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Ref: FOI2022/05621

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18 May 2022

Dear ██████████

Thank you for your email of 9 May 2022 to the Ministry of Defence (MOD), requesting:

“Last year you provided me with the attached response [REF: FOI2021/05199] in relation to claims made and rejected under the Armed Forces Compensation Scheme.

Could you provide me with two similar tables this year so that Table 1 is now updated for all the previous years and has values for the 2020/21 financial year. Likewise, could Table 2 now have a column for the number and nature of rejected claims in the 2020/21 financial year?”

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 that all 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.

Between 1 April 2015 and 31 March 2021, **16,890 injury/illness claims** were registered under the Armed Forces Compensation Scheme (AFCS) and received an initial outcome of rejected. As at 31 March 2021, **6% 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 claims¹, by financial year², numbers and percentages³.

1 April 2015 – 31 March 2021

	Number of claims initially rejected	Proportion with a later favourable outcome (%)³
All Years	16,890	6
2015/16	2,478	11
2016/17	2,606	10
2017/18 ^p	3,404	6
2018/19 ^p	3,568	4
2019/20 ^p	3,333	2
2020/21 ^p	1,501	1

Sources: Compensation and Pension System (CAPS)

1. Includes only Injury/Illness claims

2. Presented by the financial year in which the initial claim was registered.

3. The proportion accepted refers to the latest outcome of the claim recorded on the CAPS as at 31 March 2021 following reconsideration, appeal or review. Further information can be found in the Background Notes.

^p Figures are provisional and may change when cases currently pending are cleared.

Within the 16,890 initially rejected injury/illness claims registered between 1 April 2015 and 31 March 2021, 16,891 injuries/illnesses were considered. 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 claims¹, by financial year² and Tariff of Injury Table³, numbers.

1 April 2015 – 31 March 2021

Table	Total	2015/16	2016/17	2017/18^p	2018/19^p	2019/20^p	2020/21^p
All Tables	16,891	2,478	2,606	3,405	3,568	3,333	1,501
1 - Burns	15	0	0	4	4	~	~
2 - Injuries	1,287	280	251	227	243	190	96
3 - Mental	1,276	33	53	269	358	407	156
4 - Physical	1,519	155	128	309	367	365	195
5- Amputations	18	3	~	~	~	~	3
6 - Neurological	209	0	~	38	75	64	~
7 - Senses	1,253	145	138	179	254	348	189
8 - Fractures	1,898	373	314	355	372	348	136
9 - Musculoskeletal	6,156	962	977	1,089	1,358	1,236	534
Table unavailable^{4,5}	1,047	462	476	~	~	0	0
Condition unavailable⁶	2,213	65	262	825	533	369	159

Sources: Compensation and Pension System (CAPS)

1. Includes all the injury and illnesses considered within the rejected injury/illness claim, therefore totals don't match those in Table 1

2. Presented by the financial year in which the initial claim was registered.

3. Tariff of Injury table for under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011. Further information can be found in the background notes.

4. Due to the use of ICD-10 codes, some conditions registered prior to 2018/19 were not able to be attributed to a tariff injury table. Further information can be found in the background notes.

5. Injuries identified as service attributable but deemed not serious enough to be awarded a tariff were similarly unable to be attributed a tariff injury table.

6. If an injury/illness was deemed unattributable to service or identified as a 'spanning case,' condition information is not entered in the CAPS system following registration.

~ 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.

^p Figures are provisional and may change when cases currently pending are cleared.

Claimants' injuries/illnesses considered to be Service-attributable are awarded under the AFCS in line with one of nine tariff injury tables, which each cover the legislation surrounding the payment of compensation: Table 1 - Burns; Table 2 - Injury, Wounds and Scarring; Table 3 -

Mental Disorders; Table 4 - Physical Disorders; Table 5 - Amputations; Table 6 - Neurological Disorders; Table 7 - Senses; Table 8 - Fractures and Dislocations; and Table 9 - Musculoskeletal Disorders.

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. Prior to 2018/19, rejected claims were attributed an ICD-10 code to reflect the condition that was claimed for instead of a tariff injury table. These have retrospectively been translated to the corresponding tariff of injury table under the AFCS, however some codes are unable to be translated with current data.

The latest outcome refers to the latest outcome of the claim recorded on the CAPS as at 31 March 2021, including later changes to initial claim outcomes following reconsiderations, appeals and/or reviews. This outcome may change in the future if the claim is further reconsidered, appealed and/or reviewed.

Under Section 16 of the FOIA (Advice and Assistance). The Armed Forces and Reserve Forces Compensation Scheme (AFCS) came into force on 6 April 2005 to pay compensation for injury, illness or death attributable to Service that occurred on or after that date. It replaced the previous compensation arrangements provided by the War Pensions Scheme (WPS) and the attributable elements of the Armed Forces and Reserve Forces Pensions Scheme.

AFCS data is sourced from the Compensation and Pension System (CAPS) which is administrated and managed by DBS Veterans UK.

Data were extracted from the CAPS as of 31 March 2021 to inform the latest published National Statistics, as published on the Gov.uk website on 24 June 2021:

<https://www.gov.uk/government/collections/armed-forces-compensation-scheme-statistics-index>

Defence Statistics publish an annual National Statistic on claims and awards under the WPS:

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

The latest update was published on 24 June 2021 (as at 31 March 2021).

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