



Ministry
of Defence

Defence Business Services

Secretariat
Room 6303
Tomlinson House
Norcross
Thornton-Cleveleys
Lancashire FY5 3WP

Ref: FOI2023/02392

DBSRES-Secretariat@mod.gov.uk

1 March 2023

Dear [REDACTED]

Thank you for your email of 1 February 2023 to Defence Business Services, Customer Engagement Team, requesting the following information:

"Simple question

Out of all complaints that end up at tribunal, how many are overturned in favor in the claimant? "

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 no information in scope of your request is held. This is because complaints are not heard by Tribunals.

However, under Section 16 (Advice and Assistance) you may be interested to know that Tribunals do hear Appeals lodged against decisions made, and statistics including the outcomes of Appeals for both the War Pension and Armed Forces Compensation Schemes are published annually on the Gov.uk website. The latest set of data for both schemes can be found here:

War Pensions Scheme - <https://www.gov.uk/government/statistics/war-pensions-scheme-statistics-2022>

AFCS - <https://www.gov.uk/government/statistics/armed-forces-compensation-scheme-statistics-financial-year-202122>

To assist with locating information about Appeals outcomes , you should click on the second document listed on both web pages . For War Pensions Scheme, the figures regarding appeal outcomes (from Jan 2021 to end of March 2022) are on Table 13 and for AFCS, the figures stretch from 2005 until the end of March 2022 and are at Table 4.

I should also explain that within the tables, those with an outcome of favourable reconsideration, disallowed and out of jurisdiction do not make it to tribunal. Those with an outcome of new, increased and overturned by Upper Tier Tribunal are favourable to the claimant.

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