



Ministry
of Defence

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Date: **23 March 2020**

Dear [REDACTED],

Thank you for your email of 23 February 2020 requesting the following information:

“How much compensation has been paid to musicians medically discharged since 2008 for hearing loss and repetitive strain injuries?”

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

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 on UK Regular Armed Forces personnel.

There were 76 musicians medically discharged from the UK Armed Forces between 1 April 2008 and 31 March 2019 (latest available date). Please note that these individuals could have been medically discharged for reasons other than hearing loss and repetitive strain injury.

No compensation has been awarded to these individuals under the Armed Forces Compensation Scheme (AFCS) or from common law claims for service-attributable hearing loss or repetitive strain injury.

Under section 16 of the Act (Advice and Assistance), you may find it useful to note the following:

Personnel data

Musicians have been identified from the Joint Personnel Administration (JPA) system by the following Regiment Corps:

- Royal Marines: 'Royal Navy Royal Marines Band Service' or 'Royal Navy Royal Marines Band Service (Officer)'.
- Army: 'Corps of Army Music'.
- RAF: 'Directors of Music' or 'Directors of Music 2000' or 'Music'.

JPA is the most accurate source for demographic information on UK armed forces personnel.

Medical discharges

Medical discharges are the result of several specialists (medical, occupational, psychological, personnel, etc) concluding that an individual is suffering from a medical condition that pre-empts their continued service in the UK 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 UK 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.

Defence Statistics release annual updates on medical discharges in the UK armed forces as an Official Statistic publication. The last statistical release was on 11 July 2019 which presented data up to 31 March 2019. The latest report can be found at:

<https://www.gov.uk/government/collections/medical-discharges-among-uk-service-personnel-statistics-index>

The information on medical discharges was sourced from electronic medical records from the Defence Medical Information Capability Programme (DMICP) and manually entered paper documents from medical boards. The primary purpose of these medical documents is to ensure the appropriate administration of each individual patient's discharge. Statistical analysis and reporting are a secondary function.

Armed Forces Compensation Scheme

The Armed Forces and Reserve Forces Compensation Scheme (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.

AFCS data is sourced from the Compensation and Pension System (CAPS) which is administrated and managed by Defence Business Service (DBS) Veterans UK.

Data were extracted from the CAPS as at 31 March 2019 to inform the latest published AFCS National Statistic, as published on the Gov.uk website on 27 June 2019:

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

The upcoming publication (due to be released in June 2020) will detail activity as at 31 March 2020.

Identifying compensation awards for hearing loss under the AFCS

Claimants' injuries/illnesses considered to be Service-attributable are awarded under the AFCS in line with one of nine tariff of injury tables. The information supplied in this response relating to hearing loss concerns awards made under Table 7 – Senses. Within Table 7 – Senses, there are a number of descriptors for hearing loss which are used to identify awards made under the scheme, based on a free text search for the following terms: 'hearing loss' and 'deafness'. More information on the tariff of injury tables and their descriptors can be found in the following document:

<https://www.infolaw.co.uk/mod/docs/AFCS-2016-05-31.pdf>

Identifying compensation awards for repetitive strain injury under the AFCS

Unlike hearing loss, there are no descriptors under the nine tariff of injury tables for repetitive strain injury. As such, it is not possible to reliably determine awards specifically for repetitive strain injury. Awards for this condition have been identified based on a free text search of the condition claimed for using the following terms: 'repetitive strain injury' and 'RSI'. We have interpreted your request for repetitive strain injuries as injuries that relate to pain felt in muscles, nerves and tendons caused by repetitive movement and overuse. This response does not include repetitive strain injuries relating to fractures. Due to the nature of free text fields and potential spelling errors, figures supplied should be treated as a minimum.

This response presents the number of claims and the amount of compensation awarded for hearing loss and repetitive strain injury under the AFCS as at 31 March 2019 (latest available data). The figures provided includes awards made as a result of an initial claim or following a later review, reconsideration or appeal.

Common law claims data

Common law claims are dealt with by the Claims Unit within the department's Directorate of Judicial Engagement Policy (DJEP), by contractors operating in accordance with instructions provided by the Claims Unit, or by delegated authorities. When compensation claims are received, they are considered on the basis of whether or not the MOD has a legal liability to pay compensation. Where there is a proven legal liability, compensation is paid.

Data regarding common law claims has been collated from DJEP and MODs contracted claims handlers. Checks were made to see if the 76 individuals had brought a personal injury claim for hearing loss or repetitive strain injury using the free text claims description field.

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/>.

I hope this is helpful.

Yours sincerely
Defence Statistics Health