



**Defence Business Services**

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Ref: FOI2023/07825

23 June 2023

Dear [REDACTED]

Thank you for your email of 23 June 2023 to the Ministry of Defence (MOD) requesting the following information:

*“all memos, letters, training, guidance, policy or other documents setting out how Veterans UK considers whether to recover payments, including reference to the Art 44(7) and Art 50 discretions*

*Please also advise if there is another method of determining recovery of overpayments. For example, is there some accounting procedure whereby any recovery of overpayment of War Pension above a certain threshold must be reported in accounts? Or statistics on when the Debt Recovery Team has become involved, as threatened in this case?”*

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 MOD and I can confirm that some information in scope of your request is held.

The Debt Management Recoveries and Write-Off Team (DMT) action the recovery of overpayments in accordance with the HM Treasury document Managing Public Money which can be viewed at the link below:

<https://www.gov.uk/government/publications/managing-public-money>

Within this document it sets out defences against recovery where Veterans are entitled to submit a case stating why they should not repay an overpayment. In addition, the MOD has provided direction in the Joint Services Publication 462 (JSP462), which should be read together with Managing Public Money. JSP462 can be found at the link below:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/70066/JSP462.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/70066/JSP462.pdf)

DMT are notified of an overpayment via MOD form 891 from the Operational Payments Team, and the value of the overpayment is recorded on ADTEC (the Debt Management database). Following the recording of this overpayment, the DMT issue a first letter to request payment.

DMT's input details related to amounts of debt are used by Pensions Finance for their report to the Accounts Committee. All debt is referred to the Accounts Committee as there is no threshold for reporting. The MOD accounts, which incorporates debt under the War Pension Scheme, do not include any individual amounts just high-level totals. It is not therefore possible to reduce the cohort which would need to be searched by using the methods you have suggested in order to provide statistics on how and when Art 44(7) and Art 50 discretions have been used.

Statistical information on Article 44(7) and Article 50 discretions is not recorded, it is only shown on the decision-making form.

DMT are the only team who hold records of overpayment and recovery cases; however, they do not have details of the review/recovery Articles used to make the decision.

I have attached copies of the initial overpayment notification letter template and accompanying fact sheet, along with the DMT letter initiating recovery, and the fact sheet sent out with this letter.

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,

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

Defence Business Services (Secretariat)