



Ministry
of Defence

Defence Business Services
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Ref: FOI2022/01390

E-mail: DBSRES-Secretariat@mod.gov.uk

25 February 2022

Dear

Thank you for your email of 29 January 2022 to the Ministry of Defence (MOD), requesting the following information:

“Can you please provide a list of the Medical Advisors with GMC or other professional registration number used by Veterans UK when assessing Veterans medical issues?”

Can you please say how many claims have been assessed by Veterans UK Medical Advisors in the past 24 months?

Can you please say how many physical assessments were carried out on Veterans by Veterans UK Medical Advisors in the past 24 Months?

Can you please say how many Medical Advisors utilised by Veterans UK in the past 5 years have not been on the medical register or have had limitations against their ability to practice recorded on the medical register?

Also can I please have a copy of all emails, messages, notes from meetings regarding the decision to not formally publish the details around concerns regarding Medical Advisors used by Veterans UK in the Minutes of the Veterans Advisory Board meeting dated 16th November 2021.

Detailed notes from several of those at the meeting clearly mention concerns around Veterans UK Medical Advisors, why was this omitted from the formal minutes of the meeting?

Who made the decision that the formal minutes were not to reflect the actual discussions that were had?”

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 some information in scope of your request is held.

Q1: *“Can you please provide a list of the Medical Advisors with GMC or other professional registration number used by Veterans UK when assessing Veterans medical issues?”*

A1: I must advise you that Section 40(2) has been applied to this question in order to protect personal information as governed by the Data Protection Act 2018. Section 40 is an absolute exemption and there are no requirements to consider the public interest in making a decision to withhold the information.

I am, therefore, unable to release the General Medical Council (GMC) numbers of the Medical Advisers that Veterans UK currently employ, as they have either not consented to, or are unable to consent to, the release of their personal information, and it remains unreasonable to do so without their consent.

Q2: *“Can you please say how many claims have been assessed by Veterans UK Medical Advisors in the past 24 months?”*

A1: From 1 February 2020 to 31 January 2022, Veterans UK Medical Advisers have made decisions on 17,500 War Pension Scheme claims and provided advice on 12,300, Armed Forces Compensation Scheme claims.

Q3: *“Can you please say how many physical assessments were carried out on Veterans by Veterans UK Medical Advisors in the past 24 Months?”*

A3: Veterans UK Medical Advisers do not carry out physical assessments. The Department does however employ two Doctors in Northern Ireland who carry out Physical Assessments on certain Northern Ireland cases, but this stopped in March 2020 due to the Covid-19 Pandemic.

Q4: *“Can you please say how many Medical Advisors utilised by Veterans UK in the past 5 years have not been on the medical register or have had limitations against their ability to practice recorded on the medical register?”*

A4: Veterans UK Medical Advisers are recruited on the basis that they hold GMC registration and are licenced to practice. Registrations are confirmed as part of the Pre-Employment checks and if a candidate does not hold the memberships /qualifications listed in the job advert, they are ineligible to take up the role and are rejected. Any data which might be collected as part of the recruitment process regarding previous employment or roles undertaken is not retained.

With regard to the parts of your request asking for copies the minutes of the Veterans Advisory Board (VAB) meeting dated 16 November 2021. I can confirm this information is not held by the MOD. This is because the Office for Veterans Affairs, which falls under the remittance of the Cabinet Office, is responsible for the VAB and acts as its Secretariat.

Under Section 16 of the FOIA (Advice and Assistance), you may wish to submit your request for this information to the Cabinet Office. Information on how to do so can be

found at the following link: <https://www.gov.uk/government/organisations/office-for-veterans-affairs>

With regards to Q1, under Section 16, it may be helpful to advise following a discussion with the GMC, Defence Business Services have confirmed that they are not required to release the names or qualifications of their employees i.e. Veterans UK Medical Advisers, where doing so would contravene other legislation such as the Data Protection Act. The GMC confirmed that where an individual makes a direct approach to a Doctor for their qualifications, the Doctor must provide the requested information e.g. where a patient makes a verbal request to their General Practitioner (GP). However, as DBS customers are unable to approach the Veterans UK Medical Advisers directly, the release of their personal information is dependent upon other rules and regulations such as the UK Data Protection Act 2018 (UK DPA 18). GDPR Article 23(1) and the UK DPA 2018, Schedule 2, Part 3, covers the Protection of Rights of Others, specifically in relation to Health, Social and Education workers. In accordance with paragraph 17(1)(a) it is to be considered reasonable for a controller to disclose information to a data subject without the consent of the other individual where – (a) the health data test is met 17(2) explains, the health data test is met if – (a) the information in question is contained in a health record, and (b) the other individual is a health professional who has complied or contributed to the health record or who, in his or her capacity as a health professional, has been involved in the diagnosis, care or treatment of the data subject. A War Pension file does not constitute a health record, and Veterans UK Medical Advisers are not involved in the diagnosis, care or treatment of War Pension claimants. A Veterans UK Medical Adviser's role is to provide advice and guidance based upon pre-existing medical evidence which is used to determine the level of disablement in accordance with the relevant pension scheme rules.

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