



Defence Business Services

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Ref: FOI2022/14156

Mr R Walsh
request-924111-59681608@whatdotheyknow.com

22 December 2022

Dear Mr Walsh,

Thank you for your e-mail of 28 November 2022 to the Ministry of Defence (MOD) requesting the following information:

"Under the Freedom of Information Act, I would like to request the following information:

- 1. The full meeting minutes of the 'Lived Experience Event' held on Wed 21 Sep 2022, called for by Brigadier Caroline Hull, Head of Armed Forces and Veterans Services and attended by Nina Cope, Chief Operating Officer of the Ministry of Defence.*
- 2. A full list of all attendees, both veteran and MoD/Civil Service of the 'Lived Experience Event' and their professional position*
- 3. A copy of the action plan with designated responsibility and associated timelines to complete agreed actions.*
- 4. The specific direction within the legislation of The Armed Forces and Reserve Forces (Compensation Order) 2011 where the AFCS becomes a legal process as specified by the Medical Advisor attending the 'Lived Experience Event'.*
- 5. A forecast of future group engagements as agreed by Brigadier Caroline Hull".*

I am treating your request as a request under the Freedom of Information Act (FOIA) 2000. I can confirm that a search of the MOD has been conducted and some information in scope of your request is held.

To answer your first question, I can confirm that Full Minutes of the Lived Experience event were not taken. Under Section 16 of the FOIA, I can advise that minute-taking (i.e. a verbatim account of the proceedings) is a style of meeting record reserved only for formal business meetings. For the Lived Experience Event there was no requirement for minutes, although key points were recorded to ensure that any agreed actions were completed. The type of record created is at the discretion of whoever chairs the meeting, with some requiring no record at all. The attached document 20221209-Annex A to FOI2022-14156-LivedExpEvt-Points Log.pdf is the log of points taken from the event.

You also asked who was in attendance at the event, however, in order to protect personal information governed by the Data Protection Act 2018, Section 40(2) of the FOI Act has been applied to this part of your request. 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. Under Section 16 (Advice and Assistance) of the FOIA, I can, however, advise that 23 individuals attended the event in person and four attended virtually. Of the 27 attendees; 11 were MOD civil servants, one was from the Office of Veterans Affairs, one from the National Health Service and 14 were external attendees and/or Veterans.

The answer to Question 4 is withheld under Section 21 (reasonably available by other means), as it is already published in the public domain. However, under Section 16 of the FOIA, I can confirm that the right to legally appeal a decision under the AFCS comes from a separate piece of legislation, namely the Pensions Appeal Tribunals Act 1943. A link can be found below:

<https://www.legislation.gov.uk/ukpga/Geo6/6-7/39#:~:text=%EE%80%80Pensions%20Appeal%20Tribunals%20Act%201943%EE%80%81%20%EE%80%801943%EE%80%81%20CHAPTER%2039,respect%20of%20such%20claims%3B%20to%20give%20a%20>

To answer your final question further events are planned to be held on a quarterly basis and are planned from early next year.

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

DBS Secretariat Team