



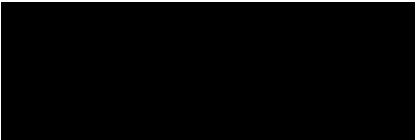
Ministry
of Defence

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Defence Business Services Secretariat
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Ref: FOI2021/05715

Email: DBSRES-Secretariat@mod.gov.uk



29 June 2021

Dear 

Thank you for your email of 29 May 2021 to the Ministry of Defence (MOD) requesting the following information:

“British Nuclear Test Veterans were entitled in 2020 to claim under the AFCS rules for the first time.

A Nuclear Test Veterans Priority Claim Form was introduced to speed up the process.

Can you please advise on the current claim figures:

- (1) Number of Claimants*
- (2) Number of dispositions.*
- (3) Number awaiting decisions”*

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 all the information in scope of your request is held. However, I must advise you that we would not be able to answer your request without exceeding the appropriate cost limit.

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

I should explain that the Armed Forces Compensation Scheme (AFCS) was set up by the Government to provide compensation to military personnel injured on or after 6 April 2005. As there have been no nuclear tests carried out since 2005, there is no eligibility for Nuclear Test Veterans (NTVs) to claim under the scheme. Additionally, notwithstanding there is a general seven year time limit to claiming under the AFCS which would also preclude NTVs being able to claim. To clarify, there is a NTV Priority Claim: Enquiries

Request Form which was introduced on 26 August 2020. The form relates to the War Pension Scheme (WPS) only and must be completed in addition to the standard AFCSWPS0001 claim form, not instead of it.

However, this information The number of NTV Priority claim forms received is not held centrally as there is no marker on the War Pensions Computer System (WPCS) for the NTV Priority Claim form. As such, to answer your request would require a manual search through all War Pension Scheme files which have had a claim registered since 26 August 2020. This is to determine which files also enclose the NTV Priority Claim form. It is estimated that it would take one person 12 months to manually search all claims registered under the WPS since 26 August 2020, far exceeding the appropriate cost limit.

Under Section 16 of the FOIA (Advice and Assistance) the department is required to offer suggestions on how you may wish to refine your request to bring it within the appropriate cost limit to answer. However, as explained, to answer your questions would involve a manual search of WPS case files, there is unfortunately no refinement that can be offered to bring your request within the cost limit.

You may be interested to know that Defence Statistics Health publish statistics on claims and awards made under the WPS. The latest publication presents statistics as at 31 March 2021 and can be found on the Gov.uk website:

<https://www.gov.uk/government/collections/war-pension-recipients-index>.

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)