



Ministry  
of Defence

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Ref: FOI2021/05199

15 June 2021

Dear [REDACTED]

Thank you for your email of 7 May 2021 to the Ministry of Defence (MOD) requesting the following information:

1. *“How many claims under the Armed Forces Compensation Scheme were initially rejected in that financial year?”*
2. *For each year’s rejected claims please break them down by the categories used in the AFCS appendix? Eg: (i) Burns, (ii) injury, wounds and scarring, (iii) mental disorders..etc.*
3. *For each year in relation to these rejected claims please provide a table showing how many were lodged at each level of injury?*
4. *For each year please state what percentage of previously rejected AFCS claims were then accepted for some level of payment in that year?”*

On 17 May 2021 you provided the following clarification:

*“Apologies. I should have said for each of the last five financial years.”*

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 some of the information in scope of your request is held. However, Section 40(2) has been applied to some of the information to protect personal information as governed by the Data Protection Act 2018 and GDPR. In line with JSP200 Statistics Disclosure Guidance, numbers fewer than three have been suppressed to reduce the possible inadvertent disclosure of individual identities; secondary suppression has been applied so numbers cannot be derived. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Section 44(1)(a) has been applied to the 2020/21 information for claims rejected under the Armed Forces Compensation Scheme (AFCS), as the disclosure of the information is prohibited by the Statistics and Registration Service Act 2007. Defence Statistics release

annual updates on rejected claims under the AFCS 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 data for 2020/21 until the next statistical release on 24 June 2021. 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.

I should explain that only service attributable injury/illness claims are awarded or rejected in line with a tariff of injury table, therefore the figures below exclude survivor's claims.

In answer to Q1 and Q4, between 1 April 2015 and 31 March 2020, 14,785 injury/illness claims were registered under the AFCS and received an initial outcome of rejected. As at 31 March 2020, 5% of these claims had received a latest outcome of accepted from later activity under the scheme. Table 1 shows this information broken down by financial year in which claims were registered.

**Table 1: Rejected AFCS claims, by financial year, numbers and percentages.**

	Number of claims initially rejected	Proportion with a later favourable outcome (%)
<b>All Years</b>	<b>14,785</b>	<b>5</b>
2015/16	2,478	11
2016/17	2,606	9
2017/18 <sup>p</sup>	3,404	5
2018/19 <sup>p</sup>	3,561	3
2019/20 <sup>p</sup>	2,736	1

<sup>p</sup> Figures are provisional and may change when cases currently pending are cleared.

In answer to Q2 and Q3, Table 2 presents a breakdown of injuries and illnesses considered for claims that received an initial outcome of rejected, by the tariff of injury table deemed most appropriate by Veterans UK.

**Table 2: Rejected AFCS claims, by financial year and Tariff of Injury Table, numbers.**

Table	Total	2015/16	2016/17	2017/18 <sup>p</sup>	2018/19 <sup>p</sup>	2019/20 <sup>p</sup>
<b>All Tables</b>	<b>14,786</b>	<b>2,478</b>	<b>2,606</b>	<b>3,405</b>	<b>3,561</b>	<b>2,736</b>
<b>1 - Burns</b>	12	0	0	~	4	~
<b>2 - Injuries</b>	1,163	280	251	227	243	162
<b>3 - Mental</b>	1,005	33	53	269	355	295
<b>4 - Physical</b>	1,239	155	128	309	366	281
<b>5- Amputations</b>	15	3	~	~	~	~
<b>6 - Neurological</b>	168	0	~	~	75	53
<b>7 - Senses</b>	979	145	138	179	253	264
<b>8 - Fractures</b>	1,717	373	314	355	372	303
<b>9 - Musculoskeletal</b>	5,432	962	977	1,089	1,357	1,047
<b>Table unavailable<sup>4,5</sup></b>	1,047	462	476	~	~	0
<b>Condition unavailable<sup>6</sup></b>	2,009	65	262	825	532	325

~ In line with the JSP 200 directive on statistical disclosure control, numbers fewer than 3 have been suppressed. Secondary cell suppression has also been applied to the next smallest numbers so that the values of suppressed cells cannot be derived from totals and sub-totals.

<sup>p</sup> Figures are provisional and may change when cases currently pending are cleared.

When a claim is rejected following evidence review processes, Veterans UK attribute the claim to a tariff injury table based on the condition claimed for. Rejected claims are not

attributed to specific tariff or level within the table, therefore rejected claims are unable to be presented by level of injury as the data is not held.

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](mailto: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,

Defence Business Services (Secretariat)