

Freedom of Information request

The Royal British Legion (RBL) is the largest welfare provider in the Armed Forces charity sector. Since 1921, we have supported veterans and their families, throughout their transition into civilian life. We support with employment and financial issues, as well as lifelong care and independent living. RBL's Benefits, Debt and Money Advice (BDMA) Service provides free debt and money advice throughout England, Wales and Northern Ireland. In 2020/21, BDMA advisers provided support in 1,775 cases.

Whilst some veterans transition from Service successfully, other veterans may face a number of challenges throughout this time, particularly those who are wounded, injured, or sick (WIS) as a result of their Service. Many WIS veterans are in receipt of military compensation, which is awarded in recognition of the pain and sacrifice experienced through their Service. Military compensation can be awarded through the War Pension Scheme (WPS), Armed Forces Compensation Scheme (AFCS) or a veteran's occupational Armed Forces Pension Scheme (AFPS), known as Service Invaliding Pensions (SIPs) or Service Attributable Pensions (SAPs). Compensation awards under these schemes may also include supplementary payments.^[1] This compensation often interacts with benefits issued through Local Authorities and may impact a veterans' entitlement to such benefits.

Through these lines of questioning, we are looking to clarify how this compensation is treated by each Local Authority when determining eligibility for locally administered benefits. We understand that, for some locally administered benefits, the full disregard of military compensation is discretionary, and are therefore looking to clarify how Local Authorities currently treat these compensation awards when determining benefit entitlements. We also wish to ascertain if all payments and supplements under each compensation scheme are recognised and considered when disregarding military compensation. We are requesting this information for the purpose of ensuring that our beneficiaries retain their full compensation entitlement when accessing statutory support, as well to support Local Authorities in improving their understanding of military compensation and their local Armed Forces community.

That said, we shall be grateful if you can respond to our Freedom of Information request by providing us with the following information:

- 1) Does the Local Authority disregard **all payments** made under the Armed Forces Compensation Scheme (2005) as income, when assessing eligibility for:
 - a. Housing Benefit
 - b. Council Tax Support/ Council Tax Reduction
 - c. Discretionary Housing Payments
 - d. Disabled Facilities Grants (England and Wales only)

YES

- 2) Does the Local Authority disregard **all payments** made under the War Pension scheme, as income, when assessing eligibility for:
 - e. Housing Benefit
 - f. Council Tax Support/ Council Tax Reduction
 - g. Discretionary Housing Payments
 - h. Disabled Facilities Grants (England and Wales only)

YES

^[1] See Annex 1

- 3) Does the Local Authority disregard a Service Invaliding Pension or Service Attributable Pension, paid under the Armed Forces Pension Scheme, as income, when assessing eligibility for:
- i. Housing Benefit
 - j. Council Tax Support/ Council Tax Reduction
 - k. Discretionary Housing Payments
 - l. Disabled Facilities Grants (England and Wales only)

YES

Annex 1- Military Compensation and Supplementary Payments

War Pension Scheme (WPS) (may also be referred to as War Disablement Pension/WDP)
 The War Pension Scheme compensates for injury, illness or death that occurs before 6th April 2005. Payments can be made as a lump sum (often for less severe injuries), or as an ongoing weekly or monthly payment. Payments are issued at a tariff from 1%-100% (in 10% increments), based on how disabled the individual is. Supplementary allowances are added as additional payments to the standard tariff, as above, based on the level of disability, including:

- A Lowered Standard of Occupation (ALSO)
- War Pensioners Mobility Supplement (WPMS)
- War Pensions Unemployability Supplement (UnSupp)
- Constant Attendance Allowance (CAA)
- Temporary Allowance for Widows (TAW)
- War Widows Pension
- One-off payments: Clothing Allowance; Housing Adaptation; Travelling Expenses
- Treatment Allowance

Armed Forces Compensation Scheme (AFCS)

The Armed Forces Compensation Scheme compensates for those injured on or after 6th April 2005. Awards can be made as a lump sum, and for more serious injuries, an ongoing tax-free payment known as the Guaranteed Income Payment (GIP), paid for life. Awards are issued on a 15-level tariff. Awards at Tariff 1-8 are eligible for Armed Forces Independence Payment (AFIP), which is additional financial support to cover the additional costs of living with a severe disability. AFIP is paid for the same reason as/ in place of PIP, but payment is made by Veterans UK.

Service Invaliding Pensions (SIPs) and Service Attributable Pensions (SAPs)

SIPs and SAPs are issued through certain Armed Forces Pension Schemes (AFPS) and are an additional type of compensation awarded to those whose conditions and illnesses preclude them from continuing in Service. Although they are awarded under occupational pension schemes, they are forms of military compensation.