

# RESERVE FORCES PENSION AND COMPENSATION BENEFITS



This booklet provides details of the pension and compensation benefits you and your dependants can receive. This booklet takes you through the main provisions of the Reserve Forces Pension Scheme (RFPS), the Reserve Forces (Attributable Benefits Etc) Regulations (RFAB), the War Pensions Scheme (WPS) and the Armed Forces Compensation Scheme (AFCS) setting out:

- how you can earn benefits normally payable from retirement age;
- the immediate ill-health benefits you can receive if you leave the Reserve Forces early because you suffer from ill-health or become injured;
- the benefits paid if you die before your dependants.

The scheme or schemes that provide benefits to you or your dependants' will depend on when you served, the date of the cause of your death or medical discharge, and whether or not your injury, illness or death was caused by your service.

To find out which scheme(s) you are covered by, you should look at the table at page 1.

There are some special terms that you need to know: you can find them on pages 4 to 9 and can refer to them as you go along. They appear in bold italics throughout the booklet. The booklet does not cover everything: more details can be found in Joint Service Publications 764 and 765, The Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006 and the Reserve Forces (Attributable Benefits etc) Regulations.

This booklet does not cover members of the Regular Armed Forces their dependants or individuals mobilised under Part 7 of the Reserve Forces Act 1996 (or corresponding provision under the Reserve Forces Act 1980). These benefits are covered in AFPS 75 – "Your Pension Scheme Explained" MMP/106 or AFPS 05 – "Your Pension Scheme Explained" MMP/124.

**IMPORTANT: This booklet provides a summary of the rules of the relevant schemes. It is not a full explanation of the rules and is not the legal basis for any entitlement under the schemes. If there are any differences between the rules and an explanation in this booklet, the rules will be followed.**

**In addition, this booklet does not give you financial or legal advice. If you want financial or legal advice you should seek independent advice. Unit administrative or personnel staffs can offer information and an explanation of benefits, but are not allowed to offer advice on pensions decisions. They will be able to let you have a list of Services Insurance and Investment Advisory Panel approved independent financial advisers, although you are free to use any independent financial adviser that you wish.**

# QUICK REFERENCE TO BENEFITS

## Service Personnel/Former Service Personnel

| Occurrence   | Relevant Date  | Scheme(s) providing Benefit   | Section/Part | Notes   |
|--|--|-------------------------------|--------------|---|
| Injury/illness in Service due to Service   | • Injury or illness caused before 6 April 2005   | N/A                           | N/A          | None provided   |
|  | • Injury or illness caused on or after 6 April 2005  | AFCS                          | 3/A          | Covers all Service personnel. Pension scheme membership not required      |
| Retirement (normal age and early)  | Member joined Reserves on or after 6 April 2005  | RFPS                          | 2            | Including those who transfer to RFPS on 6 April 2006 from AFPS 75 – FTRS  |
| Following medical discharge:<br><br>• Non-attributable injury/illness<br><br>• Attributable injury/illness | • Those who joined the FTRS before 6 April 2005 <sup>1</sup>   | AFPS 75 – FTRS                | N/A          | See Invaliding Booklet – MMP/115  |
|  | • Those joining or rejoining the Reserve Forces on or after 6 April 2006, who opt for RFPS membership <sup>2</sup> | RFPS                          | 2            | Including those who transfer to RFPS on 6 April 2006 from AFPS 75 – FTRS  |
|  | Injury or illness leading to discharge caused:<br>• Before 6 April 2005  | RFAB+WPS                      | 3/B          | Non-attributable benefits may be paid alongside the attributable benefits |
|  | • On or after 6 April 2005   | AFCS                          | 3/A          | Non-attributable benefits may be paid alongside the attributable benefits |
| Having left the Armed Forces:<br><br>• Attributable injury<br><br>• Non-attributable                       | Injury or illness caused:<br>• Before 6 April 2005   | WPS                           | 3/B          | Paid regardless of whether medically discharged                           |
|  | • On or after 6 April 2005   | AFCS – Subject to time limits | 3/A          |   |
|  |  |                               | N/A          | No benefits provided  |

## Dependants

|                        |  |                |     |   |
|------------------------|--|----------------|-----|---|
| Non-attributable death | • Those who joined the FTRS before 6 April 2005 <sup>1</sup>   | AFPS 75 – FTRS | N/A | Benefits under WPS may be payable as different standards of proof are applied from that of AFPS 75 – FTRS |
|                        | • Those joining or rejoining the Reserve Forces on or after 6 April 2006, who opt for RFPS membership <sup>2</sup> | RFPS           | 4/A |   |
| Attributable death     | Date of death, or date on which the injury or illness which led to death was caused:<br>• Before 6 April 2005      | RFAB+WPS       | 4/C | AFPS 75 – FTRS benefits may also be payable if you are a member   |
|                        | • On or after 6 April 2005   | AFCS           | 4/B | RFPS benefits may also be payable if you are a member   |

<sup>1</sup> Provided they had not opted to transfer to RFPS.

<sup>2</sup> Those who are mobilised under Part 7 of the Reserve Forces Act 1996 (or corresponding provision of the Reserve Forces Act 1980) who already have an Immediate Pension from AFPS 75 in payment can opt to join AFPS 75 instead.

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# TERMS YOU NEED TO UNDERSTAND

Here is a list which explains the meaning of some special terms used in this booklet.

## Abatement

Where payments (eg of pension) are reduced in certain circumstances.

## Aggravated

When an injury or illness is significantly hastened or worsened by service in the Reserve Forces.

## AFCS – Armed Forces Compensation Scheme

This is a compensation scheme for all members of the Regular and Reserve Forces. It provides compensation for all injuries, ill-health and deaths due (attributable) to service, the cause of which occurred on or after its introduction on 6 April 2005.

## AFPS 75 – Armed Forces Pension Scheme 1975

AFPS 75 is the pension scheme for Service personnel which was introduced in 1975 and was closed to new entrants from 6 April 2005. Personnel who were serving before 6 April 2005 and still serving on 6 April 2006, who were in AFPS 75 were given the opportunity to transfer to AFPS 05.

## AFPS 75 – FTRS – Armed Forces Pension Scheme 1975 – Full Time Reserve Service

AFPS 75 – FTRS was incorporated into AFPS 75 in 1997 to cater for pensions in respect of FTRS personnel.

Personnel who were serving before 6 April 2005 and still serving on 6 April 2006, who were in AFPS 75 – FTRS were given the opportunity to transfer to RFPS.

## AFPS 05 – Armed Forces Pension Scheme 2005

The pension scheme for Regular Service personnel. It is effective for new entrants from 6 April 2005 and from 6 April 2006 for Service personnel who were in service on that date and who elected to transfer from AFPS 75 as a result of the Offer To Transfer.

## Attributable

The term used to describe where:

- an injury or illness was caused, or significantly aggravated, by service in the Reserve Forces;
- a death was caused, or significantly hastened, by service in the Reserve Forces.

## Attributable Benefits

Benefits are paid under three schemes: for illnesses or injuries caused by service before 6 April 2005 benefits are payable under the Reserve Forces (Attributable Benefits etc) Regulations (RFAB) and the War Pensions Scheme (WPS). For illnesses or injuries caused by service on or after 6 April 2005, pain and suffering lump sums and in some cases Guaranteed Income Payments are payable under the Armed Forces Compensation Scheme (AFCS). The three schemes have separate legislation and conditions for paying benefits.

Attributable death benefits are also paid under these schemes when the member dies and the medical condition or injury that resulted in death was caused by, or significantly hastened by, Service. Where the injury or death was caused by service before 6 April 2005, benefits are paid under RFAB/WPS, and on or after 6 April 2005 under the AFCS.

## AVCs – Additional Voluntary Contributions

Tax-deductible payments made by a scheme member to enhance his/her pension or death benefits.

## Bereavement Grant

Within the AFCS, a tax-free bereavement grant may be payable to a widow(er), civil partner or eligible partner dependent on which pension scheme the Service person belonged to.

### Burden and Standard of Proof

Burden of proof – The requirement to prove any given set of facts to the standard set for each scheme. The person to whom this burden falls varies depending on the scheme rules.

Standard of proof – The level of certainty required by the decision-maker in order to be satisfied that a particular set of facts is proven.

### Civil Partner

An individual who has formed a legally recognised partnership with another person of the same sex under the procedure provided by the Civil Partnership Act (CPA) 2004. If the civil partnership is legally dissolved, the former civil partner is not entitled to benefits.

### Civil Partnership

An arrangement under which same-sex couples can enter into a legally recognised partnership under the procedure set out in the CPA 2004.

### Consequential Conditions

Medical disorders which occur after the Principal Invaliding Condition (PIC) and directly as a result of it.

### Dependants

For AFPS 75 – FTRS members – a member's spouse, civil partner or eligible children and for attributable benefits only, eligible partners.

For AFPS 05 and RFPS members – a member's spouse, civil partner, eligible partner or eligible children.

For AFCS, dependants are as defined for AFPS 05 and RFPS.

### DAP – Discretionary Awards Panel

The DAP is the body that takes decisions on whether RFPS and RFAB benefits should be paid where a claim does not clearly fit into the rules.

### DAAP – Discretionary Awards Appeals Panel

The DAAP considers appeals against decisions of the DAP.

### EDP – Early Departure Payments

Payments to personnel who are not members of AFPS 75 – FTRS, RFPS or AFPS 75 and who leave Regular service before age 55, after a minimum of 18 years' service **AND** who are at least age 40 (the EDP 18/40 Point). The payments are made up of a tax-free lump sum equal to three times the preserved annual pension and an income payment equal to at least 50% of the preserved pension. From the age of 55, the income payment increases to 75% of the preserved pension and, from that age, is increased in line with inflation from the date when the EDP was first paid. With every complete year of service beyond the EDP 18/40 Point the EDP increases by 1.6667% of the preserved pension. EDP income ceases at age 65 when the preserved pension and tax-free pension lump sum become payable.

### Eligible Child

AFPS 75 – FTRS and AFPS 75 members – a child whose parents were married when he or she was born provided that he or she was born within 12 months of the member's death. In certain circumstances the definition can include:

- a child whose parents are not married when he or she is born, a stepchild or an adopted child. (Further details of eligible children, including children of partners, can be obtained from SPVA);
- In all the cases the child must be dependant on the AFPS member and 16 or under 23 years of age and receiving full-time education or vocational training or not able to support him or herself due to a disability which was present at the time of the members death.
- children born of a relationship entered into after the AFPS member leaves the Armed Forces are NOT eligible under AFPS 75.



AFPS 05, AFCS and RFPS – a natural child and any child who is financially dependent on the member, who is:

- under 18, or
- in full-time education or vocational training and is under 23, or
- unable to engage in gainful employment because of physical or mental disability suffered before the age of 23 and present at the time of the member's death.

This includes children born within one year of the member's death.

RFAB: A child who is a dependent of a member of the Reserves who is:

- under 18, or
- in full-time education or vocational training, or
- is unable to engage in employment because of physical or mental disability.

Note: In certain circumstances, the definition can include: a stepchild, an adopted child and a child you have with a partner. The child must be born within one year of the member's death. Children born after the member leaves the Reserve Forces are not eligible under RFAB.

WPS: A child who is a dependant of a member of the Reserves who is:

- under 16, or
- in full-time education or vocational training, or
- is unable to engage in employment because of physical or mental disability.

Note: this could include a natural child, a stepchild, an adopted child, a foster child, a child you have with a partner or a child born after the member's death. In each case he/she must be maintaining the child or contributing to his/her up-keep.

### Eligible Partner

Someone with whom a member is cohabiting, in an exclusive (ie neither partner is married or a civil partner to someone else) and substantial relationship with financial and wider inter-dependence (this is not the same as a civil partnership) and they are not prevented from marrying or forming a civil partnership.

### Gratuity

A lump sum paid in recognition of service.

### GIP – Guaranteed Income Payment

A monthly payment that may be made after Service termination to ex-Service personnel, for injury or illness caused by service. The GIP is tax-free.

### Invaliding

See "Medical Discharge".

### Ill-health Pension

A pension awarded to an eligible scheme member who is medically discharged from the Reserve Forces. Award is not conditional on service being the cause of the illness or injury giving rise to discharge.

### Index-Linking

Annual increase in pension value in line with movements in the Retail Prices Index (RPI). Changes are made in April, using the previous September's annual headline rate of inflation. All ill-health pensions, pensions and dependants' pensions are index-linked from the date of payment. Preserved pensions are index-linked using prices since the date of leaving the Reserve Forces.



### Medical Discharge

The process where an individual is discharged from the Reserve Forces because they do not meet the fitness standards required if a Service person is to be able to fulfil the full range of roles. Being medically discharged does not mean that the individual could not be employed in other forms of full or part-time civilian employment. (Also referred to as 'invaliding'.)

### Non-Attributable Benefits

Benefits are payable if a member is discharged from the Reserve Forces on ill-health grounds, where the medical condition was not caused or significantly hastened by service in the Reserve Forces, providing he has a minimum of two years' qualifying service. These benefits can only be awarded at the time of medical discharge from the Reserve Forces.

For AFPS 75 – FTRS members – a Service Invaliding Pension is paid based on the length of service. For those with more than five years' reckonable service this is enhanced. A terminal grant is also paid worth three times the pension.

For RFPS members – ill-health benefits are paid when an individual is medically discharged from the Reserve Forces, whatever the cause of the condition. RFPS features a two tier arrangement depending on the severity of the condition. Only scheme members qualify for these benefits; those who have opted out are not eligible.

### Pensionable Pay

Basic pay including any X factor applicable, depending upon commitment, but excluding allowances, bounties, bonuses, financial retention incentives, loan service pay, and any form of specialist pay.

### Pension Lump Sum

A one-off tax-free lump sum equal to three times the annual RFPS pension awarded. The pension lump sum is paid in addition to the pension when the pension first comes into payment.

### Pension Scheme Guidance

There is pension guidance for each scheme:

- AFCS – JSP 765
- RFPS – JSP 764
- WPS – The Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006
- RFAB – Reserve Forces (Attributable Benefits Etc) Regulations

### Preserved Pension

A pension which is kept for a member leaving the Reserve Forces but before becoming eligible to receive a pension immediately.

AFPS 75 – FTRS – the preserved pension is paid at age 60 for service built up before 6 April 2006 and age 65 for service built up from 6 April 2006.

RFPS – the preserved pension is payable from age 65.

### PIC – Principal Invaliding Condition

The main injury or illness that led to you being invalided from the Reserve Forces.

### Qualifying Service

This includes: paid service in the Armed Forces; service transferred in from another scheme, including AFPS 75; any period of service with NATO/UN or similar collaborative arrangement in respect of which the member has repaid both elements of his severance payment to buy back the service he missed whilst on secondment, supplemented by a 'top up' from the project which sent him.

### Rank

Throughout this booklet rank means the normal or present rank of the person and not the acting or local rank.

### Reckonable Service

Reckonable service is the service which is used to calculate a member's pension.

For RFPS members – this starts from the first day of paid service in the Reserve Forces, but may not exceed 40 years. The value of any pension benefits transferred in from another scheme increases the service which counts towards a member's pension, as does a credit resulting from the purchase of added years. For those who transferred from AFPS 75 – FTRS as a result of the Offer To Transfer, their service under AFPS 75 – FTRS will count too.

### RG – Resettlement Grant

A tax-free lump sum payable to personnel who leave the Regular Armed Forces having given the required service under AFPS 75 or AFPS 05, and who are not eligible for benefits under the pension scheme or EDP scheme, apart from a preserved pension.

### RFAB – Reserve Forces (Attributable Benefits etc) Regulations

Benefits payable if an individual is invalided out of a Reserve Force, provided that the injury or illness that resulted in discharge was caused or made significantly worse by service in the Reserve Forces before 6 April 2005. Attributable benefits can only be awarded at the time of invaliding from the Reserve Force.

The RFAB also provides death benefits where the death is caused or hastened by service.

### RFPS – Reserve Forces Pension Scheme

Those who start or restart on Full Time Reserve Service (FTRS), including Additional Duties Commitment (ADC) terms on or after 6 April 2005, will automatically be members of RFPS. Personnel called out for service under section 32, 43, 52, 54 or 56 of the Reserve Forces Act 1996, (or corresponding section of the Reserve Forces Act 1980) from that date may choose to become members of RFPS. Those in service before 6 April 2005 and still in service on 6 April 2006, were given the opportunity to transfer to this scheme.

### Scheme Actuary

The Government Actuary's Department provides actuarial advice to the scheme.

### SGIP – Survivors Guaranteed Income Payment

A GIP payable until death to a surviving adult dependant of a member of the Reserve Forces when death was mainly caused by service.

### Spouse

A legally married (including separated, but not divorced) husband or wife.

### SPVA – Service Personnel and Veterans Agency

The MoD Agency that runs the Armed Forces Compensation Scheme (AFCS), War Pensions Scheme (WPS) and Armed Forces Pensions Schemes' (AFPS) and authorises appropriate payments.

## S2P – State Second Pension Scheme

This is part of the State provision of retirement benefits. It is earnings-related and paid on top of the State Pension, and from April 2002, replaced the former State Earnings Related Pension Scheme – SERPS. It is available to employees who pay National Insurance contributions. If a pension scheme is contracted out of S2P (like RFPS and AFPS 75 – FTRS) this means that the scheme guarantees to ensure that the benefits members will receive at normal retirement age will equal or exceed what they would have had from the State. Because they are contracted out of S2P, members pay a reduced National Insurance contribution to the State.

## Substantial Relationship

To establish whether a relationship is substantial, various factors are taken into consideration, such as: whether there are children of the relationship, financial dependence or interdependence, shared commitments such as a mortgage, whether or not one partner is the prime beneficiary of the other's will, shared accommodation and whether the relationship is exclusive, that is, there is no spouse or civil partner (on either side).

## Tariff

Table of 15 levels of lump sum awards dependent on the severity of the condition payable under the AFCS.

## WPS – War Pensions Scheme

The WPS may pay benefits to an individual when they have left the Armed Forces, where an injury or illness or death was caused or made worse by service in the Armed Forces before 6 April 2005.

## Widow(er)

The person to whom you are legally married when you die. An ex-wife or ex-husband is not eligible to receive a widow(er)'s pension or GIP.

# SECTION 1

## MOBILISED PERSONNEL

### PENSION ARRANGEMENT OPTIONS ON BEING MOBILISED FOR PERMANENT SERVICE

If you are mobilised for permanent service, on arrival at the Mobilisation Centre you will be asked to sign a Declaration of Intent. This allows you to opt for the mobilised service to count towards the **RFPS**, to remain in any occupational or personal pension arrangement or to join the State Second Pension (**S2P**). Only one option for pensions cover is permitted during the period of permanent service. Your choice will depend on your status and what pension arrangements you already have.

**Those called out for service under section 32, 43, 52, 54 or 56 of the Reserve Forces Act 1996 (RFA 96) or under a corresponding section of the Reserve Forces Act 1980 (RFA 80) may opt for one of the following as appropriate:**

- (a) **Current members of the **RFPS**** will build up benefits under the **RFPS**. Members are not offered a fresh choice, but they can opt-out at any time.
- (b) **Those with no former Reserve service, and who are not members of an occupational or personal pension scheme will build up benefits under the **RFPS**** unless they choose to enter into personal pension arrangements or to join S2P.
- (c) **Those who have former Reserve service and earned preserved pensions under the **RFPS****, a separate calculation will be made and the benefits preserved until age 65.
  - (1) Service personnel who are eligible to receive a preserved RFPS pension. On demobilisation the value of the preserved pension will be adjusted to take account of the mobilised service.

(d) **Reservists who are in civilian occupational or personal pension arrangements**, may choose to continue to contribute towards their occupational or personal pension scheme. MOD will contribute the employer's element of the occupational pension scheme but the individual must continue to pay their employee contributions. Individuals will need to provide details of their civilian employment pension scheme to enable the necessary payments to be made. Where there are employer's contributions to a personal pension MOD will contribute the employer's element only.

- (e) **Personnel with preserved benefits under **AFPS 75**** will join **RFPS** but can transfer the preserved award from **AFPS 75** if they wish. However, individuals in this position will need to think carefully about the implications of transferring into **RFPS** because, although it has improved death-in-service benefits, it also features a preserved pension age of 65.
- (f) **Personnel in receipt of an IP under **AFPS 75**** will join **RFPS** but cannot transfer in **AFPS 75** benefits because they are already in payment.

**Those recalled under section 68 of RFA 96 or corresponding provision of RFA 80 may opt for the arrangements set out in (d) above or:**

- (a) Join S2P.
- (b) Join AFPS 05.
- (c) **Personnel who have an Immediate Pension from **AFPS 75**** can choose to stay in their occupational or personal pension scheme, to join **AFPS 05** or rejoin **AFPS 75**.

If they choose to continue to contribute to their occupational or personal pension scheme, they should read paragraph (d) above. Whatever the choice, their pension remains in payment during their mobilised service.

- (d) **Personnel with preserved benefits under AFPS 75** will join **AFPS 05** but can aggregate the preserved award from **AFPS 75** if they wish. However, individuals in this position will need to think carefully about the implications of aggregation into **AFPS 05**. **AFPS 05** has improved death-in-service and spouse's, civil partner's and partner's benefits but it also features a preserved pension age of 65.

Reserve Liability it will not restart if you are demobilised after the age of 55; instead, you will receive your pension, including your pension lump sum, which would otherwise be preserved until the age of 65. Your additional service will not affect the amount you are paid in EDP income but if you rejoin **AFPS 05** your preserved **AFPS 05** benefits will be increased to reflect all your mobilised service.

Whatever provision of RFA 96 or RFA 80 you are mobilised under, you will not be required to repay any of your EDP lump sum. This is because mobilisation is not something you have any choice about.

#### **RG**

You will not be required to repay any of your RG.

## **EFFECT OF MOBILISATION ON IMMEDIATE PENSION (IP), EARLY DEPARTURE PAYMENTS (EDP) AND RESETTLEMENT GRANTS (RGs)**

### **IP**

Those in receipt of an IP from **AFPS 75** when mobilised will retain their pension. This applies whatever pension choice you make.

### **EDP**

EDP is, in part, compensation for not having a career beyond about age 40, and it does not make sense to compensate on the one hand and re-employ on the other. Therefore, when you are mobilised, your EDP income will stop. Loss of EDP income will be taken into account when the pay you receive as a reservist is determined.

When you are demobilised before the age of 55, your EDP income will restart at the same level. If you are mobilised under Part 7 of RFA 96 or corresponding provision of RFA 80, having served as part of your

## SECTION 2

# THE RESERVE FORCES PENSION SCHEME (RFPS)

### INTRODUCTION

The Reserve Forces Pension Scheme (**RFPS**) is an occupational scheme paid for by the MOD.

#### Membership

You will automatically become a member if you start (or restart) service on Full Time Reserve Service (FTRS) terms (including Additional Duties Commitments) on or after 6 April 2005. If you are a member of the Volunteer Reserve Forces who is mobilised for a period of service, you may choose to have this period of service counted under the **RFPS**. (See options for pension arrangements on being called-out for permanent service – page 10.)

Members of the Volunteer Reserve Forces undertaking service—obligatory training under section 22 of the Reserve Forces Act or voluntary training and other duties under section 27 of the Act are **NOT** eligible to join the **RFPS**.

#### Opting out

You can opt out of the **RFPS** at any time in favour of a personal pension arrangement or the State Second Pension (**S2P**) scheme. There is no compensation payable for withdrawal from the scheme. If you are considering opting out, you should seek advice from an independent financial adviser. If you have opted out for one engagement, you cannot opt in again for that period of service once your engagement has ended. This applies even if you subsequently undertake another engagement for which you do opt in to the **RFPS**.

If you opt out of the **RFPS**, you have one opportunity to join or rejoin provided you are under age 60 and are medically fit at the time. You can find further information about the options available and the key points you need to bear in mind when making such decisions in the booklet “**Transferring Benefits**” – **MMP/129**.

### RETIREMENT BENEFITS

#### Basic benefits

Pensions will be paid at age 60 for those who serve until age 60 or beyond; if you leave before age 60, they will be preserved and paid at age 65. Short periods of service will result in an entitlement to a very small pension which you may be able to convert into a one-off lump sum.

If you have several periods of **RFPS** service, entitlement for each period will be calculated separately and when your pension becomes payable, they will be increased to take account of inflation and added together to give a single award.

#### Calculation of benefits

The pension paid to you for each period of service will be based on **reckonable service** at the end of your engagement. Each year is worth  $\frac{1}{70}$ <sup>th</sup> of final **pensionable pay** up to a maximum of 40 years. (See example of pension calculation.)

Your final pensionable pay will be the greatest amount of pensionable pay you received for 365 consecutive days over your last three years of service in that engagement. In addition to your annual pension, you will receive a tax-free **pension lump sum** of three times your annual pension.

#### Example of pension calculation

If your final pensionable pay is £30,000 after completing 7 years’ service your annual pension would be calculated as follows:

$$£30,000 \times 7 \times \frac{1}{70} = £3,000 \text{ pension}$$

$$£3,000 \times 3 = £9,000 \text{ pension lump sum}$$

There could be occasions when someone who works full-time has periods of unpaid leave, and of course

those serving on ADC terms are part-time and will be receiving proportionately less in terms of pensionable pay than their full-time equivalent. In these circumstances, final pensionable pay will be calculated to take this into account by multiplying the daily rate of pensionable pay by the number of days that the individual did NOT receive pay and adding it to the individual pensionable pay for that year.

### Example

A member completes his engagement to work for 120 days per year for 2 years on a daily rate of £75.58. His final pensionable pay will be £27,586.70 (£9,069.60 + (245 x £75.58)) and reckonable service for the period will be 0.6575 years (which is  $(120/365 \times 2) \times 100$ ). The pension will be £259.18 and the lump sum will be £777.35.

### Preserved Pension

If you leave the Reserve Forces before age 60, you may be entitled to a **preserved pension**, which is normally paid from the age of 65, together with a tax-free **pension lump sum** of three times your annual preserved pension. Preserved pensions are **NOT** paid automatically; you have to claim them from the Service Personnel and Veterans Agency (**SPVA**). (See address on page 47.)

### Life expectancy of less than 12 months

If SPVA (having taken any advice necessary) agrees that you have a life expectancy of less than 12 months, and have two years' qualifying service you can apply to have a lump sum of five times your annual preserved pension paid immediately instead of a pension. If you take this course of action and survive for more than five years, your pension will not be reinstated. A similar option is available for those still in service who find themselves in the same position.

### Early payment of preserved pension

If you want your preserved pension and pension lump sum to be paid early, but are not in ill-health, you can

apply to SPVA to have it paid subject to a reduction which reflects the fact that the pension will be paid over a longer period than would normally be expected. The earliest you can have it paid from is age 55, with two years' qualifying service.

### Early payment of preserved benefits in the event of ill-health

If you have two years' qualifying service, a preserved pension and pension lump sum may be paid early if in the opinion of SPVA (who can consider evidence from medical and other specialists) you have become permanently unable to undertake any full-time work through ill-health. Early receipt of your preserved benefits does not impact on your **dependants'** pensions.

### Inverse commutation

You can exchange some or all of your tax-free lump sum to improve your taxable monthly pension and, or, that of your dependants. The actual value of the exchange is calculated by the **scheme actuary**.

### Allocation

You can apply to surrender up to 37.5% of your pension during your lifetime so that after your death a nominated person or persons (who must be financially dependent upon you) will receive an income for life. While the maximum that may be allocated is 37.5%, a member will not be allowed to allocate a sum which, if they die aged 75 or over, means that the aggregate of dependants' pensions exceeds the annual pension before death plus 5% of the pension lump sum. The scheme actuary will work out the amount that will be payable to the dependant(s), taking into account the age and sex of the nominee(s). Once the allocation has taken place, you will not be able to cancel the arrangement. If you die before your pension is due to start your option will be invalid. It should be noted that the reduction of the member's pension as a result of allocation has no effect on the accrual rate for spouse's, civil partner's or eligible partner's pensions.



### Break in service

If you leave Reserve Service before age 60, you will be awarded a preserved pension for the amount of service you have undertaken. This will be paid at age 65 unless you rejoin and serve until age 60, or beyond. If you leave again at or after the age of 60, your benefits for your latest and all other engagements which are pensionable under **RFPS** are payable immediately.

## Transferring Your Benefits

### Transfers in

This means that benefits from your previous scheme are assessed as to their value in **RFPS** and, if you accept the assessment, the transfer takes place, increasing your qualifying **reckonable service** in **RFPS**.

### Transfers out

If you leave or, after a period of service, decide to opt out of the **RFPS**, you can choose to have your preserved pension rights transferred from the **RFPS** to another pension arrangement. You must apply **before your 64th birthday or within six months of the end of a pensionable commitment**, whichever is the later, but before your pension has come into payment.

For more information see the booklet **“Transferring Benefits” – MMP/129**.

## How Divorce Can Affect Your Pension

The law allows your pension to be taken into account as part of a divorce settlement. The basic principle is the same for all pension schemes and you can find information on divorce from the booklet **“Pensions on Divorce” – MMP/131**, which is available from your administration office or on the Defence Intranet at:

<http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/Admin/FindOutAboutArmedForcesPensions/>

or on the internet at: [www.armedforcespensions.mod.uk](http://www.armedforcespensions.mod.uk)

## ILL-HEALTH BENEFITS

You will receive an immediate **RFPS** ill-health pension and tax-free lump sum if you are a member of the **RFPS** and are **medically discharged** from the Reserve Forces, provided that you have completed two years' **qualifying service**.

If your medical discharge is due to a condition mainly caused by your service (known as an **attributable** condition) additional benefits may be payable. Compensation for attributable conditions is covered in sections 3 and 4 of this booklet.

### Ill-health pension and lump sum

If you have two years' qualifying service and your career is cut short by ill-health you will be entitled to an ill-health pension and a one-off lump sum. There are two levels of ill-health pension:

#### RFPS Tier 1

If you are discharged with a condition that is deemed to significantly impair your capacity for gainful employment in civilian life, but are not permanently incapable of employment, a pension – calculated on your actual service plus one-third of the remaining service to which you are currently committed – is payable immediately, along with any **preserved pension**. You will also receive a tax-free lump sum of three times the total annual pension.

### EXAMPLE

If an individual earning £40,000 is medically discharged under **RFPS** Tier 1, having completed three years of a nine year engagement, his benefits will be calculated as follows:

$£40,000 \times 5$  (3 years +  $\frac{1}{3}$  of the remaining six years of his engagement)  $\times \frac{1}{70} = £2,857.14$  annual pension

$£2,857.14 \times 3 = £8,571.43$  pension lump sum

### RFPS Tier 2

If you are discharged with a serious disability which is deemed to leave you permanently incapable of any further full-time civilian employment, a pension, – calculated on your service plus one half of the remaining service to which you are currently committed – is payable immediately, along with any preserved pension. You will also receive a tax-free lump sum of three times the total annual pension.

### EXAMPLE

If an individual earning £45,000 is medically discharged under RFPS Tier 2, having completed three years of a nine year engagement, his benefits will be calculated as follows:

$£45,000 \times 6$  (3 years +  $\frac{1}{2}$  of the remaining six years of his engagement)  $\times \frac{1}{70} = £3,857.14$  annual pension

$£3,857.14 \times 3 = £11,571.43$  pension lump sum

In categorising medical conditions in terms of tiers and relative capacity for gainful employment, SPVA will take no account of your motivation or skills, or the employment market.

All ill-health pensions are increased annually in line with the Retail Prices Index (RPI) from the date of discharge from the Reserve Forces. See page 43 for details of the taxation of awards.

### Review

If you believe that your condition was attributed to the wrong tier or has deteriorated in an unexpected way, you can ask for the decision to be reviewed within five years of your medical discharge. Your application must be made to SPVA in writing. If your application is successful you will receive an adjustment to your pension and lump sum which is:

- backdated to your date of discharge, if your condition was assessed wrongly; or
- backdated to the date of your application for review, if your condition has deteriorated in an unexpected way.

### EXAMPLE

If an individual earning £25,000 was medically discharged under RFPS Tier 1, having completed two years of a five year engagement, he would receive a pension of £1,071.43 and a lump sum of £3,214.29. The pension is calculated by multiplying £25,000 by 3 (2 years +  $\frac{1}{3}$  of the 3 remaining years of his engagement) and then by  $\frac{1}{70}$ . The lump sum is three times the pension.

An **RFPS** Tier 2 award for the same person would have resulted in a pension of £1,250 and a lump sum of £3,750. The pension is calculated by multiplying £25,000 by 3.5 (2 years + half of the three remaining years of his engagement) and then by  $\frac{1}{70}$ . The lump sum is three times the pension.

If an error had been made in the original assessment he would receive:

- £178.57 extra in annual pension (the difference between the two pension payments); and

- any backpayment due between the date of discharge and the date at which the higher pension is actually paid; and
- a lump sum of £535.71 (the difference between £3,750 and £3,214.29).

If his condition had deteriorated in an unexpected way, he would receive the same amount of extra pension and lump sum, but the backdating would be limited to the date of his application for review.

## RE-EMPLOYMENT

### Effect on pensions in payment

If you have retired from Regular service with a pension in payment, that pension may be reduced when you enter a commitment to serve on FTRS terms. It has been the policy of successive Governments that those who leave Public Service employment with a pension in payment, and subsequently take up further employment covered by the same pension scheme or the same employer, should not earn more by way of pension and new salary than they were earning when they first left Public Service.

This would reduce the amount of your pension so that the total of pension income and pay does not exceed the annual salary as of the last day of your Regular service (adjusted for inflation).

If you give further service after **RFPS** pension benefits have come into payment, your **RFPS** pension could be similarly reduced or suspended during this further period of service.

### Effect on Early Departure Payments

If you leave Regular service with **EDP** income and start

an FTRS job, the EDP income will cease until you leave again. When you leave the FTRS your EDP will be affected as follows:

- if you are under age 55, it will resume at the same level as before;
- if you are over age 55 but under 65, it will increase to 75% of your **preserved pension**, and be adjusted for inflation since the date of the award; or
- if you are age 65 or over, it will cease and your preserved pension benefits will be paid instead.

If you accept an FTRS appointment, without a break of at least the period represented by the EDP lump sum (ie at least 282 days if you left at age 40 with 18 years' service – more if you have served over 18 years), you will have to pay back the sum represented by this unexpired period. If you repay part of your lump sum on taking up an FTRS appointment it is lost to you, as FTRS terms and conditions do not include EDP provisions.

### EXAMPLE

The EDP lump sum at the EDP 18/40 Point is equivalent to approximately 282 days pay. Thus an individual who accepts an FTRS appointment three months (or 91 days) after receiving this lump sum would have to repay  $(282 - 91) \frac{191}{282}$  of the lump sum.

Further details of the EDP are contained in Joint Service Publication 764 Part 2.

### Effect on Resettlement Grant (RG)

If you take up an FTRS engagement within 30 days of leaving Regular service with a **RG** you will have to repay all of it. Once lost, the RG will not be restored. This is because FTRS terms and conditions do not include a provision for the payment of a RG.

## SECTION 3

# ATTRIBUTABLE BENEFITS *[Illnesses or injuries due to service]*

## PART A – THE ARMED FORCES COMPENSATION SCHEME (AFCS)

**For all injuries or illnesses caused by service on or after 6 April 2005**

### ENTITLEMENT

#### Who can get compensation?

If you are a member or former member of the Reserve Forces you may qualify for compensation under this scheme. The Scheme is administered by the Veterans Advice Unit, Service Personnel and Veterans Agency (**SPVA**) at Thornton Cleveleys, contact details are at page 47.

#### What does the Scheme Cover?

##### Injury and illness caused by service

The **AFCS** provides compensation where service is the only or main cause of an injury and illness. Awards can be made for a variety of circumstances, such as the loss of an arm when on operational deployment, or a back injury when on duty driving a Service vehicle which was involved in an accident. Compensation could be paid in certain exceptional circumstances even when off-duty, for example, if you were the victim of a terrorist attack, targeted at you because you are a Service person. The **AFCS** does not provide compensation for illness and injury which has no service cause or where service was not the main cause – such as a car accident during off-duty hours, travelling home from drill nights or while socialising after a Service sporting event.

The level of the award is based on a **tariff** which lists the injuries for which compensation may be paid. The tariff does not provide for minor injuries or conditions which have only a short term effect.

#### Sporting injuries

- The **AFCS** covers injuries caused by service-related physical development activities including Adventurous Training (AT), physical education and exercise and sport.
- These activities have to be approved by the relevant Service AT, physical training and sporting authorities, or be directly aimed and designed to maintain Service fitness standards.
- The activities include AT courses during training phases and in full service; plus authorised training for military physical fitness or swimming tests and playing in mandated and recognised sports events.
- Officials and organisers are also covered.
- The **AFCS** does not include injury or death resulting from participation in equivalent civilian events or any activities outside of Service sponsored AT, sports and physical training events. Nor does it include injury or death occurring during free time and social activities.
- It is your responsibility to arrange insurance cover for any non-Service activities eg playing football for a civilian club or recreationally with colleagues.
- You are recommended to check whether an activity is approved or not with your unit administration or personnel offices prior to undertaking any given activity. Joint Service Publication (JSP) 765 contains guidance.

#### Home to duty travel

The **AFCS** provides only limited cover for home to duty travel. This cover is for travel on detached duty from your unit; travel to and from operations and exercises overseas and travel from home to unit only when recalled to duty for emergency reasons. It will not cover

travel in your own, public or official Service transport from home to your unit. Cover will be provided if you are required (ie have no choice) to reside in Service Family Accommodation over 50 miles from your place of duty. Where the **AFCS** does not cover such travel, it is your responsibility to make your own insurance arrangements.

### **Injuries or illnesses made worse by service**

In certain circumstances, the **AFCS** will pay compensation for an injury made worse by service:

- a condition, which you had prior to entry into the Reserves, knowingly or not, and which you may have reported on entry or which was found at your medical examination on entry; or
- a condition which, though not caused by your service, happened during your service.

The **AFCS** will **NOT** pay compensation for worsening of a condition which you knew about but did not disclose when you entered the Armed Forces, and which was not discovered in your medical examination on entry.

- for conditions which were present on entry, service has to be the predominant cause of worsening which must take place after 5 April 2005. The worsened condition has to result in medical downgrading for a period of at least six months within five years of entry into service and the downgrading must remain until discharged;
- for conditions which arise in service and are not caused by service, again service has to be the predominant cause of worsening and this cause must take place after 5 April 2005. The worsening of the condition has to result in medical downgrading for a period of at least six months within five years of sustaining the condition and the downgrading remains until you are discharged;

- for conditions present on entry compensation will not be paid for worsening which occurs within the first six months of service;
- in all cases compensation will not be paid until you leave service.

If you qualify for compensation for an injury or illness made worse by service, the award will be paid in full – it will not be reduced because the original condition was not caused by service.

## **The AFCS Explained**

### **Evidence based, full and final award**

The **AFCS** does not require you to show that there was any fault on the part of the MOD in order to receive compensation. It is only necessary to show that your injury, illness or death was caused mainly by service. The **AFCS** provides both lump sum payments and regular income payments. There are time limits for claiming compensation.

Accepting compensation under the **AFCS** does not disqualify you from making civil negligence claims against the MOD if you think the MOD was at fault.

Claims will be assessed on the basis of all the evidence available, detailing how the condition or death was caused. A claim will not succeed where there is no evidence.

An **AFCS** award to Service or ex-Service personnel can be made up of two parts – a lump sum payment from a **tariff** graduated according to the seriousness of the condition and, for more serious injuries or illnesses, a Guaranteed Income Payment (**GIP**).

An award made under the **AFCS** will normally be full

and final. Any income is generally paid for life – so if your health improves your benefits will not be reduced.

The initial award will also take account of any expected future change in your condition or likely **consequential condition** – for example, development of arthritis following some types of limb injury. So there will be no system of review to cover any normal deterioration.

If a condition has unexpected developments leading to significant deterioration, it may be possible to review the award for up to 10 years, but this will be rare and exceptional.

## The Tariff

### The lump sum

The **AFCS** makes a tax-free lump sum payment for significant qualifying injuries and illnesses caused mainly by service. The value of the lump sum award is determined by a **tariff** which has 15 levels. Level 1 gives the highest payment, covering the most severe conditions, such as loss of sight **AND** hearing, or severe spinal cord injury leading to total paralysis. Level 15 covers the least severe injuries for which compensation is paid, such as minor burns with an enduring effect or a dislocated knee. The tariff can be found in JSP 765 and on the internet and MOD intranet (see addresses on page 47). The tariff and amounts to be awarded will be reviewed on a regular basis. These reviews will take account of any civil law or medical developments and ensure that the levels of awards are equitable.

### The Guaranteed Income Payment (GIP)

For more serious illnesses and injuries – those in levels 1 to 11 of the tariff where a loss of earnings capacity may be expected – a **GIP** will be awarded. The value of this income payment is determined both by the Reservist's

military earnings and the nature of the condition. The GIP is calculated by multiplying the salary of the Reservist by a factor which depends on age at last birthday, the younger the person the higher the factor, reflecting the fact that there will be more years until normal retirement age.

If you are mobilised and in permanent service, the military salary you are in receipt of will be used for the GIP calculation. In addition, if you are in receipt of a Reservist's financial award in accordance with regulations made under Section 83 of the Reserve Forces Act 1996, the payments made to you will be taken into account when calculating the GIP.

If you are not mobilised but are undertaking military training or other duties under Sections 22, 25 and 27 of the Reserves Forces Act 1996, the basic military pay you would have received had you been mobilised will be used for the GIP calculation. In addition, if your civilian earnings are greater than your military salary, GIP may be calculated by including an amount equal to an award which you may have received under the financial assistance regulations had you been called out into permanent service. The **SPVA** will liaise with Service Adjudication Officers for an assessment of a notional financial package.

If you are on FTRS the GIP calculation will be based on military pay.

For Sponsored Reserves, qualification for GIP and a lump sum payment will be dependent on whether you have been mobilised for permanent service or are undergoing military training and are in receipt of basic military pay.

The sum arrived at is the maximum level of GIP and is paid in full for the most serious conditions. For less serious injuries, only a proportion of the full GIP is awarded. The levels of GIP payable are determined by

the level of the tariff, which is banded as follows:

|                      |                                 |
|----------------------|---------------------------------|
| Tariff (Band A) 1-4  | 100% of the GIP calculation     |
| Tariff (Band B) 5-6  | 75% of the full GIP calculation |
| Tariff (Band C) 7-8  | 50% of the full GIP calculation |
| Tariff (Band D) 9-11 | 30% of the full GIP calculation |
| Tariff 12-15         | No GIP is payable               |

The **GIP** is not payable immediately if personnel remain in service, as they will still be in receipt of their military salary. However, if an in-service award is made above **tariff** 12, a GIP will be awarded from the day after discharge. The GIP is normally paid monthly and is tax-free.

### Interim awards

We anticipate that only on rare occasions will it not be possible to determine the level of award from the outset; the exception being where a condition is unstable. In cases where the condition is not stable, an interim award will be made using the tariff best reflecting the condition at that point. An interim award will give a specified time for review; this can be extended for up to two years. Following review the level of the award will be confirmed, raised or lowered and made a final award.

### Abatement

The GIP is reduced by 100% of any Armed Forces **ill-health pension** paid for the same injury or illness, but by 75% of an ill-health pension paid for a different injury. For any immediate or **preserved pension**, or any Early Departure Payments (**EDP**), the GIP will be reduced by 75% of the value of that pension or EDP. Any employers' insurance scheme payments, personal or occupational pension for the same injury will reduce the GIP by 75% of that pension. This is because the GIP is a loss of earnings capacity award, and the MOD in line with all Public Service schemes, has a policy of not compensating twice for the same disability.

This approach ensures Reservists receive a minimum level of compensation to the value of those that would be payable to a Regular of the same rank and level of pay.

Awards will also be abated for payments from criminal injuries compensation schemes, from civilian insurance claims (except personal insurance) or as a result of civil action to compensate for the death, illness or injury of a Service person.

### Example 1:

A Reservist who is aged 23 is invalided out of the Reserve Forces after losing a foot as a result of service. He was being paid a military salary and some Reserves allowances totalling £30,000.

The relevant factor is applied for a person aged 23 (we consider their age at their last birthday). The factor is 0.878. The full annual GIP is calculated as:

Salary x GIP factor ie  $£30,000 \times 0.878 = £26,340$ .

As the injury is in tariff level 8 the person will receive 50% of the full GIP, so he will be entitled to £13,170 a year. This is tax-free.

If the Reservist was receiving a civilian employer's entitlement of £3,619, the AFCS makes a deduction of 75% of what the Reservist would have received from this pension. (It is set at 75% to take account of the taxable nature of normal pension benefits.)

So the GIP is  $£13,170 - 0.75 \times £3,169 = £10,456$ .

Therefore total entitlement is:

|                    |          |
|--------------------|----------|
| Employer's pension | £ 3,619  |
| GIP                | £ 10,456 |
| TOTAL              | £ 14,075 |



### Example 2:

A Reservist who is aged 36 loses a leg caused by service and is invalided from service. She was being paid a salary of £35,000.

The relevant factor is applied for a person aged 36 (we consider their age at their last birthday). The factor is 0.799. The full annual GIP is calculated as:

Salary x GIP factor ie £35,000 x 0.799 = £27,965

As the injury is in tariff level 5 she will receive 75% of the full GIP, so she will be entitled to £20,973 a year. This is tax-free.

If civilian pension entitlement was £15,000, the AFCS makes a deduction of 75% of what the Reservist would have received from this pension (set at 75% to take account of the taxable nature of normal pension benefits) so GIP is £20,973 – 0.75 x £15,000 = £9,723. Therefore total entitlement is:

|                    |                 |
|--------------------|-----------------|
| Employer's pension | £ 15,000        |
| GIP                | £ 9,723         |
| <b>TOTAL</b>       | <b>£ 24,723</b> |

## Multiple Injuries Caused by Service

### More than one injury from the same incident

Where an award is made for more than one injury caused by service in the same incident, there are specific rules to calculate the value of benefits.

For the lump sum payment, the first injury, that is the more serious, will result in award of 100% of that due by the **tariff**.

For a second injury 30% of that due by the tariff will be awarded.

For a third injury 15% of that due by the tariff will be awarded.

No award will be made for a fourth or further injury caused by the same incident.

For the **GIP** where more than one injury is sustained in one incident:

- If the two most serious injuries are specified in the same band, the percentage to be used in the GIP calculation is to be the one in the band immediately above the band in which the injuries are specified.
- However, if the injuries fall in the highest band, 100% is to be used in the GIP calculation.
- If the two most serious injuries are not the same band, then the injury which falls into the band attracting the highest lump sum will be used for the GIP calculation.

From February 2008 the rules on multiple injuries sustained in one incident changed so that those who qualify for 100% of the Guaranteed Income Payment will receive 100% of the tariff value of all injuries sustained in a single incident. Those who do not qualify for 100% Guaranteed Income Payments will continue to have the existing rule, as above applied to their multiple injuries.

### More than one injury to the same part of the body

Where an award is made and later there is a further injury to the same part of the body caused by service:

- Any further lump sum payment will be reduced according to the number of years between the first and second injury.
- For a nine year period from sustaining the first injury, any additional lump sum payment for the second injury will be calculated on an annual sliding scale basis.
- In the first year, only 10% of the lump sum will be awarded and payment will be increased each year until the tenth year, when 100% of the lump sum will be awarded. Similar adjustment will be made for a third or further injury to the same body part.

- Where the original injury attracts a GIP to be paid when service has terminated, and the second injury attracts a higher tariff band which would increase the GIP, it is the higher GIP that will come into payment at service termination.

### Injuries to paired parts of the body

Rarely will there be a separate serious injury caused by service to one of a paired part of the body (eg an eye, arm, or leg), to be followed by an injury, also caused by service, to the other part.

Where an immediate lump sum and eventual GIP award may be applicable for the first of two paired body parts (eg eyes), the lump sum award for the second injury will be calculated by subtracting the amount paid for the injury to one body part from the amount for an injury to both body parts.

#### Example

A person loses one eye because of service and later loses the second eye because of service

Lump sum for loss of one eye: £ 28,750

Award for loss of second eye: £172,500

Lump sum for loss of two eyes: £201,250

Additionally, if the injury to the first body part attracts a **GIP** and the injury to both parts would result in a higher GIP award, the GIP will be raised to that level and paid at service termination. For example, the loss of one eye qualifies for a 50% GIP; the loss of both eyes qualifies for a 100% GIP; so if the second eye is lost because of service, the GIP will be increased to 100% when it comes into payment.

### More than one claim

Where a Reservist or a former Reservist makes successful claims covering different injuries or separate

medical conditions, a separate lump sum payment will be made for each injury or condition, subject to the rules on multiple injuries set out above. However, when a GIP has been awarded for the first incident, and a further award is due for the second injury, only the higher GIP will be awarded.

### Time limits for claiming

There is a time limit for claiming under the **AFCS**. You must normally claim by the earliest of the following dates:

- five years from the date of incident or event that caused an injury; or
- where you are suffering from an illness, five years from the date you first sought medical advice for that illness; or
- five years after leaving the Armed Forces.

The **AFCS** will not generally allow claims outside these time limits.

The **AFCS** may allow late claims, only where supported by appropriate evidence, where a claimant has been too ill throughout the 5-year period to claim or to instruct someone else to claim on his behalf.

However, there are also exceptions for certain illnesses, to include some mental disorders, which are known to take longer to develop and where service is the main cause; these are called late onset conditions. This may cover, for example, occupational exposure to radiation as a designated radiation worker, with links to cancer. If you have a condition which it is assessed may satisfy the late onset criteria and there is evidence that you suffered a relevant exposure in service, you will be able to claim beyond the normal 5-year time limit. In the case of a late onset condition, you have to claim within one year of the condition being diagnosed by a doctor.

## HOW TO MAKE A CLAIM FOR COMPENSATION

If you wish to seek compensation for illness or injury caused by service, whether you are still in service or have left, you will normally need to complete a claim form. This is available from unit administration or personnel offices and from the **SPVA**.

Generally, there should be no need to submit a claim form if you are medically discharged.

### Medical discharge

If you are **invalided** from the Reserve Forces because you are no longer fit enough to continue your duties, and you are awarded an **ill-health pension** (or equivalent), you will automatically be considered for attributable benefits. The SPVA will consider whether the main condition leading to your discharge, the “principal invaliding condition” (**PIC**), (and any associated conditions), was caused by service on or after 6 April 2005. If it is considered that the condition occurred before this date, entitlement will be considered under **RFAB** and the **WPS**.

The SPVA will not consider other conditions which you may have suffered during your Service career and which, although not contributing to invaliding, may have been identified as part of the invaliding process. It will be your responsibility to claim for any of these other conditions within the time limits which apply to them.

### In-service claims

The **AFCS** provides compensation to Service personnel for significant injuries or illness that arise during service, but which do not lead to invaliding. In most cases, these are likely to be relatively minor conditions in the lower part of the **tariff** (probably below tariff 11) but this may not always be the case. You can get compensation for more serious injuries while still in service but no **GIP** will be paid until you leave. At the point of leaving

service, the GIP will be calculated on your military salary, and if applicable, addition of financial assistance allowances at the time when you are discharged. The **AFCS** will only provide compensation for those conditions which appear on the tariff and does not cover minor injuries that are not considered serious enough to merit compensation. If you are uncertain about whether an illness or injury will qualify, you should refer to the tariff set out in JSP 765.

If you want to claim while still in service, you must submit a claim form within the specified time limits. This is normally five years from the date of the incident that caused the injury or five years from the date you first sought medical advice about an illness. Claim forms are available from the SPVA (or their website) and unit administration or personnel offices. If you need help in completing the claim form you can request assistance from your divisional officer, company staff or unit administrative officer or flight commander, or alternatively contact the SPVA Thornton-Cleveleys office.

When claiming you will also be asked to provide comprehensive information about your injury or illness, including how it affects you, any treatment you were given, any diagnosis you were given, and when and where the injury occurred.

The SPVA will need to obtain evidence from your service records. You will be required to advise the SPVA who holds your civilian or service medical records, (in most cases these will be at your GP or Service Medical Centre) and, in the case of injury, who holds any incident reporting data (normally this will be the Unit Health and Safety Officer). This will allow collection of evidence to support your claim. **It is important to report any injury or incident at the time it happens through the normal health and safety incident reporting route and seek medical attention.**

For the RNR and RAF Reserves, while not on operations (for example, while in base on exercise or normal running at sea), personnel should complete the locally held accident book immediately after the incident (MOD Form 510). They should then pass this to their line manager who should ensure that a MOD Form 2000 is completed within 10 days after the accident, so the accident will be recorded on the MOD's central accident reporting database (CHASP). For Army personnel, the Army Incident Notification Cell should be notified immediately. For all Services, it is accepted that while on operations this may not always be possible. You should, however, ensure that an entry of any incident that caused injury or illness is recorded in Unit records. Commanding Officers will be aware of this requirement and this will enable them to confirm any incident which may have caused your condition.

### Claims after leaving service

If you want to claim after leaving service, you must complete and send a claim form, available from the **SPVA**, within relevant time limits. Again this is normally five years from the date of the incident that caused the injury, or five years from the date you first sought medical advice about an illness, and cannot be later than five years after leaving service. Additionally, you should provide any evidence you may have in support of the claim. Exceptionally, claims can be made for a limited number of late onset conditions outside this timeframe. You may ask the SPVA helpline (Veterans Advice Unit) to assist in the claims process and a SPVA Welfare Manager may also be able to visit you.

### Evidence

In all cases, although there is no obligation to do so, evidence above and beyond that requested by the SPVA, which may be considered pertinent by the claimant, can be provided to the SPVA. This will be at the claimant's cost. The MOD will supply Service evidence as required.

## How is your Claim Handled and Decided?

The SPVA is responsible for administering and deciding **AFCS** claims. To determine eligibility, the SPVA will review all relevant evidence to decide whether it is more likely than not that the injury, ill-health or death was caused mainly by service on or after 6 April 2005.

The SPVA will take into account any evidence that you are able to provide, but will also have access to your Service and medical records. When necessary, they may also request further medical reports. If you have already left the Reserve Forces, they may, with your permission, approach your civilian doctor or hospital consultant for further information about your condition or seek more specialist reports. You may also be asked to undergo a medical examination.

It is important that you reply to the SPVA if they ask you for more information. You should attend any appointment for a medical examination unless your doctor confirms you are unable to make the journey. In this case, special arrangements will be made. If you do not comply, your claim may be treated as withdrawn.

The SPVA will look at all the evidence and decide whether your illness or injury is caused by service. If no conclusive and reliable evidence exists to support your claim, for example the lack of an incident report or other evidence that your condition was caused by service, then it may fail. It is important that you remember to report any injury or incident at the time it happens, through the normal Health and Safety incident reporting route, and by seeking medical attention, which will result in the incident being documented in your medical records.

Once the SPVA has considered your claim, it will write to notify you of its decision. If no award is made, the SPVA will give their reasons for the decision.

Guides to the in-service and after-service claims procedures follow on pages 26 and 27.

## When will the award be paid?

### In-service awards:

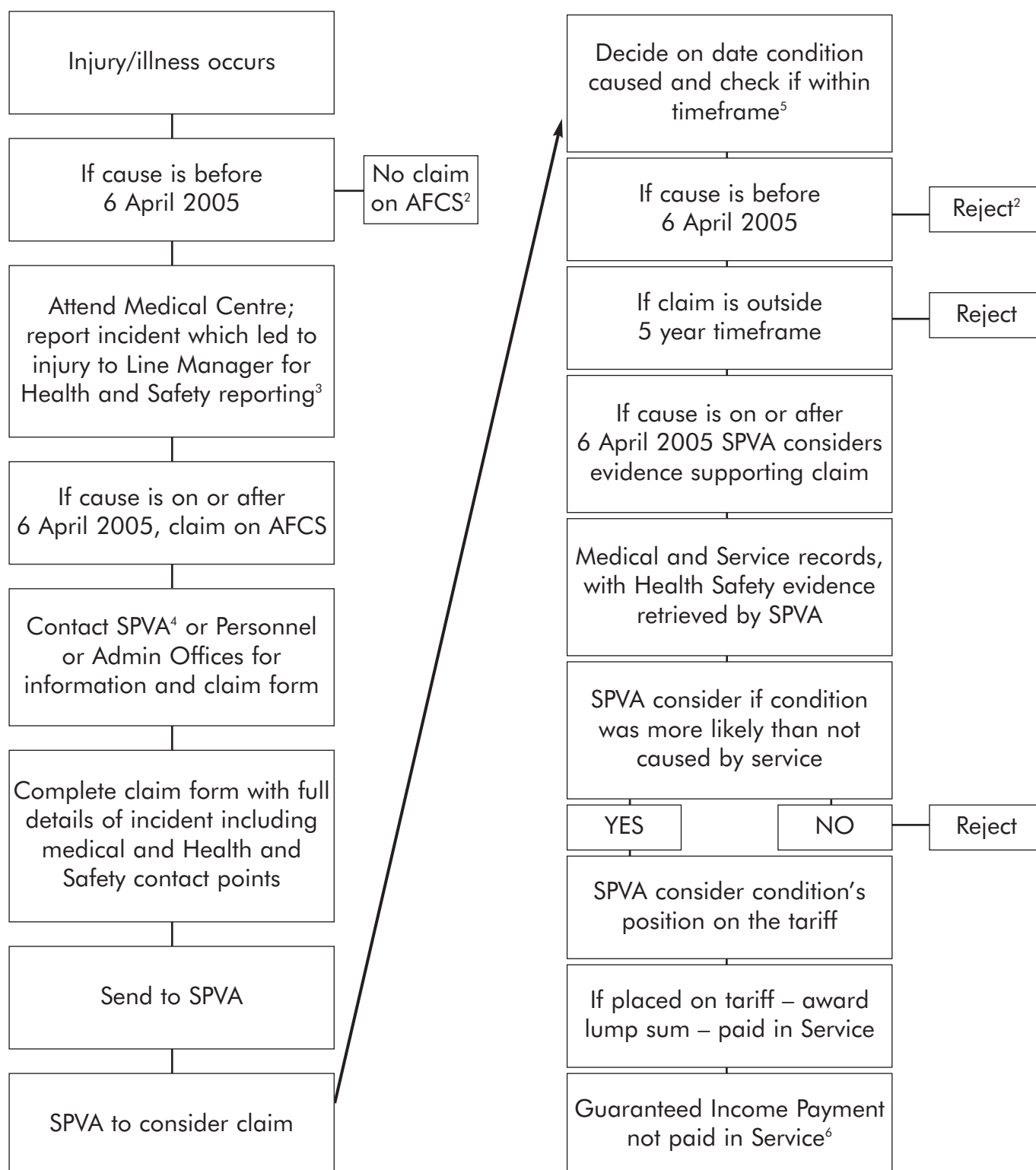
- the lump sum payment will be paid as soon as it is awarded.

### Awards after service:

- Paid from the day after discharge if you are invalided out of the Reserve Forces.
- The **GIP** will be paid from the day after discharge, if you were awarded an injury benefit, which included GIP, whilst you were still in-service.
- If you have left the Reserve Forces and made a successful claim for which an award of GIP is granted, the GIP awarded will be payable from the date the claim was received by the **SPVA**. A lump sum will be paid as soon as it is awarded.

There are also specific rules on the payment of claims which have been reconsidered or reviewed. More details are set out in JSP 765.

# **AFCS INJURY AND ILLNESS CLAIMS<sup>1</sup>** (IN SERVICE)



1 There is a comprehensive Reconsideration and Appeals process. The SPVA will inform claimants of their rights.

2 If injury or illness remains at discharge, could be considered on discharge under WPS for ill-health benefits.

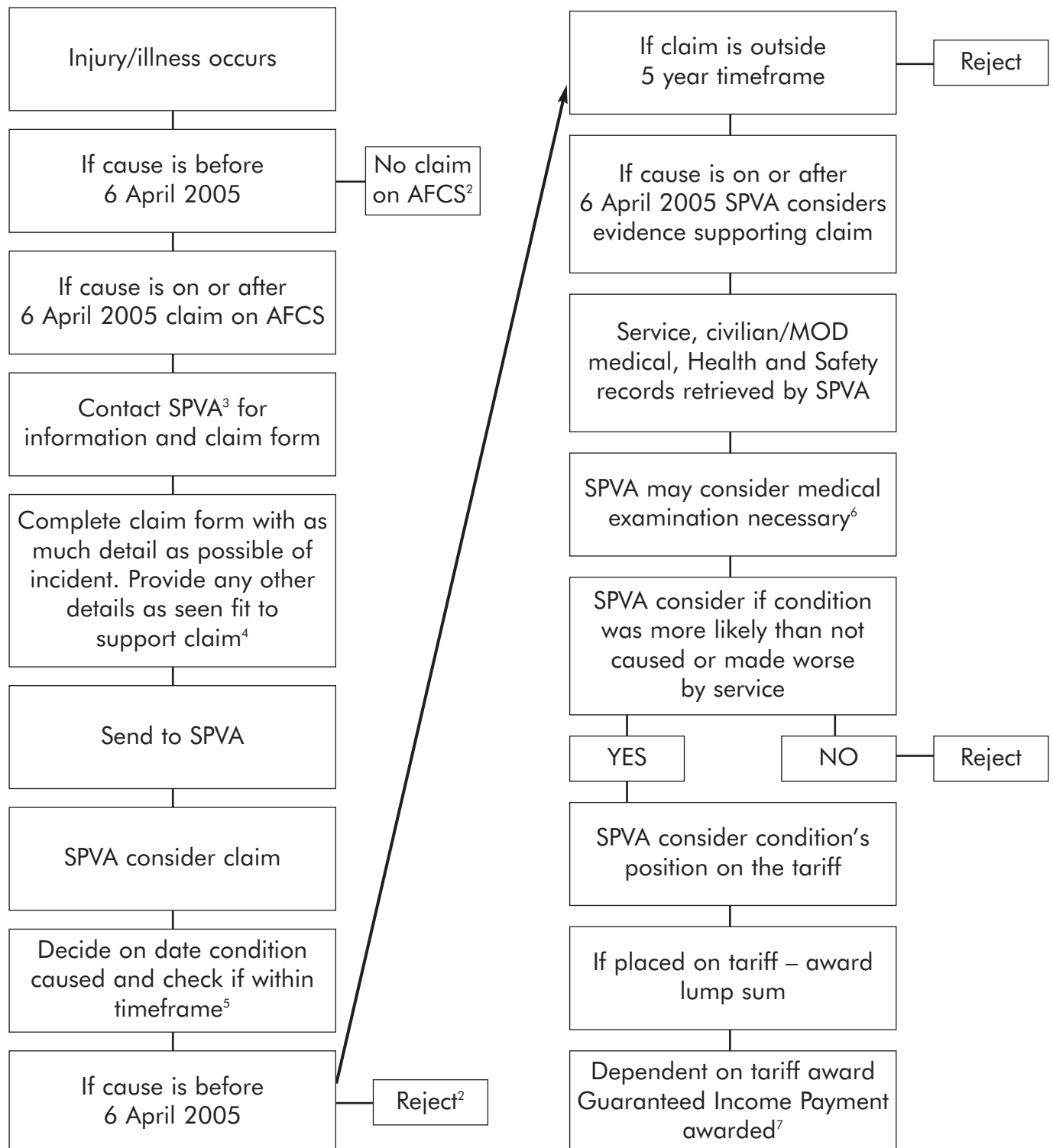
3 If not possible when on Operations, incident to be noted in Unit records.

4 The date of contacting will be deemed the date if claim form returned within 3 months.

5 Claim to be made within 5 years of date injury occurred or medical advice first sought for illness.

6 If placed within Tariff levels 1-11, a GIP will be calculated on discharge from the Service, based on age and pensionable pay at that point, and paid for life.

# AFCS INJURY AND ILLNESS CLAIMS<sup>1</sup> (AFTER SERVICE)



1 Comprehensive system of Reconsideration or Appeal available. The SPVA will inform claimants of all decisions and of their rights.

2 If injury or illness occurs before 6 April 2005, could be considered under WPS for ill-health benefits.

3 The date of contacting will be deemed the date if claim form returned within 3 months.

4 Not obligatory.

5 Claim to be made within 5 years of date injury occurred or medical advice first sought for illness or 5 years after leaving the Service, whichever is the earliest.

6 At least 10 days notice of attendance given; examination by appropriate medical expert.

7 If placed within Tariff levels 1-11, a GIP will be calculated on pensionable pay on discharge uprated by RPI since that point. Will be paid from the date of the claim, and paid for life.



## PART B – THE RESERVE FORCES ATTRIBUTABLE BENEFITS (RFAB) AND WAR PENSIONS SCHEME (WPS)

### ***For all injuries or illnesses caused by service before 6 April 2005***

Where an injury or death was caused by service before 6 April 2005, any claim for compensation will be considered under the **RFAB** and the **WPS**.

## STANDARD AND BURDEN OF PROOF

The RFAB and the WPS compensation scheme have different **burdens and standards of proof** for determining whether your Principal Invaliding Condition (**PIC**) (the main injury or illness leading to your invaliding) was **attributable** to, or to a significant extent **aggravated** by, your service. They are explained below:

### **WPS**

You do not have to show that your injury or illness was due to service if it emerged in Service or within seven years of discharge from the Reserve Forces. In these cases, it is for the Secretary of State for Defence to prove beyond reasonable doubt that the injury or illness is not attributable to your service. After seven years, it is up to you to provide reliable evidence to raise a reasonable doubt that there might be a service link to your injury or illness.

### **RFAB**

From 30 April 2001, the balance of probabilities (that is, more likely than not) standard of proof is used to determine whether the injury or illness was attributable to, or to a significant extent aggravated by, service. It is for you to prove that your injury or illness is attributable if the Discretionary Awards Panel (**DAP**) decides that the

cause of your injury or illness is not attributable. For injuries or illnesses before 30 April 2001, decisions on attributability under the RFAB were taken by the Veterans Agency (**VA**). If the VA accepted attributability, then generally attributable benefits under the RFAB were awarded.

**NOTE:** As the RFAB (since 30 April 2001) had a different standard of proof from the WPS, in some instances this can lead to the WPS paying a War Disablement Pension or gratuity where the RFAB does not pay attributable benefits.

### **Application of the standard of proof**

If the **SPVA** decides that your PIC is not attributable to your service and you are a member of the **RFPS**, you will continue to receive an **ill-health pension** (the non-attributable benefits) under that scheme. If the SPVA decides that your PIC is attributable, it will make an assessment of your level of disablement worked out as a percentage (see page 30 for details). When assessing your entitlement to WPS benefits, the SPVA considers all injuries or illnesses you may have, not just the PIC, and will award benefits for all injuries or illnesses found attributable (see page 30 for WPS benefits).

SPVA consider whether the PIC, and any other conditions or injuries, are attributable to your service. If the SPVA finds your condition attributable, the DAP will then consider whether the PIC is attributable to, or to a significant extent aggravated by, your Reserve Forces service, using the balance of probabilities standard of proof. If the DAP decide your PIC is attributable to Reserve Forces service, you may be eligible for attributable benefits immediately, or in the future.

## RESERVE FORCES ATTRIBUTABLE BENEFITS (RFAB) SCHEME

The **RFAB** acts as a minimum guarantee scheme; it bases awards on the rates of Service Attributable Pensions and lump sums paid to Regular Forces. The **attributable** pension may be reduced if you receive a civilian occupational or personal pension paid for the injury or condition which led to your **invaliding**, or an award of compensation for your injury or illness. Benefits from the Armed Forces pension schemes are also taken into account.

If the **SPVA** and the **DAP** both accept that your **PIC** is due to service, you may be eligible for attributable benefits. The level of benefits is calculated using the total degree of disablement for your PIC and any **consequential conditions**.

The RFAB does not provide payments when the injury or illness was due to service in a Regular Force, or if the condition arose from a civilian occupation. However, you may have your own arrangements, such as personal or occupational pensions or accident insurance, to cover these circumstances.

### Pension and lump sum

If your degree of disablement is less than 20% at the time of your discharge – no attributable pension or lump sum is payable immediately. However, should the degree of disablement increase to 20% or more at a later date, a pension is paid from the day after your degree of disablement reaches 20% or more. (You may receive a **War Disablement Pension** under the **WPS**.)

If your degree of disablement is 20% or more at the time of your discharge – an attributable pension and an attributable lump sum, based on rank and degree of disablement is payable, in addition to your War Disablement Pension. The attributable pension is paid from the day after your discharge as follows:

### Rate of Pension

- The higher rate is paid where you are unable to continue with the profession or occupation you were in before you suffered the injury or illness. Your rank and degree of disablement are also taken into account.
- The lower rate is paid when you are invalided from the Reserves and are able to return to your normal profession or occupation after demobilisation. You will receive this rate regardless of your rank, but your degree of disablement is taken into account.

### Example of an abatement to the higher-rate pension:

A corporal who is invalided from the Reserve Forces and is unable to continue in his normal profession or occupation and whose degree of disablement is assessed at 100% would receive a higher-rate pension of £10,329 pa (A) (rate as at March 2006).

If he received an occupational pension of £2,000 pa (B) and a lump sum of £6,000 (C), as a result of the injury or illness, these benefits would be taken into account.

Where there is a lump sum paid by the occupational scheme, this must first be converted to an annual pension value by dividing the lump sum by an actuarial factor of 12. The total of pension and converted lump sum is then multiplied by 0.75 to take into account tax paid; this lowers the amount that the RFAB pension is reduced by. The formula for this calculation is as follows:

$$0.75 (B + C/12) \quad 0.75 (2,000 + 6,000/12) = £1,875 (D) \\ \text{(total occupational benefits)}$$

The abated RFAB higher-rate pension = RFAB higher-rate pension £10,329 (A) less the occupational benefits £1,875 (D) = £8,454 pa.

The **attributable** pension (higher-rate) is based on rank and degree of disability; your length of service is not taken into account and the benefits are available even if you are injured on your first day of service. Where the assessment of your degree of disability is low and you have long membership of the **RFPS** or **AFPS 75 – FTRS** the non-attributable **ill-health pension** that you initially receive may be more valuable. In such cases, no attributable pension (higher-rate) will be payable.

The higher-rate lump sum is paid with a higher-rate attributable pension. Lump sums are not reduced by **RFPS**, **AFPS 75 – FTRS** or other pension scheme benefits.

### Changes to the assessment of your degree of disablement

During the first 12 months following discharge, your attributable pension may be increased or decreased if the **SPVA** assessment of the degree of your disablement changes. However, after this period, the attributable pension changes only if the degree of disablement increases. So if your health improves we will not reduce your attributable pension, except when the degree of disablement falls below 20%. In this case, the attributable pension ceases but any entitlement to a non-attributable ill-health pension continues.

### Other compensation settlements

If you receive any compensation (apart from Criminal Injuries Compensation awards) for an injury or illness for which an attributable pension has been made, the pension may be reduced. This is because compensation awards may include an element for loss of career and future earnings in the Reserve Forces. The MOD's policy is that you should not be compensated twice for the same disablement. However, the attributable pension will not be reduced below any ill-health pension awarded under the **RFPS** or **AFPS 75 – FTRS**.

### How to claim RFAB benefits

There is no need to make a claim. When you are medically discharged you will automatically be considered for attributable benefits. If you wish to support your case with additional evidence, you should contact the Veterans Advice Unit at the SPVA.

### Where to find the rates of RFAB pension and lump sum

You can find details of the current rates of **RFAB** attributable benefits on the MOD intranet (see page 47) or from SPVA (see page 47).

## ATTRIBUTABLE BENEFITS UNDER THE WPS

### WPS

A War Disablement Pension or a **gratuity** may be awarded by the SPVA when you become disabled due to service in the Armed Forces, including the **Reserve Forces** and the cause dated from before 6 April 2005. A War Disablement Pension or gratuity is only payable after you have left the Forces.

### War pensions and allowances

If you have been **invalided** from the Reserve Forces, you may qualify for a War Disablement Pension in addition to your **RFPS** or RFAB benefits. You may also qualify for a War Disablement Pension if you develop a condition after leaving the Reserve Forces and the SPVA accepts it is attributable to service.

The SPVA will look at the conditions for which you are claiming, using your Reserve Forces medical records, and may ask you to have a medical examination. They will use all this information to establish whether your condition was caused by service and to assess the level of your Service-related disablement. This assessment, expressed as a percentage, will be made by comparing your condition with that of a normal, healthy person of

the same age and sex. If they assess your disablement at 20% or greater, they will pay you a pension reflecting the level of your disablement. If they assess your disablement at less than 20% they will normally pay you a lump sum called a gratuity. If you get a War Disablement Pension or gratuity you may also be entitled to extra allowances.

Manager to visit you.

If you want to know more about the current rates of War Disablement Pensions, allowances and gratuities, please see **Leaflet 9 Rates of War Pensions and Allowances**. (You can get this leaflet from the Veterans Advice Unit, **SPVA** – see page 47 and from any Veterans Welfare Office.)

### **How to claim a War Disablement Pension**

A War Disablement Pension may be claimed at any time after you have left the Reserve Forces.

If you believe you have a disablement that was caused or made worse by service, contact the Veterans Advice Unit for a claim form (see page 47). You will need to tell the Veterans Advice Unit your full name and any other names that you have used, such as your maiden name or married name, and your National Insurance number. You also need to give the following information:

- your Service number;
- your rank or rating on leaving the Armed Forces;
- your branch of the Forces, including your regiment or corps;
- the dates you enlisted and were discharged.

Please provide as much information as you can about your injury or disablement. If you need help with completing the claim form, staff at the SPVA can help you (see page 47) or you may ask for a Welfare

## SECTION 4

# DEPENDANTS' AND DEATH BENEFITS

### PART A – DEATH BENEFITS UNDER THE RESERVE FORCES PENSION SCHEME (RFPS)

#### SPOUSE'S, CIVIL PARTNER'S OR ELIGIBLE PARTNER'S BENEFITS

If you have two years' or more **qualifying service**, your **spouse** or **civil partner** will be eligible to receive a pension for life when you die. A spouse, whom you have divorced, or former civil partner, if the civil partnership has been legally dissolved, is not eligible to receive a pension.

An **Eligible partner**, other than a civil partner, are also eligible to receive a pension, providing that you have at least two years' qualifying service, and they can demonstrate that a **substantial relationship** existed and there is no spouse or civil partner.

Spouse's, civil partner's and partner's pensions are paid for life. They continue on remarriage or cohabitation after your death.

If, having left the Reserve Forces with at least two years' qualifying service, you marry, remarry, undergo a **civil partnership** ceremony or enter into a relationship with a new partner, he or she will normally be eligible to receive a pension.

If the marriage or civil partnership ceremony took place within six months of your death, the award of a pension will not be automatic. The circumstances will be examined by SPVA to ensure that the marriage or civil partnership have not been entered into for financial gain. Such an examination will be conducted with sensitivity, so far as possible.

Your spouse, civil partner or eligible partner will

normally receive an index-linked pension worth  $\frac{1}{112}^{\text{th}}$  of **pensionable pay** for each year of service you are entitled to count towards pension (calculated separately for each engagement), up to a maximum of 37.33 years. This gives a pension of up to 62.5% of your pension entitlement. If there is an ex-spouse with an entitlement to a Pension Sharing Order (PSO) the current spouses pension will be reduced by the value of the PSO.

In certain circumstances the pension may be less than 62.5%. In particular, if your spouse, civil partner or eligible partner is more than 12 years younger than you, his or her pension will be reduced by 2.5% for every complete year over 12 years he or she is younger than you, subject to a maximum reduction of 50%. If a widow is 15 years younger than her late husband, her pension will be reduced by 7.5% (3 x 2.5%). This reduction recognises that the pension can be expected to be paid for a longer period. It is the policy for many Public Service pension schemes that it is unreasonable for the scheme to bear this entire cost.

This rule does not apply to those who transfer from **AFPS 75 – FTRS** who already have a spouse who is more than 12 years younger than themselves, unless they get divorced.

You can nominate anybody to receive your death lump sum. Forms are available from SPVA or on the internet and intranet (see page 47 for addresses).

#### Death-in-service

If you die in service, your spouse, civil partner or eligible partner will receive a taxable pension of up to 62.5% of your pension entitlement, calculated as if you had been **medically discharged** on **RFPS** Tier 2 (see page 15) on the date of your death.

### Example

If an individual earning £30,000 pa who had served three years of a five year engagement died leaving a spouse, their pension would be worked out as follows:

$$£30,000 \times 4 \text{ (3 years served plus half of the remaining 2 years of the commitment)} \times \frac{1}{112} = £1,071.43$$

A tax-free lump sum of four times your annual **pensionable pay** will also be paid. Nominating a beneficiary for this lump sum would ensure that it was paid quickly. In the absence of a nomination, it will normally go to your **spouse, civil partner or eligible partner**. If you die with no nomination and none of the above, it will go to your estate. Nomination forms are on the internet/intranet.

### Death after service

If you die after leaving Service or before preserved benefits have become payable, your spouse, civil partner or eligible partner will receive a taxable pension of up to 62.5% of your pension entitlement based on your actual **reckonable service** and increased by pension increases.

The tax-free lump sum will be equal to your preserved lump sum, adjusted for inflation. Again, nomination of the beneficiary for this lump sum would ensure that it was paid quickly. In the absence of a nomination it will normally go to your spouse, civil partner or eligible partner or, if you have no dependants, to your estate.

If you die within two years of your pension coming into payment, your nominee(s), civil partner, eligible partner or representative of your estate, will continue to receive your pension until the end of the two year period. This will be taxable and does not affect any spouse's, civil partner or eligible partner's pension which is payable immediately on your death.

## CHILDREN'S PENSION

You must have accrued two or more years' **qualifying service** for your children to be entitled to a pension. The amount of your pension entitlement available for **eligible children's** pensions is normally the balance of the pension remaining after the payment of any spouse's, civil partner's or eligible partner's pension (normally 37.5%).

Any reduction in the spouse's, civil partner's or eligible partner's pension which arises from them being more than 12 years younger than you is not available for children's pensions.

Where a spouse's, civil partner's or partner's pension is payable:

When you die, an amount equal to 37.5% of your pension entitlement will be divided equally among your eligible children, but no child will receive more than 25% of your entitlement.

Where there is no spouse's, civil partner's or partner's pension payable:

When you die, an amount equal to the whole of your pension entitlement will be divided equally among your eligible children, but no child will receive more than 33.33% of your entitlement.

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If your spouse, civil partner or partner dies while children's pensions are in payment:

The children's pensions will be recalculated, subject to the maxima described overleaf.

If an additional child becomes eligible:

The children's pensions already in payment will be adjusted to provide a pension for the new, eligible child. For example, if a further child was born within 12 months of your death, an only child receiving 25% of your pension entitlement would see his or her pension reduced to 18.75% of your pension entitlement.

## HOW TO CLAIM RFPS BENEFITS ON DEATH

When you die, your **spouse, civil partner, eligible partner, dependants** or personal representative (for example a solicitor or relative acting on their behalf) should tell **SPVA** that you have died (see SPVA address on page 47). They will be sent a letter of condolence, together with application forms inviting them to claim any pension benefits or lump sum benefit due to them or your estate.

The person claiming will need to make sure that the application forms are signed and witnessed before they are returned to SPVA. SPVA cannot take further action until these forms are fully completed and they have received the relevant death, birth and marriage certificates, or partner documentation. The certificates will be photocopied and the originals will be returned to the person making the claim. Eligibility will then be considered. If benefits are awarded they will be backdated to the day after your death.



## **PART B – DEATH BENEFITS UNDER THE ARMED FORCES COMPENSATION SCHEME (AFCS)**

**For all deaths caused by service on or after 6 April 2005**

### **DEPENDANTS' BENEFITS WHEN A SERVICE PERSON DIES**

#### **Background**

If you die in service and you are a member of the Reserve Forces Pension Scheme (**RFPS**), the Service Personnel and Veterans Agency (**SPVA**) will pay your **spouse, civil partner** or **eligible partner** and **eligible children** a non-attributable pension. The SPVA will automatically investigate whether your dependants are entitled to compensation under the **AFCS**.

If you die after you have left the **Reserve Forces**, and you are a member of the **RFPS** or an Armed Forces pension scheme, your spouse, civil partner or eligible partner will have to tell SPVA of your death so that any pension you receive under either of those schemes can be stopped, and a spouse's, civil partner's or partner's pension can be paid instead. SPVA will inform the dependant that they may be eligible to make a claim under the **AFCS**. Similarly if you were receiving benefits under the War Pensions Scheme (**WPS**) or the **AFCS**, the Veterans Advice Unit should be informed to review the **dependants'** entitlements to WPS or **AFCS**.

If your death is mainly caused by service the **AFCS** may pay benefits to a surviving adult **dependant** (known as the Survivor) and eligible children.

#### **Survivor**

This may be the spouse or civil partner (that is the person to whom you were legally married or was your registered civil partner at the time of death).

Alternatively this could be an eligible partner of the same or opposite sex provided they were in a **substantial relationship** with you at the time of death (unless there was also a spouse or civil partner).

#### **Eligible children**

Children's benefits, the taxable Child's Payment (CP), may be payable for birth or adopted children and other children who were financially dependent on you. The payment is taxable. This includes children who are born or become eligible for compensation after you have left service.

#### **Automatic consideration on death-in-service**

If you die while serving and leave dependants, details of your death are automatically forwarded to the Veterans Advice Unit at Thornton-Cleveleys for them to determine whether death was caused by service. They will require further details from your dependants when considering your case and will contact them through their Welfare Service or by letter. This will be co-ordinated with the Services Visiting Officer, as controlled by the Joint Casualty and Compassionate Centre. It is a difficult time for your family and they will be dealt with sympathetically, and will be kept informed of progress.

### **CASES WHERE A CLAIM IS NEEDED**

#### **Death-in-service**

There may be rare circumstances where there is no surviving adult dependant, where the eligible children's claim may have to be made on a child's behalf.

## Death after service

If you die after you have left the Reserves and your death is thought to be caused by service, it will be necessary for a spouse, civil partner, eligible partner or possibly someone on behalf of an eligible child to make a claim for compensation on the **AFCS**. A claim can be made initially via the Veterans Advice Unit freephone service, which has to be supported by the completion of a claim form, to be sent to the **SPVA** within three months. The **dependant** should also send any relevant information. The SPVA will investigate the claim through both Service sources and civilian medical channels to consider if your death was caused by service. They may contact the dependant and arrange an interview through the SPVA Welfare Service. If no contemporary or reliable evidence exists to support the claim, then it is likely to fail.

Once the SPVA has considered a claim, they will write to notify the claimant of its decision. If no award is made, the SPVA will give their reasons for the decision.

## Evidence

In all cases, although there is no obligation to do so, evidence above and beyond that requested by the SPVA, which may be considered relevant by the claimant, can be provided to the SPVA. This will be at the claimant's cost. The MOD will supply Service evidence as required.

## Survivor's GIP

The main benefit paid to your spouse, civil partner or eligible partner, is the taxable Survivor's GIP (**SGIP**). This is calculated in the same way as the Service person's GIP – by multiplying your military salary, and any allowances allowed under the Reserves financial assistance measures, by a factor based on your age at the time of death. 60% of that figure will be paid to the surviving adult dependant. The SGIP is reduced by any benefit paid under Civilian Employer benefit schemes and the Armed and Reserve Forces pension schemes by 75% of that benefit.

## Example:

A Reservist aged 28 dies as a result of service with a military salary of £25,000.

The relevant GIP factor for that age is 0.853. We can calculate the full annual GIP as:

Salary x GIP factor ie  $£25,000 \times 0.853 = £21,325$ .

As death was caused by service, 100% of the GIP is used as the starting point for the SGIP in the calculation ie £21,325 a year.

As the benefit is being paid to the spouse, 60% of this figure is used for the SGIP. So the adult dependant is entitled to  $0.6 \times £21,325$  ie £12,795 a year.

If the Survivor is entitled to an employer's pension of £5,000, the AFCS makes a deduction of 75% of what the dependant would have got from this pension (it is set at 75% to take account of the taxable nature of normal pension benefits).

So the Survivor's GIP is  $£12,795 - (0.75 \times £5,000)$  ie £9,045 a year.

Therefore total entitlement is employer's pension £5,000 plus GIP £9,045 = £14,045. This is taxable.

## Child's Payment (CP)

If you leave a surviving **spouse**, **civil partner** or **adult dependant** and **eligible children**, the CP for the children is calculated as follows:

- If there are up to two children, 15% of the deceased's **GIP** will be awarded for each child.
- If there are three children, 15% of the deceased's GIP is awarded for each of the first two children and 10% for a third child.

- If there are four or more children, 40% of the deceased's **GIP** is shared equally among them (so the **SGIP** and CP together add up to 100%).

If you leave no **spouse** or adult **dependant**, but have **eligible children**, their CP is calculated as follows:

- If there are up to four children, 25% of the deceased's GIP will be awarded for each child.
- If there are more than four children, 100% of the deceased's GIP will be divided equally.

The CP is also reduced by any benefit paid under Civilian Employer benefits schemes and the Armed and Reserve Forces pension schemes by 75% of that benefit. This payment is taxable.

Survivor's and Child's payments can be abated where payments are made from criminal injuries compensation schemes, from civilian insurance claims (except personal insurance) or as a result of civil action to compensate for the death of a Service or former Service person.

### Bereavement grant

In addition to the adult SGIP, a spouse, **civil partner** or **eligible partner** may also get a tax-free **bereavement grant** of up to £20,000. Entitlement is determined by whether the death was caused mainly by service, whether the death occurred in or after service, and to which pension scheme you belonged. If the death occurred after you left service, the bereavement grant is payable in full regardless of your pension scheme. If you die in service the following provisions apply:

- If you are a member of **AFPS 75**, then your dependant will receive the full grant of £20,000.

- If you die in service, and are a member of **AFPS 05** or **RFPS** and your annual military salary is less than £20,000, your dependant would receive the balance between that salary and £20,000. If your salary is more than £20,000, no bereavement grant is payable. The bereavement grant is not payable to eligible children.

### Time limits

Dependants' benefits are not normally awarded if the death occurs more than five years after leaving service.

- For deaths-in-service, awards for dependants' benefits will be considered automatically by the MOD, although for eligible children without a parent, or any other claim that may arise, it will be necessary for a claim to be made by a third party within one year of death.
- If death is within five years of leaving service, the normal rule is that a claim must be made within one year of death.
- If a former Reservist was in receipt of an **AFCS** award between tariffs 1-9 and dies in retirement, there is no time limit for awarding after leaving service, but a claim must be made within one year of the death.
- The five-year period also does not apply if the former Reservist suffered from one of the late onset conditions, but the dependant must still claim no later than one year after death.

## When will the award be paid?

### Death-in-service awards:

- The **SGIP** and CP will be backdated to the day after the death of the Service person.
- The **bereavement grant** will be paid as soon as entitlement is decided.

### Awards after service:

- The SGIP and CP will be backdated to date of claim.
- The bereavement grant will be paid as soon as entitlement is decided.

## **PART C – DEATH BENEFITS UNDER THE WAR PENSIONS SCHEME (WPS) AND THE RESERVE FORCES (ATTRIBUTABLE BENEFITS ETC) REGULATIONS (RFAB)**

**For all deaths caused by service before 6 April 2005**

### **STANDARD AND BURDEN OF PROOF**

The two schemes have different **burdens and standards of proof** for determining whether a death is due to service. They are explained below:

#### **WPS**

If your death occurs in service or within seven years of discharge from the Reserve Forces, your **widow(er)** or civil partner does not have to show that your death was due to service. In these cases, it is for the Secretary of State for Defence to prove beyond reasonable doubt that your death was not due to your service. After seven years, your **spouse** or **civil partner** has to provide reliable evidence to raise a reasonable doubt that there might be a service link to your death.

#### **RFAB**

Where your death occurred on or after 30 April 2001, the balance of probabilities (that is, more likely than not) standard of proof is used to determine whether the death was attributable to service under the **RFAB**. Where the MOD does not accept that your death was due to service, it will be for your spouse, civil partner or **eligible partner** to prove this. However, the MOD will be required to release to your spouse, civil partner or eligible partner, on request, medical and other records relevant to the circumstances of your death.

**NOTE:** As the RFAB has a different standard of proof from the **WPS**, this can in some instances lead to the WPS paying a War Widow(er)'s Pension where the

RFAB does not pay attributable benefits. Where the death of a member of the Reserve Forces occurred before 30 April 2001, it was for the **SPVA** to decide on attributability using the WPS standard of proof.

### **THE ACTION TAKEN IN THE EVENT OF YOUR DEATH**

If you die in service, SPVA will automatically consider whether your spouse, civil partner or partner is entitled to attributable benefits.

**If you die after leaving the Reserve Forces** and you are a member of the Reserve Forces Pension Scheme (**RFPS**), the Armed Forces Pension Scheme FTRS (**AFPS 75 – FTRS**) or **AFPS 75**, your spouse, civil partner or eligible partner will need to tell SPVA of your death so they can stop any pension you receive from the Armed Forces and pay instead a pension to the spouse, civil partner or eligible partner. If you receive a **WPS** War Disablement Pension or Armed Forces Compensation Scheme (**AFCS**) Guaranteed Income Payment (**GIP**), your spouse, civil partner or eligible partner should also advise the SPVA of your death so that they can stop any payments you receive.

**If you were not invalided out from the Reserve Forces or you are not in receipt of benefits due to an injury or illness received due to service**, your spouse, civil partner or eligible partner will need to contact the SPVA to make a claim for benefits.

## WPS BENEFITS

The **WPS** also provides compensation for death due to service caused before 6 April 2005 but is a separate scheme from the **RFAB** Scheme. The WPS is managed by the **SPVA**, at Thornton Cleveleys.

### Death-in-service

If you die in service and the WPS accepts that your death was caused or significantly hastened by service, your **spouse** or **civil partner** will receive a War Widow(er)'s Pension. War Pensions are non-contributory. They are not intended as compensation for the loss of a spouse but are for the spouse's or civil partner's maintenance. War Widow(er)'s Pensions are **index-linked**.

### Death after leaving service

If you die after leaving service, the SPVA will not normally consider paying a War Widow(er)'s Pension unless your spouse or civil partner makes a claim. Claims should be made as soon as possible because delays may mean loss of money. Details of who may be eligible are set out in Leaflet-1, which is available from the Veterans Advice Unit (see page 47) or from the Veterans Welfare Service (VWS). There is one exception to the rule that your death must have been due to, or hastened by, your service, for your widow(er) to qualify for a War Widow(er)'s Pension. This applies if you are at least 80% disabled because of your service and you are entitled to Constant Attendance Allowance at the time of your death, or you receive Unemployability Supplement. (See the booklet **"Invaliding" – MMP/115** for further information). Once a war widow(er) remarries (or, in the case of a civil partner, enters into a new **civil partnership**) or starts to cohabit, the SPVA will withdraw the War Widow(er)'s Pension. They may restore it if the marriage, civil partnership or relationship comes to an end for any reason, as long as a claim is made. Its reinstatement is not means-tested (that is, it does not depend on the value of any other income or savings your spouse or civil partner may have). Widowers

whose spouse left service before 31 March 1973 and who remarry or cohabit after 6 April 2005 will keep their pension for life.

### Eligible Partners

Although in most cases the SPVA will only pay War Widow(er)'s Pensions to your spouse or civil partner, they may pay them to a partner you were living with for at least six months before joining the Armed Forces and who is looking after your child, or children, at the time of your death. A War Widow(er)'s Pension is paid to an unmarried dependant, while an allowance is paid for your child.

### Supplementary WPS allowances for war widow(er)s

Your dependants may be entitled to supplementary allowances under the WPS, as detailed below. Your family will need to make a claim if they are to be considered for these allowances, with the exception of the age allowance, which is paid automatically.

- **Age Allowances** are awarded when the war widow(er) reaches the age of 65. After that, allowances are increased from age 70 and 80.
- **Supplementary Pensions** are awarded to a war widow(er) whose late spouse's service was completed before 31 March 1973.
- **Child Allowances** are awarded for children under the age of 16, and also in certain circumstances to children over that age. The scheme can award pensions to orphans. Children's allowances may continue to be paid after a war widow's or widower's pension has been stopped due to cohabitation or remarriage.
- **Rent Allowance** may be awarded when a war widow(er) has a child living with them under the age of 16, or a child over the age of 16 who is

dependent. For example, a student who is in full-time education.

### Where to find the rates of WPS pension and allowances

If your family wants to know more about the current rates of war pensions, allowances and lump sums, they should contact the **SPVA** (see page 47 for details) and ask for WPA-Leaflet-9 Rates of War Pensions and Allowances.

### Where to get help and advice

Your family can get help and support from the Veterans Welfare Service (VWS). The VWS helps war widow(er)s with any problem and gives free and confidential advice about war pensions. It will also help your family to fill in forms to apply for war pension benefits. If your family wants to see a VWS welfare manager, arrangements will be made for them to visit your home or somewhere else if more convenient. The VWS welfare managers work closely with all areas of the Department for Work and Pensions, with Service Visiting Officers, with local authorities and with voluntary organisations to provide the best possible support. You can contact the nearest local VWS office through the Veterans Advice Unit Freeline (see page 47).

## RFAB Benefits

### Eligibility

The **RFAB** scheme provides benefits when a Reservist's death is considered to be due to or significantly hastened by service. You do not have to be a member of an Armed Forces pension scheme to be eligible to receive benefits under the RFAB. Alternatively, you may have your own arrangements which cover your death if it is caused by your service, such as a personal or occupational pension, or life insurance, or both.

If your death is caused or significantly hastened by your service in a Reserve Force, the RFAB will provide your family with **attributable** pension benefits. The RFAB acts as a minimum income guarantee scheme, ensuring that your **dependants** will receive at least broadly the level of benefits paid to the dependants of a member of the Regular Armed Forces of equivalent rank. In assessing this, the scheme will take into account any benefits your **spouse, civil partner or eligible partner** may receive from your civilian occupational or personal pension scheme.

### Looking at the cause of your death

Your spouse or civil partner may receive a War Widow(er)'s Pension under the WPS (see page 40). If your spouse or civil partner is not awarded a War Widow(er)'s Pension, then the RFAB will not consider your dependant(s) for an attributable pension under this scheme. However, any **non-attributable benefit** already in payment will continue. If a War Widow(er)'s Pension is paid, then your death will be considered under the RFAB standard of proof (see page 39). As partners generally do not qualify for a War Widow(er)'s Pension, the RFAB will still consider your death for attributable benefits if you have nominated your partner, or if a claim is submitted for partner benefits after your death, but you have not nominated a partner.

The RFAB decision as to whether your death was due to, or significantly hastened by service is made by the scheme's Discretionary Awards Panel (**DAP**). If your dependant does not agree with the DAP's decision, they can appeal to the Discretionary Awards Appeal Panel (**DAAP**). Details of how to appeal will be provided with the letter to your spouse, civil partner or eligible partner that gives the reason for not finding your death due to service (see also page 45).



## Widow(er)'s or eligible partner's benefits

The following benefits are paid:

- An attributable spouse's, civil partner's or eligible partner's pension is paid from the day after your death or from the date the SPVA pay a War Widows pension if this is later. The pension is paid for life and does not cease on cohabitation, remarriage or entry into a new **civil partnership**. The rate of pension is based on your rank but will be reduced by payments of an Armed Forces pension, civilian pension, Public Service occupational pension or an award of compensation in respect of your death. To receive benefits, you must be married at the time of death, have entered into a civil partnership or have an **eligible partner**.
- An attributable lump sum based on your rank (about one half of one year's Armed Forces salary based on the representative rate of pay for the rank).

A tax-free lump sum of three times the representative pay rate for your substantive rank will be paid to your estate if you are single, with no eligible dependants. The lump sum is reduced by any public or service debts, the amount of death benefit paid by your civilian occupational or personal pension scheme and any Armed Forces pension scheme lump sum.

### Example of abatement of a widow's pension:

A widow of a Corporal would receive an attributable RFAB widow's pension of £10,481 pa (A) (rate as at March 2006).

If the widow received a pension of £2,000 pa (B) and a death-in-service lump sum of £32,000 (C) in respect of her husband's civilian occupation, these benefits would be taken into account.

Where there is a lump sum paid by the occupational scheme, this must first be converted to an annual pension value by dividing the lump sum by an actuarial factor of 24. The total of pension and converted lump sum is then multiplied by 0.75 to take into account tax paid; this lowers the amount that the RFAB pension is reduced by. The formula for this calculation is as follows:

$$0.75 (B + C/24) = 0.75 (2,000 + 32,000/24) = £2,500 (D) \text{ (total occupational benefits)}$$

The abated RFAB widow's pension = RFAB widow's pension £10,481 (A) less the occupational widow's benefits £2,500 (D) = £7,981 pa.

## Children's Pensions

A children's attributable pension may be paid to **eligible children** from the day after your death. Children's pensions may be reduced by payments from a civilian pension or by compensation paid as a result of your death.

## SECTION 5

# MISCELLANEOUS

### PENSION INCREASES

All **members'** and **dependants'** benefits payable from each of the schemes are increased in April each year on the basis of the previous September's Retail Prices Index (RPI) figure. This ensures that the benefits keep their value over time.

### INCREASING YOUR BENEFITS

Opportunities for increasing your benefits include commercial Additional Voluntary Contributions (AVCs), paying towards a Stakeholder Pension or, if you are a member of a civilian occupational pension scheme which offers them, in-scheme AVCs.

The Reserve Forces Pension Scheme (**RFPS**) does not offer in-scheme AVCs, but MOD has designated Scottish Widows as their preferred provider of Stakeholder Pensions. You may wish to compare their track record and product range with that of other providers. For information on these products please contact:

Scottish Widows  
Direct Sales  
69 Morrison Street  
Edinburgh  
EH3 0BR

Scottish Widows Helpline on 0845 608 0376 or  
+44 131 655 6600 from abroad

Fax: 0131 655 5300  
Email: [armedforces@scottishwidows.co.uk](mailto:armedforces@scottishwidows.co.uk)  
Internet: [www.scottishwidows.co.uk/armedforces](http://www.scottishwidows.co.uk/armedforces)

Before making any decisions about increasing your benefits you should check whether there are any tax implications. You might wish to take independent financial advice.

You can get advice on tax implications from any Her Majesty's Revenue & Customs (HMRC) Enquiry Office or on [www.hmrc.gov.uk](http://www.hmrc.gov.uk). Information about independent financial advisers accredited by the Services Insurance and Investment Advisory Panel (SIIAP) is contained in a Joint Services Defence Council Instruction, published regularly but it is open to you to use any financial adviser you choose. Advice on many financial issues, including how to find a financial adviser, can be obtained from the Financial Services Authority. There is a consumer helpline on 0845 606 1234 and information online at [www.fsa.gov.uk/consumer](http://www.fsa.gov.uk/consumer).

### TAXATION OF BENEFITS

Taxation of benefits is determined by HMRC legislation.

#### Reserve Forces Pension Scheme (RFPS)

##### Service personnel/former Service personnel

Your **non-attributable ill-health pension** will be taxed as earned income but your **pension lump sum** is normally tax-free. If a **GIP** is paid for the condition which resulted in your medical retirement, the **RFPS** ill-health pension becomes tax-free.

##### Dependants

All dependants' pensions are taxable. The death-in-service lump sum and preserved pension lump sum are tax-free.

## Armed Forces Compensation Scheme (AFCS)

Service personnel/former Service personnel

- **In-service awards.** **Tariff** lump sum awards paid to Service personnel while they remain in-service are tax-free.
- **Medical discharge and post-retirement awards.** Both the tariff lump sum award and any Guaranteed Income Payment (**GIP**) paid are tax-free.

Dependants

- **SGIP** for **adult dependants** of deceased Service persons and CP for **eligible children** are taxable. The **bereavement grant** is tax-free.

## Reserve Forces Attributable Benefits (RFAB)

Former Service personnel

The attributable pension and lump sum are paid tax-free to the pensioner.

### Dependants

Attributable **spouses'**, **civil partners'** and partners' and children's pensions are taxable. Lump sums are tax-free, including the lump sum paid to the estate where there are no eligible **dependants**.

## War Pensions Scheme (WPS)

Former Service personnel

All gratuities and War Disablement Pensions are paid tax-free.

Dependants

Spouses', civil partners', partners' and children's pensions and allowances are tax-free.

## DISPUTE AND COMPLAINTS PROCEDURES

### RFPS, AFPS 75 – FTRS and AFPS 05

Complaints against the Pensions Division at **SPVA** can be made under the Internal Dispute Resolution Procedure (IDRP). There are two stages to the IDRP, full details of which are available on the MOD intranet and internet.

First your complaint will be considered by Head of Pensions, SPVA. You should receive a letter explaining his or her decision within two months of receipt of the complaint. If this timescale cannot be met, you will receive a letter explaining why there has been a delay and when a full reply can be expected.

If you are still dissatisfied, you may write to SPVA within six months of Head of Pensions' decision, appealing against it. Your complaint will then be considered by the representatives of the Defence Council.

If your complaint is not resolved by IDRP, you are entitled to take the complaint to the Pensions Ombudsman through The Pension Advisory Service.

### AFCS

When the Veterans Advice Unit write to advise you of the outcome of your claim, they will also inform you of your rights to reconsideration and appeal. If you are unhappy with any aspect of the decision taken, and specifically the level of your award or the decision not to award, you will have rights to reconsideration and appeal as set out below.

You can ask for your claim to be reconsidered within three months of the original decision. You will need to give reasons why you feel the original decision was incorrect. This may include information which you did not provide at the time of claim relating to your condition or the events surrounding an injury etc. The SPVA will have the following options open to them:

- reject the request for reconsideration, giving reasons for the rejection;
- reconsider the claim, but uphold the original decision;
- reconsider the claim, and change the original decision.

The SPVA will notify you of the outcome of the reconsideration, and how they reached the decision. You will also be advised of your rights to independent appeal.

### Independent appeals process

Pensions Appeal Tribunal (PAT). If you remain unhappy about the decisions taken on your claim following reconsideration, or you do not wish to seek a reconsideration, you have a right to an independent appeal. The **PAT**, which is independent of the MOD, will consider your claim afresh. The original award letter and any letter setting out the result of the reconsideration will explain how to make an appeal.

Social Security Commissioner. If you are dissatisfied with the decision on appeal taken by the PAT, you have the right to a higher level of independent appeal to a Social Security Commissioner on points of law. Social Security Commissioners, under the title Pensions Appeal Commissioners, will usually consider a case on paper. There is no obligation for the person making the appeal (appellant) to attend, but you are able to request a hearing if you wish.

Further levels of independent appeal. While it is expected that a Social Security Commissioner will be able to settle any outstanding appeals in the majority of cases, there is a further tier of appeal open to a claimant to the Court of Appeal (or Court of Session in Scotland), but only on points of law. Leave can be sought to appeal Court of Appeal decisions further to the House of Lords.

### RFAB

If the DAP do not find that your Principal Invaliding Condition (**PIC**) is caused or made significantly worse by service, you may appeal against that decision to the Discretionary Awards Appeals Panel (**DAAP**). Details will be provided in the letter informing you of the reasons for the **DAP's** decision.

If the DAAP agrees with the DAP's decision and you remain dissatisfied with the outcome, you may take your case to the Pensions Ombudsman who will consider the administration of your claim or issues of fact or law. Details will be provided in the letter informing you of the DAAP's reasons for rejecting your appeal.

The same appeal arrangements apply where the DAP/DAAP do not find your death is caused, or hastened, by service.

### WPS

If you are unhappy with **SPVA's** decision on your War Pension claim, you can ask for it to be reviewed. You can do this at any time, but you must give evidence to show that there has been a change which has the potential to affect the original decision.

You also have the right of appeal to the PAT. This enables you to appeal against a decision not to award you a War Pension or against an aspect of an award that has been made (eg the assessment of your degree of disablement, the date from which the War Pension is awarded, or your entitlement to certain supplementary allowances).

If you are unhappy with the decision made by the PAT on a point of law, you can appeal to the Social Security Commissioner, the Court of Appeal and the House of Lords.

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## WHERE TO GET HELP AND ADVICE

**If you die in service**, an officer will be appointed to break the news of your death to your next-of-kin. Longer-term support will be provided by one (or more) Visiting Officers whose role is to help your family with the range of issues that arise following your death. So far as possible, they will follow your family's wishes and can help with funeral arrangements, getting a death certificate, returning personal belongings and claiming any pensions, gratuities or grants that your **dependants** may be entitled to. If they cannot sort out the problem themselves, they can get help from a range of Service staff or specialists, or put your dependant in touch with other organisations which can help.

**If you die after leaving service**, and the cause is not due to your service, your family will be able to get help from **SPVA** with any pension to which they may be entitled (see page 32). Your family may also want to contact some of the Service organisations that provide free advice and financial help to bereaved dependants of Service personnel. Details of the organisations can be obtained from the SPVA helpline (see page 47).

**If you die after leaving service**, and the cause is due to your service, your family should contact the Veterans Welfare Service (VWS) (see page 47).

## FURTHER INFORMATION

### Pension

If you need more information about your pension entitlement under the **RFPS**, you should contact:

Service Personnel and Veterans Agency  
Pensions Division  
Mail Point 480, Kentigern House  
65 Brown Street  
Glasgow  
G2 8EX

Monday to Thursday: 0800 – 1630  
Friday: 0800 – 1600

Phone: 0800 085 3600 (General Enquiries)  
Military: 94560 3600  
Email: [JPAC@spva.mod.uk](mailto:JPAC@spva.mod.uk)

### Other Booklets available

The following pension booklets are also available from DSDC(Llangennech):

- **Increasing Benefits – MMP/128**
- **Transferring Benefits – MMP/129**
- **Internal Disputes Resolution Procedure – MMP/130**
- **Pensions on Divorce – MMP/131**

### Other Sources of Information

Guidance in Bereavement - Help and Guidance for families of Servicemen or women who die whilst in Service. This booklet is produced by the SPVA.

These booklets, and further information on how to increase your benefits, and the Internal Dispute Resolution procedure are also available on the Defence Intranet at: <http://defenceintranet.diiweb.r.mil.uk/DefenceIntranet/Admin/FindOutAboutArmedForcesPensions> or on the internet at: [www.armedforcespensions.mod.uk](http://www.armedforcespensions.mod.uk)

### Veterans Welfare Service (VWS)

The VWS is part of the SPVA and will be pleased to help and advise you about your scheme benefits or any other problem you may have.

### Veterans Advice Unit

Freeline (UK only): 0800 169 2277  
Free Minicom: 0800 169 3458  
Tel (Overseas): +44 1253 866043

Lines are open:  
Monday to Thursday: 0815 – 1715  
Friday: 0815 – 1630

### Address:

Veterans Advice Unit  
Service Personnel and Veterans Agency  
Thornton-Cleveleys  
Lancs  
FY5 3WP

Email: [veterans.help@spva.gsi.gov.uk](mailto:veterans.help@spva.gsi.gov.uk)  
Website: [www.veterans-uk.info](http://www.veterans-uk.info)

If you live in Northern Ireland, you should get in touch with:

### Belfast War Pensions Office

Marlborough House  
30 Victoria Street  
Belfast  
BT1 3GE  
Phone: 02890 327881







