

Ref: FOI2021/05786

28 June 2021

Thank you for your email of 26 May 2021 to the Ministry of Defence (MOD) requesting the following information:

- “1. How many claims for hearing loss and/or tinnitus have you had from servicemen and veterans associated with the Tristar or similar aircraft?*
- 2. What was the outcome of those claims i.e. how many were upheld or turned down?*
- 3. Where claims have been upheld, please distinguish the decision from my case.*
- 4. Please forward a copy of the awards referred to in 2 and 3, redacting any personal information”*

A search for the information has now been completed within the MOD and I can confirm all information in scope of your request is held. However, I have to advise you that we would not be able to answer your questions without exceeding the appropriate cost limit. Section 12 of the FOI 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, locating it, retrieving it and extracting it.

In order to ascertain if any War Pension System (WPS) or Armed Forces Compensation Scheme (AFCS) claim stated that hearing loss was sustained as a result of association with a Tristar or similar aircraft would require a manual search of individual paper claim files. To manually search WPS hearing loss claims since April 2003 (earliest date which electronic information is held) would take one person more than a year.

Under Section 16 (Advice and Guidance) we have an obligation to offer as much advice and assistance as is reasonably practicable and to suggest ways in which you can refine your request. As such, you may wish to limit your request to service personnel who served in No 216 Squadron, to which the Tristar was attached, from April 2006 to March 2014. These dates represent when Joint Personnel Administration (JPA) commenced, which is the intranet-based personnel administration system used by the British Armed Forces, and when the Tristar was

retired. You may also wish to limit the service personnel/veterans who claimed for hearing loss under the AFCS and the outcome of the claims.

It should be noted that identifying if the hearing loss claims were associated with Tristar, distinguishing the decision from your case and redacting the relevant awards for the AFCS hearing loss claims made by those who served in No 216 Squadron would require a manual search of individual paper claim files which, dependent on the number of files, may still result in the appropriate cost limit being exceeded.

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

Defence Business Services Secretariat