



**Defence Business Services**

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Ref: FOI2022/15384

23 January 2023

Dear [REDACTED]

Thank you for your letter of 24 November 2022 to the Ministry of Defence (MOD) requesting the following information:

*"The numbers you have provided are meaningless as there is no information if the claims that were settled could have been interim'd again, which rather obviously is the specific reason for the request and I don't understand how I could have been clearer. Have you deliberately not answered them properly?"*

*My emails dated ;*

*Thu, Nov 24, 1:38 PM - What I want to know is of those claims that could (could due to eligibility within the time limits, not personal circumstances) be delayed with interim decisions, how many did?*

*Wed, Nov 30, 6:07 PM - I also just want to clarify my previous email was not accepting the questions proposed back, if that's what has been assumed.*

*And yet you have just answered your own questions, even when I specifically said I do not accept that, wasting everyone's time, again. The initial response date was supposed to be 25 November 2022...*

*You also have not provided the amount of claims settled without interim decisions, which is obviously necessary in order to work out the % (percentage..) as asked in both my questions and the ones you decided to answer.*

*Perhaps it would help If I gave an example answer, it might clear up any confusion on your end.*

**EXAMPLE**

*Between 1 April 2017 and 31 March 2022, 1500 claims were awarded under Table 3 – Mental Disorders of the Armed Forces Compensation Scheme where the claimed condition was Post-Traumatic Stress Disorder. Of those, 1,359 initial claims were awarded an interim outcome. Of the 141 claims settled immediately, 0 met the timescale of >5 years from 'seeking help' for interim decisions and therefore had to be immediately settled.*

## EXAMPLE

*Hopefully you can see the difference?*

I am treating your request as a request under the Freedom of Information Act (FOIA) 2000. I can confirm that all information in scope of your request is held and is presented using your example as a guide.

Between 1 April 2017 and 31 March 2022, 1,759 initial claims were cleared under the Armed Forces Compensation Scheme under Table 3 – Mental Disorders where the claimed condition was recorded as Post-Traumatic Stress Disorder. Of these, 1,359 (77%) were awarded an interim outcome.

There were therefore 400 claims settled immediately and using the example you have provided it is this cohort of 400 that you seek further information on. I can confirm that information in scope of your request is held. However, I must advise you that we will not be able to answer your request without exceeding the appropriate cost limit. The date of seeking help is not routinely collected electronically. The date would be recorded in an individual's claim file, but a manual review of all 400 claim files would be required to determine this and answer your request, which would bring a request over the cost of compliance 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.

It is estimated that to conduct a search to locate the information, retrieve and manually review each case would take approximately 12 minutes per case. For the 400 claims which were settled immediately it is estimated that this would take a minimum of 80 hours, at £25 per hour, this equates to £2,000 and exceeds the 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. If you were to limit your request to initial claims cleared in a single year it might be possible to bring the cost under the limit. If you would like to consider refining your request, I will be happy to consider it again.

### **Correction to FOI2022/14322**

You have also asked for the percentages related to the answer provided under FOI2022/14322 and this information is held and is provided below. I am sorry that the percentages were not provided in the original response, I hope you find the correction useful.

Of the 1,359 initial claims awarded an interim outcome, **540** (40%) claims received an interim outcome at first interim review. Of the 540, **29** (5%) claims received a further interim outcome at second interim review.

Between 1 April 2017 and 31 March 2022, 3,171 initial claims received an interim award under the AFCS. Of these:

- **1,641** were awarded under the Physical tariff tables. This represents **10%** of all cleared claims (16,781) under the Physical tariff tables.

- **1,576** were awarded under the Mental tariff table. This represents **69%** of all cleared claims (2,268) under the Mental tariff table.

Please note initial claims can be awarded for both physical and mental conditions under a single claim, therefore the total number of interim claims may not equal the sum of the physical and mental interim awards.

Additionally, under Section 16 please be advised that whilst it is possible to determine AFCS awards for mental disorders from the electronic information, it is not possible to reliably determine awards for PTSD specifically. PTSD awards have been identified based on a free text search of the condition claimed for using the following terms: 'PTSD', 'post-traumatic stress' and 'post-traumatic stress'. The condition claimed for is based on information supplied by the claimant and does not necessarily reflect a diagnosis of PTSD. Therefore, awards made under the mental disorders table to those that claimed for PTSD may have been awarded for a different type of mental illness. Therefore, the figures presented here should be treated with caution.

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](mailto: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

A black rectangular redaction box covering the signature of the official.

DBS (Secretariat)