



Ministry
of Defence

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21 December 2018

Dear [REDACTED]

Thank you for your email of 7 December 2018 requesting the following information:

“We would be grateful if you could consider this request for information in accordance with the Freedom of Information Act 2000.

In connection with the Armed Forces Compensation Scheme please indicate the following:

1. How many of the concluded reconsiderations for the past 12 months have resulted in *an increased award.*”

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 information in scope of your request is held. However, the information falls entirely within the scope of the absolute exemptions provided at section 44 (Prohibitions on Disclosure) of the FOIA and has been withheld.

Section 44(1)(a) has been applied as the disclosure of the information is prohibited by the Statistics and Registration Service Act 2007. Defence Statistics release annual updates on the number of claims, reconsiderations, appeals and reviews made under the Armed Forces Compensation Scheme (AFCS) by financial year as a National Statistic publication. In accordance with the Code of Practice for the release of National and Official Statistics, as set out in the 2007 Act, we are unable to provide the number of reconsiderations that have resulted in an increased award over the last twelve months (the last twelve months data available is from the 2017/18 financial year) prior to the next statistical release on 27th June 2019. Section 44 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Under Section 16 (advice and assistance) you may wish 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. Defence Statistics publish an annual National Statistic on claims and awards under the AFCS:

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

The next update to these statistics, due to be published on 27 June 2019 (as at 31 March 2019), will present the number of reconsiderations cleared during the 2017/18 and 2018/19 financial years.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

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