic required approximately 0.2 FTE to produce the statistics for the 2017/18 National Statistic. This was broken down into the following:
 - Time taken to develop latest outcome methodology approximately 3 days.
 - Time taken to validate data and approximately 3 days.
 - Time taken to produce AFCS national statistic (including report and process development) approximately 20 days.
 - Time taken to respond to approximately requests for information (including internal adhocs, FOI requests and PQs) approximately 30 days.
 - General correspondence within the MOD, to include DBS Veterans UK and policy areas

 approximately 4 days.
- 102. The AFCS report uses an administrative data source which is already collected by the MOD. Therefore, the main operational cost to produce the statistic is liaising with DBS Veterans UK, for quality assurance and data interpretation.

10. Confidentiality, Transparency and Security

- 103. Defence Statistics have data access agreements with DBS Veterans UK with respect to obtaining the CAPS data extracts. All Defence Statistics staff involved in the production have signed a declaration that they have completed the Government wide Responsible for Information: General User training and they understand their responsibilities under the Data Protection Act and the Official Statistics Code of Practice.
- 104. Only individuals who produce these statistics have access to the underlying data. Defence Statistics ensures that the AFCS data are kept confidential by holding this data on a secure server.
- 105. In line with the directives of the JSP 200, disclosure control is conducted on all statistical information provided by the MOD to safeguard the confidentiality of individuals. Within these statistics a risk of disclosure has been considered to be high where numbers presented are fewer than three. In cases where a risk of disclosure exists, one of two appropriate disclosure control methods have been applied.

- a) Figures have been suppressed: In most cases where there may be a risk of disclosure, numbers fewer than three have been suppressed and marked as '~'. Where there was only one cell in a row or column that was fewer than three, secondary suppression has been applied so that numbers cannot simply be derived from totals. In most cases the secondary suppression has been applied to the next smallest figures. However in Table 14 in Annex A, Northern Ireland figures were the next smallest figures after primary suppression of 'Other UK' in some financial years. Due to public interest in the location of Service personnel and veterans awarded compensation under the AFCS, the 'UK Unknown' figures instead had secondary suppression applied, since these figures were less useful to external users of these statistics.
- b) Figures have been rounded to the nearest five: In some cases where the suppression of information would result in larger numbers being 'hidden' as a result of secondary suppression and it has not been possible to group columns and/or rows, figures have been rounded to the nearest five. This method of suppression has been applied to the following Tables in Annex A: 3, 4, 5, 13 and 22.

11. References

- 1. UK Statistics Authority (UKSA): https://www.statisticsauthority.gov.uk/
- 2. UKSA Protocols on Pre-Release Access: https://www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system/legislation/pre-release-access/
- 3. Armed Forces Compensation Guidance: https://www.gov.uk/government/publications/armed-forces-compensation/armed-forces-compensation-what-you-need-to-know
- 4. Veterans UK: https://www.gov.uk/government/organisations/veterans-uk
- 5. War Pension Scheme Statistics: https://www.gov.uk/government/collections/war-pension-recipients-index
- 6. JSP 765 Armed Forces Compensation Scheme Statement of Policy: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_da ta/file/683176/20180215-JSP765-Official.pdf
- 7. Armed Forces Pension Scheme (2005) Ill Health Benefits: AFPS 05 ill health benefits
- 8. AFCS Tariff Of Injury Table: http://www.infolaw.co.uk/mod/docs/AFCS-2014-04-07.pdf
- 9. Armed Forces Independent Payment: https://www.gov.uk/government/publications/faq-on-the-armed-forces-independance-payment
- 10. Personal Independence Payment: https://www.gov.uk/pip/overview
- 11. Disability Living Allowance: https://www.gov.uk/dla-disability-living-allowance-benefit
- 12. HM Courts and Tribunals Service: https://www.gov.uk/courts-tribunals/upper-tribunal-administrative-appeals-chamber
- 13. Northern Ireland Courts and Tribunals Service: https://www.justice-ni.gov.uk/topics/courts-and-tribunals

- 14. Lord Boyce Review:
 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/27395/97801
 01779821 afcsreview 20100216.pdf
- 15. The full Quinquennial Review findings can be found on the Gov.UK website: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/594470/AFCS QQR_Web_Version-20170223.pdf
- 16. The full 'One Year On' Report can be found on the Gov.uk website: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697937/QuinquennialReviewAFCS.pdf
- 17. Armed Forces Compensation Scheme: https://www.gov.uk/government/collections/armed-forces-compensation-scheme-statistics-index
- 18. Ministry of Defence Pre-Release Access: https://www.gov.uk/government/statistics/defence-statistics-pre-release-access-list
- 19. The use made of Official Statistics:
 https://www.statisticsauthority.gov.uk/archive/assessment/monitoring/monitoring-reviews/monitoring-brief-6-2010---the-use-made-of-official-statistics.pdf
- 20. Location of armed forces pension and compensation recipients Statistics: https://www.gov.uk/government/statistics/location-of-armed-forces-pension-and-compensation-recipients

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