

Ref: FOI2021/08643 and FOI2021/08330

DBSRES-Secretariat@mod.gov.uk



12 August 2021

Thank you for your emails of 29 July 2021 and 9 August 2021 to the Ministry of Defence (MOD), requesting the following information

FOI2021/08643

*“It's not where to get the forms but the disposition of them and action taken following receipt details I am soliciting.
How many have been received
How many agreed upon
How many rejected?”*

FOI2021/08330

*“On 26 August 2020 AFCS included Nuclear Test Veterans for the first time with a Priority Claim procedure.
Please advise:-
1. The number of claimants to date
2. The number of Decision Letters issued.
3. The figures relating to the Decision Letters
4. The number of claimants still to receive Decision Letters.”*

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 MOD and I can confirm 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.

As previously advised, 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. 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, the information required to respond to your request 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

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