



Ministry
of Defence

Defence Statistics Health
Ministry of Defence
Oak 0 West (#6028)
Abbey Wood North
Bristol BS34 8JH
United Kingdom

Telephone: +44 (0)30679 84423

E-mail: Analysis-Health-PQ-FOI@mod.gov.uk

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5 January 2021

Dear [REDACTED]

Thank you for your email of 26 October 2020 requesting the following information:

"1) How many veterans, members of the armed forces or family members on behalf of the personnel have applied for compensation through the Armed Forces Compensation Scheme for a 'blast traumatic brain injury' (bTBI)? Please provide by year since 2000 by year, including the status of the claim (rejected/accepted).

2) The same as above for a 'mild traumatic brain injury' (mTBI)."

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. However, I must advise you that we will not be able to answer your request without exceeding the appropriate cost limit. This is because identifying claims made specifically for blast traumatic brain injury and mild traumatic brain injury would require investigation of individual paper AFCS claim files. A search of these files would also be required to identify cases where a family member claimed on behalf of a service person. These tasks would take a minimum of 18 days effort to complete.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, and locating, retrieving and extracting it.

The MOD may be able to provide some information in scope of your request if you reduce or refine your request to bring the cost of compliance under the limit.

Under Section 16 (Advice and Assistance) you may find it helpful to note the following information:

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 Pension 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 DBS Veterans UK.

The MOD holds electronic data on awarded AFCS claims that could be used to supply the following information within the cost limit of the FOI:

- The number of awards that have been made under the AFCS between 6 April 2005 (the start of the scheme) and 31 March 2020 for a brain injury, and of which the number awarded

specifically for a mild traumatic brain injury (MTBI). A summary could be provided by year. Awards specifically for MTBI can be identified through the descriptor used to award claims. This descriptor does not hold sufficient detail to identify awards for blast traumatic brain injury (BTBI).

- These figures would include awards made to serving personnel, veterans, and also to personnel where a family member applied on their behalf. However it is not possible to specifically identify cases where the claim was made on behalf of a service person, as this information is only held in paper claim files.

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

Would you like to be added to our contact list, so that we can inform you about updates to statistics and consult you if we are thinking of making changes? You can subscribe to updates by emailing Analysis-Health-PQ-FOI@mod.gov.uk.

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 Analysis Health