

Research Briefing

13 June 2022

By Library subject specialists

Support for UK Veterans



- 4 Housing and homelessness
- 5 Healthcare
- 6 Pension and compensation schemes
- 7 Employment and benefits
- 8 Medals and Memorials
- 9 List of services and concessions

Contributing Authors

Aaron Kulakiewicz (compiler)

Louisa Brooke-Holland (sections 1, 3, 8), Esme Kirk-Wade/Rachael Harker (Section 2), Wendy Wilson (section 4), Thomas Powell/Katherine Garratt (section 5), Steven Kennedy/Frank Hobson (welfare and benefits, sections 6 and 7), James Mirza-Davies (sections 6.1 and 6.3), Andrew Powell (section 7), David Foster (section 7.6), Aaron Kulakiewicz (Section 9).

Image Credits

Veterans of the Royal Regiment of Fusiliers by Defence Images. Licensed under CC BY-NC 2.0 / image cropped.

Disclaimer

The Commons Library does not intend the information in our research publications and briefings to address the specific circumstances of any particular individual. We have published it to support the work of MPs. You should not rely upon it as legal or professional advice, or as a substitute for it. We do not accept any liability whatsoever for any errors, omissions or misstatements contained herein. You should consult a suitably qualified professional if you require specific advice or information. Read our briefing 'Legal help: where to go and how to pay' for further information about sources of legal advice and help. This information is provided subject to the conditions of the Open Parliament Licence.

Sources and subscriptions for MPs and staff

We try to use sources in our research that everyone can access, but sometimes only information that exists behind a paywall or via a subscription is available. We provide access to many online subscriptions to MPs and parliamentary staff, please contact hoclibraryonline@parliament.uk or visit commonslibrary.parliament.uk/resources for more information.

Feedback

Every effort is made to ensure that the information contained in these publicly available briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Please note that authors are not always able to engage in discussions with members of the public who express opinions about the content of our research, although we will carefully consider and correct any factual errors.

You can read our feedback and complaints policy and our editorial policy at <u>commonslibrary.parliament.uk</u>. If you have general questions about the work of the House of Commons email <u>hcenquiries@parliament.uk</u>.

Contents

Summary		
1	Development of veterans' policy	10
1.1	A renewed focus on Veterans	10
1.2	Evolution of policy	10
1.3	The Armed Forces Covenant 2011	11
	Community and Corporate Covenants	12
	The Armed Forces Covenant Fund	12
1.4	Veterans Gateway	12
1.5	The Office for Veterans' Affairs	13
1.6	The Veterans Strategy and Action Plan 2022-24	13
1.7	Legislation	14
	The Overseas Operations (Service Personnel and Veterans) Act	14
1.8	Support during covid-19	15
1.9	Parliamentary scrutiny	15
2	Statistics on Veterans	16
2.1	Strengths and weaknesses of existing data	16
	Census 2021	17
	Veteran population projections	18
3	Support to transition into civilian life	19
3.1	Policy development since 2010	19
	Support for Service Leavers	20
4	Housing and homelessness	23
4.1	Accessing social housing	23
	England	23
	Scotland, Wales and Northern Ireland	25
4.2	Accessing housing association homes	28

4.3	Assistance when homeless	29
	England	29
	Scotland	30
	Wales	31
	Northern Ireland	31
4.4	Accessing owner occupation	32
	England	32
	Scotland	33
	Wales	34
	Northern Ireland	34
4.5	Adapted housing	34
5	Healthcare	37
5.1	Mental health support	39
	England	39
	Wales	40
	Scotland	40
	Northern Ireland	40
	Voluntary sector support	41
	Research	41
	Box 1: Reviews of veterans' mental health services	41
	Box 2: Defence Select Committee inquiries on veterans' mental he	alth 42
	NHS England mental health expenditure	44
5.2	Support for service-related physical injuries	45
	Prosthetics	45
6	Pension and compensation schemes	47
6.1	Pensions schemes	47
	Armed Forces Pension Scheme 1975 (AFPS 75)	48
	Armed Forces Pension Scheme 2005 (AFPS 05)	50
	Armed Forces Pension Scheme 2015	51
6.2	Compensation schemes	52
	War Pensions scheme	53

	Armed Forces Compensation Scheme	54
	Armed Forces Independence Payment	55
	Proposed 'Enhanced Compensation Scheme' for combat injuries/de	eaths
		56
6.3	Survivors' benefits	56
7	Employment and benefits	59
7.1	Employment outcomes	59
	Employment Schemes	60
7.2	Jobcentre Plus services	61
	Jobcentre support for veterans	62
7.3	Benefits rules	64
7.4	Research on veterans' experiences of the benefits system	66
	Welfare conditionality and service leavers	66
	Disabled veterans and the benefits system	69
7.5	Effect of compensation payments on benefits	71
7.6	Effect of compensation payments on social care (England)	73
8	Medals and Memorials	75
8.1	Military Medals	75
	Sir John Holmes' Review	75
	National Defence Medal	75
	Medals awarded	76
	How to apply	76
8.2	Memorials	76
	The Cenotaph	77
	The Armed Forces Memorial	77
	Memorial to the British Victims of Overseas Terrorism	78
	Sources of information	78
9	List of services and concessions	80
9.1	Veteran's Charities and Support Organisations	80
99	Veteran's Concessions	81

Support for UK Veterans

Summary

Number of UK veterans

The Ministry of Defence (MOD) has estimated there are <u>2.0 million UK armed forces veterans residing in Great Britain</u> in <u>2022</u>. This number is predicted to fall to 1.6 million by <u>2028</u>.

Although the overall number of veterans is expected to decrease, the percentage of veterans who are of working-age is projected to increase from 37% in 2016 to 44% by 2028.

Evolution of policy

The specific needs of veterans have come under ever-greater focus in recent years. This has been driven in part by the post-service experiences of those who served in combat operations in Afghanistan and Iraq, including rehabilitation and mental health support; the reduction in size of the armed forces and accompanying need to support personnel transitioning to civilian life; and the centenary and significant anniversaries of the First and Second World Wars respectively served as a reminder of the needs of the elderly cohort of veterans.

The Armed Forces Covenant

The publication of the Armed Forces Covenant articulated the principles of no disadvantage and special consideration; that no current or former member of the armed forces, or their families, should be at a disadvantage compared to other citizens in the provision of public and commercial services, and special consideration is appropriate in some cases, particularly for those who have been injured or bereaved.

These core principles were enshrined in law in the Armed Forces Act 2011. The Armed Forces Act 2021 introduced a new requirement for some public bodies, including the NHS and local authorities, to pay due regard to the principles of the Covenant when carrying out specific public functions in the areas of housing, healthcare and education. Annual reports of Covenant discuss progress made on commitments and pledges made towards current and former service personnel and their families.

The 2018 Veterans' Strategy and 2022 update

In 2018 the Government published a Veterans Strategy, which the then Defence for UK and devolved Governments with set goals to be achieved by 2028.

In January 2022 a new <u>Veterans' Strategy action plan</u> for 2022-24 was published. This sets a goal of making "the UK the best place in the world to be a veteran by 2028". It makes over 60 commitments and provides a timeframe and lead department responsibility for delivery. A further refresh will be published in 2024.

Office for Veterans' Affairs

An <u>Office for Veterans' Affairs</u> was established in the Cabinet Office in 2019, with responsibilities shared between Ministry of Defence and Cabinet Office Ministers.

Housing for veterans

Veterans may attract additional preference in certain circumstances when applying for council housing. The MOD has a referral scheme to support veterans in accessing housing association properties.

Ex-service personnel are at an increased risk of experiencing street homelessness. In England, "vulnerable former members of the armed forces" and in Wales "a person who has served in the regular armed forces of the Crown who has been homeless since leaving those forces" are identified as priority need categories for assistance with housing.

In Scotland there is a duty to find permanent accommodation for all unintentionally homeless applicants.

Healthcare for veterans

The provision of veterans' healthcare is primarily the responsibility of the NHS. The Armed Forces Covenant states veterans have distinct health needs and should receive priority treatment for service-related conditions. There is also specific support for veterans accessing mental health and prosthetics services.

In March 2021 the Government announced the Op Courage service, creating a single point to access mental health services for veterans. Also in March 2021, NHS England published <u>Healthcare for the Armed Forces community: a forward view</u>, which included commitments to help the transition to civilian life and improve veterans' and their families' mental health. The Veterans'

Strategy Action Plan: 2022-2024 went on to state that NHS England will be providing £18 million over three years for veteran health services.

Veterans' pensions and social security

The occupational pension scheme for members of the armed forces is the Armed Forces Pension Scheme (AFPS). Separate to this are schemes to make payments to current and former service personnel and their families if there is ill health, injury or death caused by service.

For incidents before 6 April 2005, payments are made through the War Pensions Scheme. For incidents after that date, there is the Armed Forces Compensation Scheme (AFCS). Surviving partners and dependent children may be eligible for survivors' benefits from the AFPS.

In the case of deaths attributable to service before 6 April 2005, compensation payments might be available from the War Pension Scheme or AFCS (for deaths attributable to service after that date).

There are no Government welfare-to-work schemes or social security benefits specifically for veterans (except for the Armed Forces Independence Payment), although there are some "easements" for veterans and their family members.

If someone is receiving a guaranteed income payment through AFCS or a War Pensions Scheme payment, they are exempt from the household benefit cap. Each Jobcentre Plus district should have also an "Armed Forces Champion" to support veterans and their families.

Additional information and support for veterans

Veterans can access help and advice via the <u>Veterans Gateway</u>, which is provided by a group of charities led by the Royal British Legion.

The Welsh Government has described the support it has available in its <u>Armed Forces Covenant: annual report 2019</u> (30 September 2020).

Information for veterans in Scotland is available on the mygov.scot website: Armed forces veterans support.

1 Development of veterans' policy

1.1 A renewed focus on Veterans

The specific needs of veterans have come under ever-greater focus in recent years. This has been driven in part by:

- The post-service experiences of those who served in combat operations in Afghanistan and Iraq which drew attention to rehabilitation efforts and mental health support.
- The significant reduction in size of the armed forces. This emphasised the support given to those leaving service and transitioning to civilian life in areas such as employment support and access to housing.
- The centenary and significant anniversaries of the First and Second World Wars respectively served as a reminder of the needs of the elderly cohort of veterans.
- The investigation of former soldiers who served in Northern Ireland during The Troubles and in Iraq and Afghanistan prompted interest in legal protection issues.

1.2 Evolution of policy

In the years leading up to the 2010 election all three main national political parties talked of the need to restore the military covenant. This unwritten code implied that in return for the sacrifices that service personnel make, the nation has an obligation to recognise their contribution and to retain a long-term duty of care toward service personnel and their families. The charity, Royal British Legion, established an 'Honour the Covenant' campaign in 2007, while the election manifestos of Labour, the Conservatives and the Liberal Democrats discussed the Covenant and welfare for service personnel and Veterans. This led to the publication of the Armed Forces Covenant in 2011.

Since then, veterans have continued to be at the forefront of defence personnel policy and parliamentary debate. Measures directed at the veteran community have been published in successive annual reports to Parliament on the implementation of the Covenant.

Successive Governments have launched funds that are either dedicated towards Veterans or incorporated measures aimed at the veteran community. A Veterans Gateway provides a single point of contact for veterans to access help.

In 2018 the Government published a Veterans Strategy, followed by a new action plan for 2022-24 in January 2022. For more information, see section 1.6.

An <u>Office for Veterans' Affairs</u> was established in the Cabinet Office in 2019, with responsibilities shared between Ministry of Defence and Cabinet Office Ministers. Information on this is in section 1.5.

1.3 The Armed Forces Covenant 2011

The Armed Forces Covenant is a statement of the moral obligation which exists between the nation, Government and armed forces. It was published in May 2011 and its core principles were enshrined in law for the first time in the Armed Forces Act 2011.

The Government is required by the Act to produce an <u>annual report to</u>

<u>Parliament on the Armed Forces Covenant</u>. In doing so, the Secretary of State for Defence must have regard to:

- (a) the unique obligations of, and sacrifices made by, the armed forces;
- (b) the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces; and
- (c) the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.¹

These are the core principles of the Covenant.

The <u>Armed Forces Act 2021</u> introduced a new requirement for some public bodies, including the NHS and local authorities, to pay due regard to the principles of the Covenant when carrying out specific public functions in the areas of housing, healthcare and education. Guidance will be laid in secondary legislation and will be subject to approval in both Houses.

During the passage of the Armed Forces Act 2021 the Government resisted calls by opposition parties and military charities to expand this requirement to every area of public policy and to apply it to national government and devolved administrations.

¹ Armed Forces Act 2011 clause 2 (inserts new paragraph 343A into the Armed Forces Act 2006)

Community and Corporate Covenants

The Government also introduced the Community and Corporate Covenants in 2011. These are designed to encourage local communities or businesses to support the armed forces community and promote public understanding and awareness of the issues affecting the armed forces community. Every local authority in England, Scotland and Wales has signed a community covenant, along with four local authorities in Northern Ireland. Thousands of organisations have also signed the Covenant. The Armed Forces Covenant website contains a list of all the businesses, charities and local authorities who have signed the Covenant.

The Armed Forces Covenant Fund

The <u>Armed Forces Covenant Fund</u> was launched by the Ministry of Defence in August 2015. It replaced previous funding schemes, including the Covent Community Grant scheme and the LIBOR fund. It provides £10 million per year, funded by the MOD, "to support mutually beneficial projects and programmes being delivered by organisations across the UK in partnership with the Armed Forces Community." Funding has been committed for the next 14 years and the MOD has said it intends for it to be funded in perpetuity.³

For the first 3 years, the Covenant Fund was based within the MOD. On 1 April 2018 the Armed Forces Covenant Fund became an independent charitable trust: The Armed Forces Covenant Fund Trust. It is registered with the Charity Commission and produces annual reports on its funding.

The Fund has four broad funding themes:

- Removing barriers to family life
- Extra support after service for those that need help
- Measures to integrate military and civilian communities and allow the armed forces community to participate as citizens
- Non-core healthcare services for veterans.⁴

Within these broad themes, the Fund's priorities change every year.

Further reading: <u>The Armed Forces Covenant and status in law</u>, Commons Library paper, CBP 9072

1.4 Veterans Gateway

A new '<u>Veterans Gateway</u>' was <u>launched in June 2017</u> to provide "a single point of contact" for Veterans, provided by the Ministry of Defence and a

[&]quot;<u>Defence Secretary announces Armed Forces Covenant and Veterans Board</u>", MOD, 3 October 2017

Defence Committee, <u>Armed Forces Annual Report 2017</u>, written evidence AFC0001, 17 April 2018, 0164

⁴ "Guidance: The Covenant Fund is coming!", MOD, 23 July 2015

consortium of charities. The Gateway is delivered by a Royal British Legionled consortium with Poppy Scotland, Combat Stress, Connect Assist, the Ministry of Defence and SSAFA, the Armed Forces Charity. It is funded by the Armed Forces Covenant. The Veterans Strategy action plan 2022-24 commits to fund improvements to the website in 2022 to make it more accessible.

1.5 The Office for Veterans' Affairs

An <u>Office for Veterans' Affairs</u> was established in the Cabinet Office in 2019, with responsibilities shared between Ministry of Defence and Cabinet Office Ministers. The <u>2021 Covenant annual report</u> incorporated the word veterans into the title for the first time, a move the Government said "reflected that this report is a joint effort between our two departments."

The Minister for Defence Personnel and Veterans sits across both the Ministry of Defence and the Cabinet Office.

Johnny Mercer, the first Minister for Defence People and Veterans when the office opened, told the Defence Committee that progress in delivering the Government's agenda for veterans was "too slow". In oral evidence given after he left government, he said while the Prime Minister was "deeply committed", the Office lacked people and budget and "political horsepower". He criticised it being the responsibility of the "most junior Minister" in the MOD, saying that "the Veterans Minister in every other Five Eyes country sits in the Cabinet, where he can deal with other Cabinet colleagues and actually deliver policy."

1.6 The Veterans Strategy and Action Plan 2022-24

The Government published <u>a new Veterans Strategy</u> in November 2018.⁶ The Defence Secretary, referring to the involvement of the devolved Governments, observed "it is the first time Governments across the UK have clearly stated collective tangible outcomes for veterans' services".⁷

The Strategy applies to all veterans, although it is currently limited to those living in the UK (those who access UK services). The Government said it "will continue to work with partners to address issues faced by veterans living overseas".⁸

Defence Committee, Oral evidence: Responsibilities of the Minister for Defence People and Veterans, HC 1392 2020-22, 11 May 2021

⁶ MOD, "<u>The Strategy For Our Veterans</u>", CM 9726, 14 November 2018

⁷ HCWS1080, Strategy for our Veterans, 14 November 2018

⁸ MOD, "The Strategy for our Veterans", CM 9726, 14 November 2018, p8

The Strategy lays out the following Vision:

Those who have served in the UK Armed Forces, and their families, transition smoothly back into civilian life and contribute fully to a society that understands and values what they have done and what they have to offer.⁹

There are three principles:

- Veterans are first and foremost civilians and continue to be of benefit to wider society;
- Veterans are encouraged and enabled to maximise their potential as civilians;
- Veterans are able to access support that meets their needs, when necessary, through public and voluntary sectors.

The Strategy identifies five cross-cutting factors and six themes and, as it is a ten-year plan, sets each an outcome to be achieved by 2028. Progress against these is included in the <u>Armed Forces Covenant Annual Reports</u>.

In January 2022 the Government published a <u>Veterans' Strategy Action Plan</u> 2022 to 2024 with over 60 specific pledges and steps to be undertaken in the time period. These are listed in the annex with target date for completion and the responsible department or office. The overall goal is to "make the UK the best place in the world to be a veteran by 2028". ¹⁰ A further refresh will be published in 2024.

1.7 Legislation

The Overseas Operations (Service Personnel and Veterans) Act

The Overseas Operations (Service Personnel and Veterans) Act received royal assent on 29 April 2021. The Bill establishes a statutory presumption against prosecution of current or former personnel for alleged offences committed on overseas military operations more than five years ago. Johnny Mercer, who left Government during the passage of the Overseas Operations Bill, later told the Defence Committee "it became nothing like it was designed to be and we lost complete control of it." He said as a result of the exclusion of Northern Ireland, there are now two tiers of veterans: "those who are protected by the Overseas Operations Bill and those who are not—those who served in Northern Ireland."¹¹

⁹ Ministry of Defence, <u>Strategy for our veterans</u>, November 2018, p4

Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan: 2022-2024</u>, January 2022, p6

Defence Committee, <u>Oral evidence: Responsibilities of the Minister for Defence People and Veterans,</u> HC 1392 2020-22, 11 May 2021

The Government introduced the <u>Northern Ireland Troubles (Legacy and Reconciliation) Bill</u> on 17 May 2022. The Bill is intended to promote reconciliation by

- establishing an Independent Commission for Reconciliation and Information Recovery;
- limiting criminal investigations, legal proceedings, inquests and police complaints;
- extending the prisoner release scheme in the Northern Ireland (Sentences) Act 1998; and
- providing for experiences to be recorded and preserved and for events to be studied and memorialised.

1.8 Support during covid-19

The covid-19 pandemic prompted some changes to the <u>delivery of Veterans UK services</u>. Questions were raised in Parliament about limits to telephone provision.

The government provided a £6 million covid-19 fund to provide grants to 100 service sector charities, including veterans' care and residential settings. The government also funded a new study with the King's Centre for Military Health Research, part of King's College London, exploring the impact of COVID-19 on veterans. ¹²

1.9 Parliamentary scrutiny

Parliament has held many debates specifically on veterans on topics including mental health, support and rehabilitation, charities, children, mesothelioma compensation and pensions.

Debates on the new Veterans Strategy were held in the <u>House of Commons</u> and the <u>House of Lords</u> on Thursday 15 November 2018.

The Defence Committee has examined Veterans issues in the context of the Armed Forces Covenant Annual Reports.

PQ HL6377 [on <u>Veterans: Coronavirus</u>], 13 July 2020

2 Statistics on Veterans

There are two main sources of official statistics on the number of veterans, both published by the MOD:

- the Annual Population Survey: UK Armed Forces Veterans Residing in Great Britain; and
- Census 2011: Working age UK Armed Forces Veterans Residing in England & Wales.

The first provides estimates on the size of the UK Armed Forces veteran population residing in Great Britain using responses provided in the Annual Population Survey (APS). The second utilises individual records from the 2011 Census matched with data from the MOD's Service Leavers Database (SLD) and covers England and Wales only.

Both the APS estimates and matched Census figures look at the personal characteristics of veterans (their age, gender and ethnicity, etc), as well as their location, health status, employment and education. These characteristics are presented alongside comparable figures for the general population.

2.1 Strengths and weaknesses of existing data

The main advantage of APS estimates over Census data is that they are more up to date – the latest publication was in January 2019 and provides figures for 2017. This compares with data from the Census which are for 2011. This means that the APS data is likely to provide a more accurate picture of the current veteran population.

However, the APS estimates do have some limitations – they are survey estimates and as such come with a margin of 'sampling error'. This can arise due to the nature of a survey, which is used to produce estimates for an entire population despite only asking questions of a sample.

Even though the Census data is now over a decade out-of-date (in comparison to the more recent APS estimates), it does have some significant advantages over the APS – namely that it is based on actual records of people, as opposed to estimates from a survey sample. The MOD and the ONS were able to match records about veterans in the SLD with individual records in the 2011 Census (around 745,000 records were matched).

Using matched records as opposed to survey estimates gives more precision to the number of veterans, as well as providing more specificity to characteristics. For example, in the APS the lowest geography veteran estimates are produced for is at county level. Whereas the Census data provides estimates at local authority level, as well as by Clinical Commissioning Group and Local Health Board.

There are two key issues with the matched data from the Census. The first is that it is limited to one point in time (2011) and so the utility of basing future policy on this data may be limited, especially as there have since been reductions in the size of the UK Armed Forces through redundancy programs.

The second is that the MOD's Census data is restricted to veterans (and the general population) aged between 16 and 64 – ie, the working age population. This restriction in scope is largely due to when data from the SLD is available. The SLD started collecting electronic data on service leavers between 1969 and 1973 (depending on branch) which means that large numbers of veterans of the Second World War and subsequent National Service (the last serviceman left in 1963) are not recorded in the SLD. According to the APS around 60% of veterans in Great Britain were aged 65 and over in 2017, and so there is a large segment of the veteran population not accounted for in the Census data.¹³

When choosing which data to use, it is important to bear in mind these strengths and weaknesses. Further detail on the methodologies of both datasets can be viewed on their respective MOD webpages.

Census 2021

The 2021 Census in England and Wales included a question on veterans for the first time. It asked all respondents aged 16 or over if they had ever served in the UK Armed Forces (including regulars, reservists, and those who served as part of National Service).

This will provide a good indication of the total veteran population and its various characteristics, irrespective of age and for small geographies. Initial data on veteran populations in geographic areas will be published in late 2022, with more detailed demographic data available in 2023.¹⁴

Further details on the ONS's <u>analysis proposals</u> are available on its website.

Scotland's Census was delayed until 2022, but contains an identical question on veterans. The Census in Northern Ireland did not ask about veteran status, but future estimates will be produced by linking data with the SLD.¹⁵

MOD, Annual Population Survey: UK Armed Forces Veterans Residing in Great Britain 2017, 31 January 2019, Table A1.1

ONS, <u>2021 Census release plans</u>, 24 May 2022

NISRA, Census 2021: update on UK Armed Forces Veterans, August 2020

Veteran population projections

In 2019 the MOD published population projections for UK Armed Forces veterans residing in Great Britain to 2028.

They key findings from the projections are that:

- The veteran population is projected to decrease year on year from approximately 2.5 million veterans in 2016 to 1.6 million in 2028.
- The percentage of the veterans of working age (aged 16-64) is projected to increase from 37% to 44%.
- The percentage of veterans who are female is projected to increase from 10% to 13%. ¹⁶

In 2022 the veteran population in Great Britain is expected to be approximately 2.0 million.¹⁷

For detailed analysis of these projections, please refer to the MOD's Populations Projections: UK Armed Forces Veterans Residing Great Britain, 2016 to 2028 bulletin.

MOD, Populations Projections: UK Armed Forces Veterans Residing Great Britain, 2016 to 2028, 10 January 2019

¹⁷ As above, Table 1

3 Support to transition into civilian life

This section looks at the immediate support offered to people who decide to leave the armed forces. Sections 4-8 look at continuous support offered to veterans after their initial transition to civilian life.

3.1 Policy development since 2010

The Coalition Government appointed Lord Ashcroft as the Veterans' Transition Special Representative and to review transition arrangements. Lord Ashcroft's <u>Veterans' Transition Review</u>, published in 2014, encouraged the Government to be more proactive in changing perceptions of Service Leavers. The Government welcomed the report and said 20 of his recommendations were either already in place in full or in part. Lord Ashcroft <u>assessed the progress made on his recommendations</u> in a series of follow-up reports, ending in 2017. Lord Ashcroft stepped down from the role in May 2018.

The Government pledged to "strengthen the Armed Forces Covenant to support our veterans in finding civilian employment" in the <u>National Security Strategy and Strategic Defence and Security Review 2015</u>. 19

In September 2018 Gavin Williamson, then Defence Secretary, announced new initiatives for Service personnel:

- All serving personnel to have access to their own Professional and Personal Development Plan by the end of 2020;
- A new Defence Transition Service to "deliver specialist support for serving personnel who are most likely to face challenges as they adjust to civilian life";
- New ID cards, given initially to military service leavers, to "allow easy access to the range of support available from the public and charitable sectors, including registering with their local authority for priority healthcare and housing".²⁰

Cabinet Office, Lord Ashcroft's veterans transition review: government response, 14 October 2014

¹⁹ HM Government, <u>National Security Strategy and Strategic Defence and Security Defence Review</u>, (November 2015), CM 9161, p33

²⁰ MOD, "<u>Defence Secretary bolsters support for Armed Forces</u>", 30 September 2018

The MOD also committed to launching a new Defence Holistic Transition Policy.²¹

Support for Service Leavers

The resettlement policy for UK armed forces personnel is laid out in <u>JSP 534:</u> the tri-service resettlement and employment support manual.

In addition, building on pledges made in the Veterans' Strategy, the Government has introduced what it calls a Holistic Transition Policy. This is intended to take current transition support beyond the current focus on employment support, provided by the Career Transition Partnership, and focus more on "life-skills material to help better prepare Service Personnel and their families for civilian life". 22 This policy was published on 1 November 2019 (JSP 100) and incorporates not just the Service Person but also their family: "For transition to be successful for the family unit as a whole, the family needs to understand and engage in the transition process from the outset." 23

The new policy calls for preparing for transition far earlier than the usual two years before discharge. There is a greater emphasis on developing life skills throughout service to better equip individuals for when they leave – a 'Transition-through-life approach'.²⁴

A new <u>Defence Transition Services (DTS)</u> has been created to assist those Personnel who "face significant barriers to making a successful transition" and who could benefit from bespoke help.²⁵ The Chain of Command is intended to identify and refer individuals to this Service, using guidance laid out in JSP 100 (para 0223). DTS is part of Veterans UK and sits within Defence Business Services.

Personnel leaving service are given a <u>Service Leavers Guide</u> which contains detailed information about pay and pensions, housing, the discharge process, medical information, reserve liability and support from charitable organisations. The <u>Armed Forces Covenant</u> website also offers guidance to Service leavers.

Employment Support is provided via the <u>Career Transition Partnership</u> (CTP). This is a partnering agreement between the Ministry of Defence and Right Management Ltd.²⁶ It helps personnel transition to civilian life and enter the job market, both by supporting personnel in exploring job opportunities, CV

MOD, "Armed Forces Covenant Annual Report 2018", 22 November 2018; PQ277821, Veterans: Advisory Services, 22 July 2019

²² MOD, Strategy for our veterans: UK government consultation paper, 14 November 2018

MOD, Joint Service Publication 100 Defence Holistic Transition Policy, 1 November 2019

²⁴ As above, para 1.7

²⁵ As above, para 0121

In June 2015 a new CTP contract was awarded to Right Management Ltd, which has already run the scheme since 1998. That contract is initially in place for 6 years, with the potential to extend it to 2025.

writing and interview skills, and encouraging industry to provide placements and interviews for ex-service personnel. In 2015, coverage was expanded to include all members of the Armed Forces who had completed basic training, fulfilling one of Lord Ashcroft's recommendations. The CTP offers several different programmes, eligibility for which is largely determined by length of service:

- The <u>Core Resettlement Programme</u> (CRP) (or Full Support programme) for personnel who have 6 or more years of service and all medical discharges, regardless of time served.
- The <u>Employment Support Programme</u> (ESP) for soldiers with more than 4 years but less than 6 years of service.
- The <u>Future Horizons Programme</u> for Early Service Leavers who have served less than four years, or those who have served more than four years of service but lost their entitlement to CRP or ESP because of the nature of their discharge.
- The <u>CTP Assist</u> programme provides specialist support for wounded, injured or sick personnel.
- Reservists Employment Support trial programme eligible unemployed
 Reservists will be entitled to some job-finding support through this trial.
- <u>Veterans Employment Transition Support</u> programme which aims to "join up the existing transition support initiative into a single programme". It provides mentoring, training and advice to Veterans.

There are statistics on the estimated employment outcomes for ex-service personnel who used the services provided by the CTP. These are available on the MOD's website: <u>Career Transition Partnership outcomes statistics.</u>

A spousal employment support scheme was launched in 2018, <u>building on a 2015-17 trial (PDF)</u>. This is intended to support spouses find work.

Service Leavers and veterans can access the <u>Enhanced Learning Credits</u> <u>Scheme</u> up to five years after leaving, depending on eligibility, to support further learning.

During the transition process, personnel have access to the tri-service <u>Joint Service Housing Advice Office</u> (JSHAO). JSHAO provides specialist housing information and advice to Service personnel including those leaving the service and needing to move out of service accommodation (see section 4 for more information on housing).

Veterans have long campaigned to have some form of Veterans card to identify them. Then Prime Minister, Theresa May, announced plans in the media in late 2017 for Veterans to have their driver's license marked with a 'V'

to distinguish them as veterans.²⁷ However, the idea was shelved. In February 2019 the MOD announced a Veterans ID card would be given any personnel who have left the military since December 2018 to assist veterans in accessing specialist support and services. In January 2020 the MOD said existing veterans will be able to apply for the card in phase 2, which has been delayed.

Personnel leaving the Services will also now be able to retain their military ID. In June 2018 then Minister for Defence People and Veterans, Tobias Ellwood, said it will enable personnel "to retain that emotional connection with their service" and it will "make it easier for veterans to access the many public services which prioritise veterans under the Armed Forces Covenant." 28

The government launched a <u>Veterans railcard</u> in October 2020.

There are also cards which provide discounts at retailers. The MOD has the '<u>Defence Discount Service</u>' which provides discounts online and on the high street for members of the Armed Forces, Veterans and Armed Forces Community. It is called the Defence Privilege Card and is the only official MOD discount service.

^{27 &}lt;u>Armed forces veterans to get ID to recognise 'sacrifice'</u>, BBC, 13 December 2017

MOD, <u>"Veterans to retain military ID</u>, allowing easier access to services", 7 June 2018

4 Housing and homelessness

The principal responsibility for providing housing information and advice to service personnel lies with the armed forces up to the point of discharge. These services are delivered through the <u>Joint Service Housing Advice Office</u> (JSHAO). The JSHAO website provides information on the various housing options available to those planning to leave the armed forces. Service personnel should plan ahead and provide early notification to housing authorities.

Housing policy is devolved; the assistance available differs in England, Scotland, Wales and Northern Ireland.

Detailed information on housing options for serving and ex-service personnel (excluding accommodation provided by the Ministry of Defence) can be found in the Library paper: Housing options for serving and ex-military personnel.²⁹ A separate paper covers issues linked with armed forces housing.³⁰

The Armed Forces Act 2021 places a new duty on local authorities in England, when exercising a relevant housing function, to have due regard to:

- (a) the unique obligations of, and sacrifices made by, the armed forces,
- (b) the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces, and
- (c) the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.³¹

The following sections summarise available support.

4.1 Accessing social housing

England

Ex-armed forces personnel do not have automatic priority when applying for social housing on a local authority's housing register, but they can attract additional preference in certain circumstances.

Housing options for serving and ex-military personnel, Commons Library briefing paper CBP-4244

³⁰ <u>Armed Forces Housing</u>, Commons Library briefing paper CBP-7985

³¹ Section 8, Armed Forces Act 2021

Part 6 of the <u>Housing Act 1996</u> (as amended) governs the allocation of local authority housing stock. Every local authority allocation scheme must ensure reasonable preference is given to certain categories of applicant as set out in sub-section <u>166A(3)</u> of the 1996 Act. These categories include: households accepted as homeless and owed a main rehousing duty; those living in overcrowded or insanitary conditions; people who need to move on medical or welfare grounds; people who need to move to a particular locality to prevent hardship; and those to whom additional preference may be given due to urgent housing needs.³²

The Housing Act 1996 (Additional Preference for Former Armed Forces Personnel) (England) Regulations 2012 (PDF), which came into force on 30 November 2012, provide that additional preference must be given to applications from certain serving and ex-members of the armed forces (and reserve forces) who come within the reasonable preference categories defined in sub-section 166A(3) of the Housing Act 1996 (listed above), and who have urgent housing needs. Revised statutory guidance (first published in June 2012) on housing allocations in England emphasises the flexibilities authorities have to prioritise applications from ex-service personnel.³³

On 9 January 2019, the Ministry of Housing, Communities and Local Government (MHCLG) published <u>Improving access to social housing for members of the Armed Forces, Veterans, and their families: consultation (PDF)</u>. The consultation paper proposed that the allocations guidance should make clear the circumstances in which local authorities should apply the "medical and welfare" reasonable preference category and the additional preference requirements to members of the Regular and Reserve Armed Forces, and Veterans, "to ensure that those who are suffering from mental ill health are given appropriate priority for social housing."³⁴

Authorities were invited to provide examples of how they use their existing flexibilities to support former service members and give them appropriate priority when applying for housing.³⁵

Improving access to social housing for members of the Armed Forces: summary of consultation responses (PDF) was published on 27 June 2020. Alongside this, the Government published new statutory guidance. This is additional to housing allocations guidance published in 2012 (updated in March 2022) and 2013.

Improving access to social housing for members of the Armed Forces says:

This document provides a single standalone piece of statutory guidance on allocating social housing for the Armed Forces community. It brings together,

 $^{^{\}rm 32}$ Section 166A(3) was inserted by section 147 of the Localism Act 2011

³³ MHCLG, Allocation of accommodation: guidance for local authorities, updated 22 March 2022

MHCLG, <u>Improving access to social housing for members of the Armed Forces, veterans, and their families: consultation (PDF)</u>, 9 January 2019, paras 11-17.

³⁵ As above, paras 18-19

updates, and builds on existing advice in the 2012 and 2013 statutory guidance. 36

Establishing a local connection in England

In the past, veterans tended to experience problems in establishing a local connection with a local authority's area. This could cause problems when applying for housing if the authority required a certain period of residence within the area before considering an application.

Section 315 of the <u>Housing and Regeneration Act 2008</u> amended the local connection test in section 199 of the <u>Housing Act 1996</u> to enable armed forces personnel to establish a local connection in an area through residing there by choice, or being employed there, in the same way as a civilian. Section 315 came into force on 1 December 2008.³⁷

The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations 2012 (SI 2012/1869), which came into force on 24 August 2012, provides that authorities must not disqualify certain serving or former members of the armed forces from applying for social housing on residency grounds.

The January 2019 MHCLG consultation paper observed that some authorities exempted spouses and civil partners from local connection/residency requirements when they are required to leave MoD accommodation following a relationship breakdown. The revised statutory guidance issued in June 2020 takes a stronger stance on this issue:

The Secretary of State strongly encourages local authorities to exempt from any local connection requirements divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence.³⁸

Scotland, Wales and Northern Ireland

The Scottish Government published a <u>Scottish Housing Guide for people</u> leaving the Armed Forces and ex-service personnel (PDF, August 2018). In terms of accessing social housing, the guide advises ex-service personnel to complete an application form (obtained from a local authority), and goes on:

The system for allocating housing is based on the needs of the individual and their current circumstances. Some social landlords have specific policies that apply to Service leavers. However, these vary across Scotland and you should ask the landlord in the area you want to live in for advice about this.

The local authority or housing association will use the information you give on your application form to assess the level of priority they will give you, and you

MHCLG. <u>Improving access to social housing for members of the Armed Forces</u>, 2020, para 9

Statutory guidance on section 315 was issued in DCLG Circular 04/2009. This guidance has been superseded by the later guidance, Allocation of accommodation: guidance for local housing authorities in England (June 2012), (PDF), para 4.18

MHCLG. Improving access to social housing for members of the Armed Forces, June 2020, para 18

will be added to their housing list. The higher your priority for housing, the more likely you will be offered a home, but this will depend on the availability of housing in the area you want to live in.

If you will be leaving the Service in the near future you will be asked for your copy of your 'Certificate of Cessation of Entitlement to Occupy Service Accommodation' if you have one. This will allow the local authority or housing association to know the date you have to leave your Service and they will be able to offer advice on your application for social housing and other housing options.

You do not need to wait for a Notice to Vacate (NTV) or the Certificate of Cessation of Entitlement to Occupy Service Accommodation before applying for a house.

The <u>Housing (Scotland) Act 2014</u> amended the Scottish housing allocation system. Provisions brought into force in May and November 2019³⁹ changed and reduced the categories of people to whom authorities are required to give reasonable preference when allocating social housing.

The 2014 Act sets out three categories of applicants who should be given reasonable preference in an allocation scheme. These are: homeless persons and persons threatened with homelessness; people living under unsatisfactory housing conditions; and under-occupying social housing tenants. However, the <u>revised allocations guidance</u> states:

Landlords can take the needs of other groups into account as well as the reasonable preference groups. For example, they may give a level of priority to those leaving the armed services or to those leaving prison.⁴⁰

Section 5.9 of the <u>allocations guidance</u> (February 2019) provides specific information on how authorities should address applications from people leaving the armed forces.

The Veterans' Strategy Action Plan 2022-24 comments on affordable housing supply in Scotland:

The Affordable Housing Supply Programme continues to make funding available to deliver homes specifically for veterans, if local authorities identify this as a strategic priority. Since 2012, over £6 million has been made available through the programme to deliver over 100 homes for veterans.⁴¹

The Welsh Government's approach to housing allocations is, as in England, governed by the Housing Act 1996. Authorities' allocation schemes must give reasonable preference to the categories of people listed in section 167(2) of the 1996 Act – these largely replicate those listed in section 166A(3) which applies in England. The Welsh Code of Guidance for Local Authorities on the Allocation of Housing and Homelessness (March 2016) says "it is important

The Housing (Scotland) Act 2014 (Commencement No.8, Savings Transitional and Supplemental Provisions) Order 2018

Scottish Government, <u>Social Housing Allocations in Scotland: A Practice Guide</u>, (PDF), February 2019), p38

⁴¹ Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p68

that Service Personnel who have been seriously injured or disabled in Service and who have an urgent need for social housing should be given high priority within local authorities' allocation schemes in recognition of their service."⁴² The Code also advises that authorities should consider giving additional preference to:

- any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces.
- people needing accommodation as a result of leaving the Armed Forces and the loss of military accommodation.⁴³

In terms of local connection requirements imposed by housing authorities, the Code says, "serving members of the Armed Forces, and other persons who normally live with them as part of their household, do establish a local connection with an area by virtue of serving, or having served, there while in the Forces."

The Welsh Government published the <u>National Housing Pathway for Exservice Personnel</u> (PDF, revised in October 2019). This document provides advice on the various options available in an FAQ format.⁴⁵

In Northern Ireland the <u>Housing Selection Scheme</u> operates as a single gateway into social housing let on a permanent basis by the Housing Executive or any housing associations. The statutory basis of this scheme is Article 22 of the <u>Housing (NI) Order 1981</u>.

The scheme allocates points based on several factors including where the applicant is homeless or threatened with homelessness but is not a Full Duty Applicant, ⁴⁶ points can be awarded in the following circumstances:

- ...end of Service in Armed Forces, where the Applicant, or member of the Applicant's household, is returning to civilian life or the widow(er) / civil partner of a recently deceased serviceman / woman who is no longer eligible for married or other service quarters and
- i) no suitable, alternative, accommodation is currently available to the Applicant; and
- ii) the Applicant could not reasonably be expected to seek suitable, alternative, accommodation.⁴⁷

Welsh Government, <u>Welsh Code of Guidance for Local Authorities on the Allocation of Housing and Homelessness</u> (March 2016), para 3.34

⁴³ As above, para 3.38

⁴⁴ As above, para 3.41(c)

⁴⁵ Welsh Government, National Housing Pathway for Ex-service Personnel (PDF) 24 October 2019,

⁴⁶ A Full Duty Applicant is a person to whom the Executive owes a duty under Article 10(2) of the Housing NI Order 1988 to "secure that accommodation becomes available for his/her occupation."

⁴⁷ Northern Ireland Housing Executive, <u>Housing Selection Scheme Rules</u>, Rule 24.2.e

Rule 14 of the Housing Selection Scheme says an applicant for social housing must have a "substantial connection with Northern Ireland." The Northern Ireland Housing Executive has been instructed "not to interpret the Scheme in a way which is disadvantageous to any 'ex-service applicant." There is an intention to modify the Housing Selection Scheme to clarify this point when it is next reviewed.⁴⁹

4.2 Accessing housing association homes

The previous sections deal, in the main, with accessing local authority housing. Of particular note in terms of accessing social housing provided by housing associations is the MOD Referral Scheme, which is coordinated by the JSHAO and available to veterans across the UK.

The MOD Referral Scheme provides for participating eligible personnel to be nominated by the JSHAO for assistance in accessing housing association properties, where such personnel would be unlikely to be afforded a high enough priority to stand a realistic chance of accessing local authority housing (on account of being single or childless etc).

Both standard and adapted housing association accommodation is included in the scheme. However, applicants are cautioned that the JSHAO itself does not possess any housing stock and applying through the scheme is not a guarantee of securing a housing association property. Personnel are advised to apply directly to the local authority and housing associations alongside the scheme.

Eligibility for the MOD Referral Scheme

It is open to:

- Armed forces personnel within six months of their discharge date, who are currently occupying service accommodation, the Services Cotswold Centre or a hostel
- Service-leavers, married or single personnel (single personnel eligible until six months post-exit date), or from personnel or separated spouses living in service family accommodation (SFA) until they leave the SFA.
- Those who do not own or part-own property; who are not privately renting and who do not have sufficient capital to buy a property. Pension and expected gratuities are also taken into account.

Northern Ireland Affairs Committee, <u>Implementation of the Armed Forces Covenant in Northern Ireland</u>, (PDF) HC51, 7 July 2013, para 56

⁴⁹ As above, para 56

Guidance on the scheme, including the application form to be completed, can be found at: MOD Referral Scheme: Guidance And Application Form (v14.0 26 April 2022).

4.3 Assistance when homeless

It has long been recognised that ex-service personnel are at a higher risk of experiencing street homelessness than the civilian population. The Combined Homelessness and Information Network (CHAIN) database contains information about rough sleepers in London, where the issue is at its most severe, who have been contacted by outreach teams or who have accessed accommodation for rough sleepers in London.

The <u>CHAIN Annual Report 2020/21</u> recorded 387 people (5% of those seen rough sleeping in 2020/21) who had experience of serving in the armed forces, of whom 122 were UK nationals. The proportion of rough sleepers with experience of serving in the armed forces has remained constant at around 5-7% in recent years. Links have been made between mental ill health and rough sleeping amongst ex-service personnel. The report notes that homelessness amongst this group is not just a factor at the point of discharge.

On 20 March 2019, then-Secretary of State at the Ministry of Housing, James Brokenshire, announced an allocation of £1 million to be shared between the ten combined authorities and the Greater London Authority to support vulnerable veterans. The funding can be used for accessing housing advice or mental health support with the aim of reducing the risk of homelessness. 50

England

If a former member of the armed forces becomes homeless in England, they may make an application for assistance with housing to a local authority under Part 7 of the <u>Housing Act 1996</u> (as amended). New duties introduced on 3 April 2018⁵¹ mean authorities must design the advice and assistance given to homeless applicants to meet the needs of particular groups at risk of homelessness in the authority's district, eg ex-service personnel.

Authorities must prepare a personal housing plan for all eligible⁵² homeless applicants. Personal plans set out the steps the individual and the housing authority must take for the individual to remain in or find suitable accommodation. Authorities must work to prevent homelessness for all eligible applicants who are threatened with homelessness,⁵³ and to relieve homelessness for all applicants who become homeless. This assistance stops

⁵⁰ MHCLG, "Brokenshire Announces Funding Boost for Homeless Veterans", 20 March 2019

The Homelessness Reduction Act 2017 has amended the 1996 Act

Eligibility is determined with reference to the applicant's immigration status

⁵³ Likely to become homeless within 56 days

short of placing a duty on authorities to provide housing for households who are not in priority need.

On 1 October 2018, certain public bodies in England acquired a duty to refer an individual, subject to their consent, to a housing authority if they believe they are at risk of homelessness. The Secretary of State for Defence is subject to this duty to refer in relation to members of the regular forces, ie the Royal Navy, the Royal Marines, the regular Army and the Royal Air Force.

The <u>Guide to the Duty to Refer</u> (updated September 2018) says if an individual is discharged from the armed forces and has no accommodation ready for them, then the relevant discharging body should investigate the individual's housing circumstances. Furthermore, the guide says all public bodies should consider ex-military personnel as more at risk of becoming homeless and should ask appropriate questions to be sure of their housing status. If subsequent investigation reveals an individual is at risk of homelessness, then the duty to refer applies.

Local authorities owe a full rehousing duty to homeless applicants who are unintentionally homeless and in priority need. The priority need categories are set out in section 189 of the 1996 Act and include "vulnerable former members of the armed forces." Not all homeless ex-armed forces personnel will be deemed to be vulnerable. Chapter 24 of the Homelessness Code of Guidance for Local Authorities, to which they are obliged to have regard when making decisions on homeless applications, provides full guidance on authorities' duties towards former members of the armed services and the factors to take into account when assessing their vulnerability.

At the end of March 2020, the Forces in Mind Trust claimed that an analysis of 343 authorities' housing strategies showed that 252 did not include veterans and 176 had failed "to consider the needs of veterans in their homelessness strategies." ⁵⁴

The <u>Veterans' Strategy Action Plan 2022-24</u> says the Department for Levelling Up, Housing and Communities (DLUHC) will "ensure data on veteran homelessness is collected consistently." There is an aim of eradicating rough sleeping, including for veterans, by the end of this parliament.

Scotland

The governing legislation for homelessness in Scotland is the Housing (Scotland) Act 1987 (as amended). A major amendment in the Homelessness etc. (Scotland) Act 2003 abolished the priority need criteria with effect from 31 December 2012. ⁵⁶ As a result of the 2003 Act, local authorities in Scotland have a duty to find permanent accommodation for all applicants who are unintentionally homeless.

Forces in Mind Trust, Local authorities failing homeless veterans, 24 March 2020

Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p13

Homelessness (Abolition of Priority Need Test) (Scotland) Order 2012, SI 2012/330

The <u>Code of Guidance on Homelessness in Scotland</u> contains advice on dealing with ex-service applicants with reference to the establishment of a local connection. The Code advises that these applications should be treated "sympathetically."⁵⁷ The Code also states that to avoid cases of homelessness arising when people re-enter civilian life, close links should be made between the armed forces and local bodies, and a 'discharge protocol' should be in place to coordinate their collaboration. This protocol should also include the formulation of through-care and after-care plans.⁵⁸

Wales

Part 2 of the <u>Housing (Wales) Act 2014</u> governs local authorities' duties towards homeless applicants in Wales. Most of the provisions came into force on 27 April 2015.

The 2014 Act introduced a duty on local authorities to provide housing advice and assistance to everyone within their local area, regardless of whether they are homeless or threatened with homelessness.

Local authorities in Wales have a duty to help secure accommodation for all applicants assessed as homeless for a period of 56 days (or fewer if they feel reasonable steps to secure accommodation have been taken). After this period, the local authority only has a continuing duty to secure accommodation for those in priority need who have not become homeless intentionally (where an authority chooses to apply a test of intentionality).

The categories of priority need are listed in section 70 of the 2014 Act and include:

...a person who has served in the regular armed forces of the Crown who has been homeless since leaving those forces (or a person with whom such a person resides or might reasonably be expected to reside).⁵⁹

Veterans' Strategy Action Plan 2022-24 says:

The Welsh Government is currently considering the range of homelessness data collection to inform policy development and improve service delivery across all homelessness and housing support services. The possible need to collect data on the Armed Forces Community will be considered as part of this work.⁶⁰

Northern Ireland

The governing legislation for homelessness in Northern Ireland is the Housing (Northern Ireland) Order 1988 (as amended). Someone accepted as a Full

Code of Guidance on Homelessness in Scotland, 2005, paras 2.49-51

⁵⁸ As above, paras 2.25-9

This can be contrasted with the position in England where ex-members of the armed forces will only be in priority need if they are deemed to be vulnerable.

⁶⁰ Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p68

Duty Applicant under the 1988 Order would then have accommodation allocated through the <u>Housing Selection Scheme</u>.

To qualify for assistance in Northern Ireland an applicant must be homeless and in a priority need category. The definition of priority need in Northern Ireland has not been extended, as it has in England and Wales, to encompass additional groups such as vulnerable ex-service personnel. When giving evidence to the Northern Ireland Affairs Committee's inquiry into the implementation of the Armed Forces Covenant over 2013-14, the Minister, Nelson McCausland, said:

...the Department is exploring the possibility of giving some recognition to exservice applicants in priority for social housing, but the different legal framework makes it unlikely that it would be able to fully reflect the position in Great Britain.⁶¹

4.4 Accessing owner occupation

England

Ex-service personnel are eligible for the standard Help to Buy schemes available to the public:

- A new Help to Buy scheme was introduced in April 2021. Applications are limited to first-time buyers and there are regional price caps. The scheme will run to March 2023 eligible buyers can benefit from an equity loan of up to 40% of the cost of a new build home in London and 20% elsewhere. 62
- A <u>Forces Help to Buy scheme</u> was launched as a pilot in April 2014 and has been extended to the end of 2022:⁶³
 - The Forces Help to Buy scheme enables servicemen and servicewomen to borrow up to 50% of their salary up to a maximum of £25,000, interest free, to buy their first home or move to another property on assignment or as their families' needs change. It is open to all regular personnel who:
 - have completed the pre-requisite length of service
 - have more than 6 months left to serve at the time they apply
 - Meet the right medical categories.

Northern Ireland Affairs Committee, <u>Implementation of the Armed Forces Covenant in Northern Ireland</u> (PDF), 17 July 2013, HC 51 2013-14, para 56

New Help to Buy scheme announced, February 2020

⁶³ MoD Press Release, 22 October 2019

Eligibility may be extended in certain circumstances. 64

- Alternatively, the Shared Ownership scheme gives military personnel priority over other groups. 65 Priority status can also be transferred to bereaved spouses and civil partners of service personnel. 66 Details are as follows:
 - Shared Ownership The buyer purchases a share of their home (between 10 and 75%), either with savings or a shared ownership mortgage, and pays rent on the remainder. They can progressively buy larger shares of the property, at market value at the time of purchase, until they own 100% of the property. Since April 2016, anyone in England outside London with a household income of £80,000 or less has been eligible (£90,000 inside London). Since this date, only military personnel have been given priority over other groups.

The First Homes scheme was launched in June 2021. It is designed to give local first-time buyers a discount of at least 30 percent on a new home. The following groups are exempt from any local-connection eligibility requirements for a first home:

- members of the Armed Forces
- the divorced or separated spouses or civil partners of members of the Armed Forces
- the spouses or civil partners of deceased members of the Armed Forces •
 veterans who have left the Armed Forces within the last five years.⁶⁷

Scotland

The <u>Scottish Housing Guide for people leaving the Armed Forces and exservice personnel</u> provides the following advice:

There are some initiatives run by the Scottish Government to assist with purchasing a property. The Low-cost Initiative for First Time Buyers (LIFT) brings together several ways to help households access home ownership. These include:

 The Open Market Shared Equity scheme which is available to help first time buyers and priority access groups, such as members of the Armed Forces and veterans who have left the Armed Forces within the past two years, to buy a home that is for sale on the open market. More information can be found at: www.mygov.scot/open-market-shared-equity-scheme

Forces Help to Buy: Help to Get on the Property Ladder (accessed October 2020)

⁶⁵ HM Government, Helptobuy.gov.uk: Shared ownership

⁶⁶ MOD, The Armed Forces Covenant Annual Report 2015 (PDF), December 2015, p50

⁶⁷ Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p66

 The New Supply Shared Equity scheme which is available to help first time buyers and priority access groups, such as members of the Armed Forces and veterans who have left the Armed Forces within the past two years to buy a new build home from a Registered Social Landlord. More information can be found at: www.mygov.scot/new-supply-shared-equity-scheme

Mygov.scot brings together information on housing for ex-service personnel in Scotland. Housing Options Scotland (a housing advice charity for disabled people, military veterans, and older people) has a leaflet on <u>Finding a home</u> when you leave the armed forces in Scotland (PDF).

Wales

Help to Buy Wales was initially launched on 2 January 2014. The current scheme is open to March 2023. The Welsh Government also launched a Homebuy Scheme in 2014, under which housing associations provide equity loans to assist an individual or couple buy a home. Information can be found on the Welsh Government's webpage: Homebuy – Wales. Service personnel and veterans have priority status for the Homebuy scheme in Wales:

Service personnel and veterans have priority status in our Homebuy scheme. This has also been extended to the widows and widowers of personnel who have been killed in Service. Welsh Government's forthcoming guidance on Rent First and Homebuy will make clear that these groups should be given priority for Homebuy products where housing problems result from events linked to service. 68

The JSHAO has an advice leaflet on <u>Affordable Home Ownership Schemes in</u> Wales for veterans.⁶⁹

Northern Ireland

Information on low-cost home ownership schemes in Northern Ireland can be found on the <u>nidirect.gov</u> website. Additional priority for these schemes is not afforded to veterans.

4.5 Adapted housing

Section 4.1 explains that in England and Wales, housing allocation systems provide for additional preference to be given to ex-service personnel who have sustained a serious injury, medical condition or disability as a result of their service.

Mandatory disabled facilities grants (DFGs) are available from local authorities in England and Wales and the Housing Executive in Northern

Welsh Government Package of Support for the Armed Forces Community, (PDF), 2013, para 2.2

JSHAO, <u>Affordable Home Ownership Schemes in Wales</u>, updated September 2020

Ireland, subject to a means test, for essential adaptations to give disabled people better freedom of movement into and around their homes, and to give access to essential facilities within the home. The means test for DFGs has been amended so that Armed Forces Compensation Schemes and War Pensions Scheme payments for the most seriously disabled service personnel are disregarded for the purposes of assessing eligibility.

The Veterans' Strategy Action Plan 2022-24 remarked on the length of time it can take to access DFGs:

We have previously highlighted the length of time it can take to implement these grants, which otherwise remain an excellent point of support. Evidence this year is of even longer waiting lists but in addition, 'thresholds' for acceptance are rising significantly. In an increasing number of cases, Service charities have had to foot the whole bill for essential work when the Disabled Facilities Grant has been denied.⁷⁰

New guidance for local authorities on DFGs was published in March 2022. The guidance refers to the impact of amendments introduced by the Armed Forces Act 2021:

Under section 343AA of the Armed Forces Act 2006 (inserted by section 8 of the Armed Forces Act 2021), local authorities are required to have due regard to the 3 principles of the Armed Forces Covenant when exercising certain housing functions, including allocating disabled facilities grants. Under this provision, special considerations for veterans may be justified in some circumstances. More information will be provided in the Armed Forces Covenant Duty statutory guidance to be published in 2022.

In Scotland, the <u>Housing (Scotland) Act 2006 (Part 2)</u> and associated regulations provide that a local authority's scheme of assistance must provide a grant towards home adaptations deemed essential for the needs of a disabled person. This must cover 80% of the costs at a minimum, but for those in receipt of certain benefits, the grant must cover the whole cost. ⁷² Local authorities have discretion to provide further assistance. The 2013 version of the <u>Scottish Housing Guide for people leaving the armed forces and ex-service personnel</u> (PDF) described what this might mean for veterans:

The type of support you can get depends on your circumstances. However, whether you rent or own your own property, you should get in touch with your local council's social-work department. They will be able to tell you about how to have your needs assessed. If you rent from a council or housing association they will usually pay for any agreed essential or high priority adaptations. If you rent privately or own your own property, you may be able to get help to pay for any adaptations. You can get more information from your council.

Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p22

DLUHC & DHSC, <u>Disabled Facilities Grant (DFG) delivery: Guidance for local authorities in England.</u>
28 March 2022, para 3.48

More information can be found in Implementing the Housing (Scotland) Act 2006, Parts 1 and 2: Statutory Guidance for Local Authorities: Volume 6 Work to Meet the Needs of Disabled People, Part C: Entitlement to Financial Assistance, 2009

This passage is not included in the updated version of the <u>Scottish Housing</u> <u>Guide for people leaving the Armed Forces and ex-service personnel (PDF)</u>. For more information about assistance for home adaptations across the UK, see the Library briefing CBP03011 <u>Disabled facilities grants for home adaptations</u>.

5 Healthcare

The Ministry of Defence (MOD) provides primary healthcare for all Service personnel. The provision of veterans' healthcare, including for those affected by post-traumatic stress disorder and other mental health conditions, is primarily the responsibility of the NHS.⁷³

Upon leaving the Armed Forces, veterans should register with a GP. When being discharged, they should be provided with a summary record of their health history which includes details of how their GP can obtain their medical records. ⁷⁴ For leavers from 2015 onwards, the Armed Forces Covenant Annual Report for 2015 notes that the system was improved so that when a Service leaver registers with a GP their medical summary is automatically sent to that surgery. ⁷⁵

The Armed Forces Covenant states that veterans have distinct health needs and should receive priority treatment where it relates to a condition which results from their services in the Armed Forces. The Covenant sets the following goals with respect to healthcare:

Veterans should receive priority treatment (subject to the clinical needs of others) in respect of treatment relating to a condition resulting from their service in the Armed Forces; and

Veterans should be able to access mental health professionals who have an understanding of Armed Forces culture. 76

The <u>Veterans' Gateway</u> provides advice and support for veterans and their families on:

- priority healthcare treatment for veterans in England and Wales
- priority healthcare treatment for veterans in Scotland
- priority healthcare treatment for veterans in Northern Ireland

The NHS Constitution (which applies in England) was updated in 2015 confirm that "the NHS will ensure that in line with the Armed Forces Covenant, those

Further background on the Armed Forces healthcare commissioning landscape can be found on page 6 of NHS England's <u>Healthcare for the Armed Forces community</u>: a forward view (March 2021).

NHS England, Support when leaving the armed forces

MOD, <u>Armed Forces Covenant: Annual Report 2015 (2015)</u>, p. 18

MOD, <u>Armed Forces Covenant: Annual Report 2015 (2015)</u>, p. 17

in the armed forces, reservists, their families and veterans are not disadvantaged in accessing health services in the area they reside"."

In March 2019 NHS England published <u>Armed Forces Personnel in Transition:</u> <u>Integrated Personal Commissioning for Veterans (IPC4V) Framework</u>, noting that it had worked with the MOD, Armed Forces charities, and those with lived experience, to develop this. The <u>NHS England website</u> states that <u>IPC4V</u> provides a personalised care approach for those with complex and enduring physical, neurological and mental health conditions attributable to their service, through the support of dedicated veterans' welfare managers. This approach aims to put into place agreed health and wellbeing arrangements whilst the individual is still serving, ensuring that care and support continues as they move into civilian life.⁷⁸

In March 2021 NHS England published <u>Healthcare for the Armed Forces</u> community: a forward view, which provided a series of commitments, including:

- Helping the transition from the Armed Forces to civilian life
- Identifying and supporting veterans
- improving veterans' and their families' mental health

The <u>Veterans' Strategy Action Plan: 2022-2024</u> (published January 2022) said NHS England will be providing £18 million over three years for veteran health services including Armed Forces and family single points of contact; the development of clear pathways to support improved access to sexual assault referral centres (SARCs) for serving personnel and veterans; and improving support to veterans in the criminal justice system. It also said the Government would make £5 million available £5m in 2022-23 for a 'Health Innovation Fund'. The strategy action plan said this "will be used to fund a range of projects to improve understanding on how innovative medical treatments or new clinical pathways can be used to better meet veteran healthcare needs."⁷⁹

The Government has said that 'Veteran Aware' accreditation is being rolled out to NHS providers and GP practices throughout England. NHS England is working to ensure all Primary Care Networks have a 'Veteran Aware' accredited GP practice, all NHS Trusts in England are accredited as 'Veteran Aware' by March 2023, and that independent providers and hospices across England are accredited by 2024.⁸⁰

Department of Health and Social Care, <u>The NHS Constitution for England</u>. 8 March 2012

NHS England, <u>Healthcare for the Armed Forces community: a forward view</u>, March 2021

⁷⁹ Gov.uk, <u>Veterans' Strategy Action Plan: 2022-2024</u>, January 2022

⁸⁰ See above

The Veterans' Strategy Action Plan also set out some additional grant funding for service charities to provide mental health support to veterans and their families, following the UK withdrawal from Afghanistan in 2021.⁸¹

Responding to the Veterans' Strategy Action Plan, <u>Help for Heroes</u> said they were disappointed by its "limited focus on the wounded, injured and sick, and upon improving existing care pathways to deliver a step change in support", and also noted it made "little mention of social care provision." ⁸²

5.1 Mental health support

England

In England there are three dedicated mental health services for veterans and service personnel who are making the transition to civilian life, including reservists. These are the Veterans' Mental Health Transition, Intervention and Liaison Service (TILS), the Veterans' Mental Health Complex Treatment Service (CTS) and, since late 2020, the Veterans' Mental Health High Intensity Service (HIS) pathfinders. Since March 2021 these three services are now known as Op Courage: The Veterans Mental Health and Wellbeing Service.

Where a Service person leaving the Armed Forces has an enduring need for mental healthcare, TILS aims to ensure continuity of care, and provides a range of treatment and support for veterans, as well as Armed Forces personnel approaching discharge. The CTS is an enhanced outpatient service for veterans who have not improved with treatment and are living with complex mental health needs, it is accessed via the TILS. The HIS pathfinders are services for veterans who require urgent mental health care and/or are in crisis. These are crisis care and inpatient services that may involve input from, and coordination across, different organisations.⁸³

To be eligible for support from any of the services under Op Courage, veterans must be a resident in England and have served in the UK armed forces for a full day; be registered with a GP practice in England (or willing and eligible to register with a GP); and provide their military service number. The constituent can receive support regardless of how long it has been since they left the forces. Serving armed forces members can also contact Op Courage if they have a discharge date.⁸⁴

A PQ response in March 2022 stated:

The average time to be seen for assessment by the Transition Intervention and Liaison service, within Op COURAGE was nine days in January 2022 [...]

Veterans can also access Improving Access to Psychological Therapies (IAPT)

Gov.uk, Veterans' Strategy Action Plan: 2022-2024, January 2022

⁸² Help for Heroes, <u>Our Response to the Veterans' Strategy Action Plan 2022-24</u>, 22 January 2022

NHS England, <u>Healthcare for the Armed Forces community: a forward view</u>, March 2021, pp19-20

⁸⁴ NHS, Mental health support for veterans, service leavers and reservists (Accessed 27 May 2022)

services which record the number of ex-service members seen via NHS commissioned services for mental health support. In 2021, there were 15,782 ex-service members accessing IAPT treatment. In Quarter 3 of 2021/22, 91.4% had a first treatment appointment within six weeks and 98.5% with 18 weeks. The mean number of sessions received was 7.9.85

Further details are available on the NHS webpage Mental health support for veterans, service leavers and reservists and Gov.uk webpage Guidance for veterans seeking mental wellbeing support. The Veterans' Gateway also provides advice and support for veterans and their families at their webpage on mental wellbeing -how to access support.

The <u>Veterans and Reserves Mental Health Programme</u> is a Ministry of Defence specialist service that provides mental health assessments and treatment for veterans and reservists. It is not an urgent or emergency service. To access this service the constituent needs to ask their GP to refer them.⁸⁶

Wales

<u>Veteran's NHS Wales</u> is a specialised, priority service supporting veterans with mental health difficulties relating to their time in the Armed Forces. Each Local Health Board in Wales has a Veteran Therapist available. Referrals can be made through the GP, charities or self-referral. This is not an emergency service and does not respond to urgent referrals.

Scotland

Veterans in Scotland can receive mental health treatment through NHS Scotland. Veterans should contact their GP, who can refer them on for the most appropriate treatment depending on their needs.

Veterans can also access support through <u>Veterans First Point</u>, a drop-in one-stop-shop service for all veterans' needs, which is provided for free by the NHS.

Northern Ireland

The Northern Ireland Veteran's Support Office has published a <u>guide to Veterans' mental health provision in Northern Ireland</u>. The guide advises to seek support through statutory services veterans should contact their GP, who can refer them to the appropriate level of service. The guide also lists sources of support in the voluntary and community sector.⁸⁷

PQ 145009 [on Veterans: Mental health services], 22 March 2022

⁸⁶ Ministry of Defence and Veterans UK, <u>Support for war veterans</u> (Accessed 27 May 2022)

Northern Ireland Veterans' Support Office, <u>Guide to Veterans' Mental Health Provision in Northern Ireland</u>, 2021

Voluntary sector support

The Government states that it has, through funding provided to the Armed Forces Covenant Fund Trust and the Covid-19 Impact Fund, continued to invest in charity and third-sector organisations supporting the mental and physical wellbeing of veterans. It has also said that NHS England and NHS Improvement provided funding to a number of Armed Forces charities to support serving personnel, veterans and their families during the pandemic.⁸⁸

Combat Stress, a charity supporting Veterans' mental health across the UK, offer a range of treatment programmes, therapies and support to help treat mental health problems. They also provide a 24 hour helpline to serving personnel, veterans, or their families and carers for talking about their mental health. The helpline can be reached on 0800 138 1619.

Research

As well as clinical and charity services, the Government is also funding research to improve the understanding of mental ill health, including Post-Traumatic Stress Disorder (PTSD), amongst the Armed Forces community.⁸⁹ A PQ response in September 2020 also noted the Government is investing in research looking at the impact of Covid-19 on veterans' mental health.⁹⁰

The Government announced a new method for recording veteran suicide in 2021 and have stated that they expect the first reports using this data to be available in 2023. Alongside this, the Government reported that the Ministry of Defence, Office for National Statistics and Office for Veterans' Affairs are working to publish a 10-year review on veteran deaths through suicide and alcohol and drug misuse. ⁹¹

Box 1: Reviews of veterans' mental health services

In 2010, a report by Dr Andrew Murrison MP; <u>Fighting Fit: A mental health plan for servicemen and veterans</u> was published and set out a series of recommendations to provide extra support for veterans' mental health needs. The report considered the entire UK. This set out thirteen action points, with four principal recommendations:

 Incorporation of a structured mental health systems enquiry into existing medical examinations performed whilst serving.

PQ HL8253 [on Post-traumatic Stress Disorder: Veterans], 1 October 2020

⁸⁹ As above

⁹⁰ PQ 91152 [on <u>Veterans: Mental Health]</u>, 21 September 2020

⁹¹ PQ 139553 [on <u>Veterans: Suicide</u>], 21 March 2022

- An uplift in the number of mental health professionals conducting veterans outreach work from Mental Health Trusts in partnership with a leading mental health charity.
- A Veterans Information Service (VIS) to be deployed 12 months after a person leaves the Armed Forces.
- Trial of an online early intervention service for serving personnel and veterans.⁹²

A <u>PQ response in February 2015</u>, set out what had been done to implement the 'Fighting Fit' recommendations:

These measures include: an increase in the number of mental healthcare professionals; a dedicated 24-hour helpline in partnership with Combat Stress; an on-line mental health support and advice website provided by the Big White Wall; structured mental health assessment as part of routine and discharge medicals; and the Veterans Information Service, who contact recent Service leavers to make them aware of mental health and other support available in the community. Veterans are entitled to priority access to healthcare for conditions suspected to be due to their service in the Armed Forces (subject to the clinical needs of others). ⁹³

As noted in the <u>Armed Forces Covenant: Annual Report 2015</u>, NHS England carried out an audit of veterans' mental health services put in place following the 'Fighting Fit' report. ⁹⁴ Following this, NHS England launched a consultation in January 2016 into future support for veterans' mental health. The audit and engagement exercise fed into the development of the transition, intervention and liaison veterans' mental health service (TILS), launched by NHS England on 1 April 2017. ⁹⁵

Box 2: Defence Select Committee inquiries on veterans' mental health

On 25 July 2018, the Defence Committee published its findings from its inquiry into Mental Health and the Armed Forces (Part one). 96 It found evidence that

Andrew Murrison MD MP, <u>Fighting Fit: A Mental Health Plan for Servicemen and Veterans</u>, 1 August 2010

⁹³ PQ 222704 [on <u>Veterans</u>], 3 February 2015

⁹⁴ Ministry of Defence, <u>Armed Forces Covenant: Annual Report 2015</u>, 10 December 2015, p22

This service was designed to support and treat both veterans and service personnel who are approaching discharge. Further information can be found at <u>NHS England</u>, <u>Veterans</u>: <u>NHS Mental</u> <u>Health Services</u>

House of Commons Defence Committee, <u>Mental Health and the Armed Forces</u>, <u>Part One: The Scale of mental health issues</u>, HC 813, 25 July 2018

although most veterans do not suffer mental issues, a myth that ex-military personnel are 'mad, bad or sad' continues. Such stigma may discourage veterans from seeking help and may lead to too great a focus on conditions such as PTSD (post-traumatic stress disorder) when conditions such as depression are more common.

As well as expressing concerns over the quality of Government data, the Committee also argued that the wait for help was too long, and that the Armed Forces Covenant principle of priority treatment for service-related health concerns is "not being consistently applied across the UK." ⁹⁷

The report also adds that more information is required about the impact of service on families' mental health, and that the Government may need to consider monitoring certain groups of veterans more likely to develop mental health problems.⁹⁸

In their <u>response to this inquiry</u>, the Government stated that a person should register their veteran status with their GP to ensure better timeliness for their mental health treatment, particularly for veteran-specific services. The Government outlined ways in which it is liaising with devolved administrations and attempting to improve the dataset currently available. The Government also highlighted its 2016 <u>UK Armed Forces Families Strategy</u> and how various NHS England-commissioned bodies are working together to provide 'holistic support' for families. ⁹⁹

The Defence Committee conducted a follow-up inquiry on the provision of care for veterans with mental health issues. The Committee's report, Mental Health and the Armed Forces, Part Two: The Provision of Care, was published on 25 February 2019. It found that veterans face wide variations in the quality of treatment available and that demand "is swamping available capacity". The Committee's recommendations included that the Government should:

- address urgently the gaps in veteran-specific provision across the UK.
- develop a common understanding of demand for veteran mental health care and ensure that enough resources are allocated to meet demand so that waiting time targets are fully met.

The Committee also called for the establishment of a specialist centre for the treatment of mental injuries relating to service.¹⁰¹

⁹⁷ As above, Summary

⁹⁸ As above

House of Commons Defence Committee, Mental health and the Armed Forces, Part One: The Scale of mental health issues: Government Response to the Committee's Eleventh Report, HC 1635, 16 October 2018

House of Commons Defence Committee, Mental Health and the Armed Forces, Part Two: The Provision of Care, 25 February 2019, p57

¹⁰¹ As above, p57

In January 2021, the Defence Committee held two follow up oral evidence sessions on Armed Forces and Veterans' Mental Health, reflecting on updates since the Committee's reports on mental health were released in the last parliament. The sessions also focused on whether additional challenges of the pandemic have been met and the provision of diagnosis and treatment for Traumatic Brain Injury.¹⁰²

NHS England mental health expenditure

A <u>PQ response</u> on 21 March 2022 stated that Op Courage was allocated £17.8 million in funding in 2021 and an extra £2.7 million over the next three years. It also said that £5 million has been awarded to the Afghanistan Veteran's Fund.¹⁰³

A <u>PQ response</u> on 12 June 2019 set out what it described as NHS England expenditure for veterans' mental health services in each year since 2016/17 across England:¹⁰⁴

NHS England expenditure on mental health services for veterans	
Year	£ (million)
2016/17	5.8
2017/18	6.1
2018/19	7.2
2019/20	10.3

Source: PQ 261536, 12 June 2019

In December 2018 NHS England announced that an extra £10 million would be invested into a new NHS dedicated crisis service, to provide intensive support to veterans with alcohol, drugs and mental health problems, where those individuals are nearing crisis. The extra funding will also enable a roll out of "veteran-friendly" GP surgeries and hospitals.¹⁰⁵

House of Commons Defence Committee, <u>Armed Forces and veterans mental health: follow-up.</u> 12 and 26 January 2021

¹⁰³ PQ 139553 [on <u>Veterans: Suicide</u>], 11 March 2022

PQ 261536 [on Mental health services: Veterans], 7 June 2019. The response notes that not all of the information requested is collected centrally, information is only available from 2016/17

NHS England, NHS Long Term Plan to Create 'National Heroes Service' for Veterans, 17 December 2018

At the Autumn Budget in 2018 and the 2020 Spring Budget the Government announced an extra £10 million for the <u>Armed Forces Covenant Fund Trust</u>, to support projects that support veterans' mental health and wellbeing. ¹⁰⁶

5.2 Support for service-related physical injuries

The NHS website provides information on services for veterans with service related physical injuries, including information on the Veterans Trauma Network (VTN). The VTN was designed by veterans and their families and supported by service charities. The VTN provides services in selected NHS health centres across England, from military and civilian clinicians who understand the nature and context of service-related injuries. The NHS website says that the Veterans Trauma Network works with Defence Medical Services, national centres of clinical expertise, NHS veteran's mental health services and service charities to develop personalised care plans. Referrals to the Veterans Trauma Network can be made by individual veterans' GPs. 107

Prosthetics

England

Following a 2011 report by Dr Andrew Murrison MP, <u>A better deal for military amputees</u>, nine Disablement Service Centres (DSCs) were set up across England to provide specialist prosthetic and rehabilitation service similar to that provided by the armed forces.

In addition, the Veterans Prosthetic Panel was established in 2012 to provide funding to veterans who have lost a limb during military service (or whose limb loss is attributable to an injury sustained while in service). This provides additional funding for treatment that is not normally provided by the NHS. Applications are made through a Disablement Service Centre. Further information can be found on the NHS website.

Scotland

Scotland operates a National Specialist Prosthetics (SOTA) Service, focussed on two specialist centres in Edinburgh (the SMART centre) and Glasgow (the WESTMARC centre). These have links to the other limb fitting centres in Aberdeen, Inverness and Dundee. Those who feel State of the art prosthetics would be beneficial to them and would be clinically appropriate should register their interest with their local Prosthetics Centre.

¹⁰⁶ HM Treasury, <u>Budget 2018</u>, 29 October 2018, p81; HM Treasury, <u>Budget 2020</u>, 11 March 2020, p73

¹⁰⁷ NHS webpage, <u>Veterans</u>, <u>service leavers</u>, <u>and non-mobilised reservists</u>

¹⁰⁸ Scottish Government, <u>State-of-the-Art Prosthetics For Veterans</u>, 2013

Wales

The Welsh Government has committed to ensuring that veterans receive the same quality prosthetic limbs as Service personnel. There are three Artificial Limb and Appliance Centres located in Cardiff, Swansea and Wrexham.

Northern Ireland

The <u>Regional Disablement Service</u> in Northern Ireland specialises in the rehabilitation of patients, including veterans, who have had an amputation of a limb or limbs.

MOD, Armed Forces Covenant: Annual Report 2015 (2015), p25

6 Pension and compensation schemes

The occupational pension scheme for members of the Armed Forces is the <u>Armed Forces Pension Scheme</u> (AFPS) (see section 6.1 below).

Separate to this are schemes to make payments to current and former service personnel and their families in respect of ill health, injury or death caused by service. In the case of incidents before 6 April 2005, payments are made through the <u>War Pensions Scheme</u>. For incidents after that date, there is the <u>Armed Forces Compensation Scheme</u> (AFCS) (see section 6.2 below).

Surviving partners and dependent children may be eligible for survivors' benefits from the AFPS. In the case of deaths attributable to service, compensation payments may be available from the War Pension Scheme (for deaths attributable to service before 6 April 2005) or AFCS (for deaths attributable to service after that date) (see section 6.3 below).

6.1 Pensions schemes

The Armed Forces Pension Scheme (AFPS) is a UK-wide defined benefit public service occupational pension scheme. Defined benefit schemes pay a promised pension which is based on factors such as salary and length of service.

Like the other main public service schemes, the AFPS operates on a pay-as-you-go basis. This means it is financed by payments from the Ministry of Defence rather than a fund made up of contributions from the members and employer. ¹¹⁰ It is the only public service scheme where scheme members do not make contributions towards their pension from their pay, although pension benefits are taken into account when pay is assessed. ¹¹¹ The Government has previously said that this reflects the "unique sacrifice the Armed Forces and their families make to this country." ¹¹²

There are currently three schemes:

• AFPS 75: for members of the Armed Forces between April 1975 and April 2005 (and who did not opt to transfer to AFPS 05 at 6 April 2005);

¹¹⁰ The exception is the Local Government Pension Scheme which is funded

Armed Forces pension arrangements. Actuarial valuation as at 31 March 2012 (PDF), Government Actuary's Department, 24 February 2015, para 2.1

PQ HL7751 [on <u>Armed Forces: Pensions</u>], 21 May 2018

- AFPS 05: for new entrants between 6 April 2005 and 1 April 2015;
- AFPS 15: for new entrants from 1 April 2015, and active scheme members on that date, unless they were covered by transitional protection. 113

The <u>Public Service Pensions and Judicial Offices Act 2022</u> closed the AFPS 75 and AFPS 05 to future service in April 2022 after the transitional protection was found to be discriminatory on the grounds of age. Since April 2022 all scheme members who are active and building up pension benefits do so in the APFS 15.¹¹⁴

In April 2021, the AFPS had 295,681 active members building up pension benefits, 517,289 deferred members who had stopped building up pension benefits but had not yet received pension payments, and 447,853 pensions being paid to members or their surviving dependants. ¹¹⁵ At the last valuation in March 2016, the average pension in payment was £19,559 for officers and £8,001 for other ranks. ¹¹⁶

There are two occupational pension schemes for members of the Reserve Armed Forces: Full Time Reserve Forces Pension Scheme (FTRSPS 97) and Reserve Forces Pension Scheme (RFPS 05). These provide benefits that are broadly similar to AFPS 75 and AFPS 05 respectively.¹¹⁷ From 1 April 2015, all active members were transferred to AFPS 15 unless covered by transitional arrangements.¹¹⁸ As with the main schemes all active members were moved to the AFPS 15 in April 2022.

The schemes are administered by the <u>Veterans UK</u>, which is part of the Ministry of Defence.

Armed Forces Pension Scheme 1975 (AFPS 75)

Pensions to those who have served in the Armed Forces have a long history. In 2009, the then-Defence Minister Kevan Jones stated that the "original armed forces pension goes back to 1831". 119

However, the right to a pension for those who left before retirement was only introduced in April 1975 with the Armed Forces Pension Scheme 1975 (AFPS 75). This was in line with new requirements for occupational pension schemes from that date. ¹²⁰ Between the scheme opening and 1988 members had to

Armed forces pensions, Ministry of Defence [accessed 19 May 2022]

Armed Forces Pension Scheme: Future pension provision from 1 April 2022, Ministry of Defence, 14 March 2022

Armed Forces Pension Scheme Annual Accounts 2020 to 2021 (PDF), HC 370, Ministry of Defence, 21 July 2021

Armed Forces Pension Scheme: Actuarial Valuation as at March 2016 (PDF), Government Actuary's Department, 28 February 2019, p37

Armed Forces Pension Scheme: Actuarial Valuation as at March 2016 (PDF), Government Actuary's Department, 28 February 2019, p28-30

¹¹⁸ Armed Forces Pension Scheme Annual Accounts 2015-16, HC 365, July 2016, p4

¹¹⁹ HC Deb, 19 June 2009, c. 589

Social Security Act 1973

complete five years of service to receive a pension. ¹²¹ Members joining after 6 April 1988 needed at least two years of paid service to qualify for most pension benefits. ¹²² As is generally the case with improvements to public service pension schemes, the change was not made retrospective for people who had already left service. There has been a long campaign for those changes to be retrospective. ¹²³

A guide for scheme members summarises the main benefits of AFPS 75:

- It is a defined benefit scheme which pays a guaranteed pension based on the member's length of service and final rank (or final salary for senior officers two star and above.
- Officers with at least 16 years qualifying service and other ranks with a least 22 years qualifying service are entitled to an immediate pension. A lump sum equal to three times annual pension (tax free) is also payable.
- Maximum pension can be earned after 34 years reckonable service for Officers and 37 years reckonable service for Other Ranks. 124 Members who have earned the maximum pension can claim an immediate full pension from the age of 55.
- Pensions are payable at age 60 for service before 5th April 2006 and age 65 for service post 6th April 2006, for members who have not completed the of reckonable service required for an immediate pension point plus a lump sum of three times pension.
- Under certain conditions a surviving spouse or civil partner may receive up to 50% of the member's pension. Pensions for eligible children may also be payable. Pensions for eligible partners may be payable if death is attributable to service.
- Death in Service lump sum is normally three times the member's pay. 125
- Pensions in payment are uprated in line with inflation, measured according to the Consumer Prices Index.¹²⁶

The detailed rules are in the <u>Army Pensions (AFPS 75 and Attributable Benefits Scheme) Warrant 2010.</u>¹²⁷

Relevant Commons Library briefings include:

¹²¹ Armed Forces Pension Scheme 1975 (PDF), Ministry of Defence, July 2020, p12

¹²² As above (PDF)

See, for example, <u>HC Deb 23 May 1991 c 1126; HC Deb 30 October 2001, c 563W; AFPS 75: Legacy Issues Factsheet</u>, Ministry of Defence [accessed 20 May 2022]

 $^{^{124}}$ Reckonable service is from age 21 for officers and age 18 for other ranks

¹²⁵ AFPS 75. Your Pension Scheme Explained, Ministry of Defence, July 2020

Guidance on the Operation of Pensions Increase Legislation For Public Service Pension Schemes, HM Treasury, April 2016, para 1.3

¹²⁷ Made under the <u>Pensions and Yeomanry Act 1884</u>

- Armed Forces Pension Scheme and Preserved Pensions (SN-01151)
- <u>Lifetime Survivors' Pensions from Public Service Pension Schemes</u> (CBP 7109), section 2.7.

Armed Forces Pension Scheme 2005 (AFPS 05)

AFPS 05 was introduced for new entrants (and existing members who opted to transfer) from April 2005. The aim was for the new scheme to be cost-neutral on introduction, while at the same time allowing scheme benefits to be modernised and ensuring affordability in future. The reforms included changes in the way pensions were calculated; changes to ill-health benefits and changes to survivor benefits. The reforms included changes to survivor benefits.

Key features of AFPS 05 are:

- A defined benefit scheme which pays a pension of 1/70th of a member's final salary for each year of service up to a maximum of 40 years.
- Members who leave service before age 55 are entitled to a deferred pension from age 65 and a pension lump sum of three times the annual pension.
- Members who leave service before age 55 with at least 18 years' service and who are at least age 40 can receive an early departure payment until they reach age 65 when they can receive their deferred pension.
- Lifetime survivors benefits for surviving unmarried partners as well as spouses and civil partners.¹³⁰
- Pensions in payment uprated in line with inflation (since 2011, measured according to the Consumer Prices Index).¹³¹

The main legislation providing for AFPS 05 is <u>The AFPS 05 Order (SI 2005/438)</u>, made under the <u>Armed Forces (Pensions and Compensation) Act 2004</u>.

<u>Guidance and documents relating to AFPS 05</u> are published by the Ministry of Defence.

The discussions leading up to the reforms are discussed in the Commons Library briefing <u>Armed Forces Pension Reform</u>, 1995-2005 (SN-05892).

HC Deb, Pensions, c627, 28 November 2006

A summary of the differences was provided in an <u>Offer to Transfer Booklet</u>, Ministry of Defence, March 2005

AFPS 05 Your Pension Scheme Explained (PDF), Ministry of Defence, August 2020

Guidance on the Operation of Pensions Increase Legislation for Public Service Pension Schemes HM
Treasury, updated 1 April 2021, p3

Armed Forces Pension Scheme 2015

The Coalition Government legislated in the <u>Public Service Pensions Act 2013</u> to reform public service pension schemes. Its case for reform was that as people were living longer, costs to the taxpayer had increased and that recent reforms had not done enough to address this.¹³²

Key changes were a shift to pension benefits based on career average rather than final salary and increases in the pension age (to 60 for the police, firefighters and armed forces). There was transitional protection for those 'closest to retirement' who could remain in their existing scheme until retirement and the pension rights members had already built up in old schemes were protected.¹³³

The details of new schemes were worked out within the framework set by the 2013 Act. The <u>final agreement for a new AFPS</u> was announced in October 2012. Key features are that:

- Members would continue making no contributions.
- A defined benefit pension scheme which pays a promised pension based on career average revalued earnings. The scheme pays 1/47th of each year's pensionable earnings as a pension.
- Active members' pension benefits are increased in line with average earnings.
- Members who leave before normal pension age on completion of 20 years' service and having reached age 40 can receive early departure payments until they reach the age when they can receive their deferred pension
- Members who leave service at age 60 can receive their full pension immediately. Those leaving before 60 are entitled to a full pension from their state pension age.
- Members can take early retirement from age 55, with their pension benefits being reduced.¹³⁴
- Pensions in payment are increased in line with inflation as measured by the Consumer Prices Index.¹³⁵

¹³² HM Treasury, <u>Public Service Pensions: Good Pensions That Last</u> (PDF), CM 8214, November 2011, chapter 1

Public Service Pensions Act 2013, s 18; For more on the background, see Commons Library briefing 57
Public Service Pensions Bill (RP 12/57)

MOD, A New Armed Forces Pension Scheme - Final Agreement (Oct 2012), p1

Pensions Increase Act 1971, Section 1 and Schedule 2

The new scheme - <u>AFPS 15</u> - was introduced on 1 April 2015. Serving members on that date transferred to the new scheme, except for those covered by transitional protection.¹³⁶

The Court of Appeal ruled in 2018, in relation to legal challenges brought by firefighters and judges, that the 'transitional protection' offered to some members as part of the 2015 reforms amounted to unlawful discrimination.¹³⁷ The Government accepted that the difference in treatment would have to be remedied across all public service schemes.¹³⁸

The <u>Public Service Pensions and Judicial Offices Act 2022</u> implemented a remedy for this discrimination. The remedy applied to members who joined a relevant scheme on or before 31 March 2012 and remained in a relevant scheme on or after 1 April 2015. These members have been given a choice for their benefits built up between 1 April 2015 and 31 March 2022 to be built up in either their legacy scheme (AFPS 75 or AFPS 05) or the new scheme (AFPS 15). All active members were moved to AFPS for future service from April 2022.

The detailed rules for AFPS 15 are in the <u>Armed Forces Pension Scheme</u> Regulations 2014 (SI 2014/2336) and <u>Armed Forces Early Departure Scheme</u> Regulations 2014 (SI 2014/2328).

Guidance and documents relating to <u>Armed Forces Pension Scheme 2015</u> are published by the Ministry of Defence.

Detail on the reforms is available in the Commons Library Briefing <u>Public</u> service pensions – the 2015 reforms (CBP 5768)

The campaign for improved pensions for Gurkha veterans in respect of service before 1997 is discussed in Commons Library Briefing <u>The campaign for Gurkha pensions</u> (CBP 4375).

6.2 Compensation schemes

The Armed Forces Compensation Scheme (AFCS) makes payments to current and former service personnel and their families in respect of ill health, injury or death caused by service on or after 6 April 2005.

For illness, injuries and deaths caused by service before 6 April 2005, payments may be received from two sources:

the War Pensions scheme

MOD, A New Armed Forces Pension Scheme - Final Agreement (Oct 2012), p2

Lord Chancellor and Secretary of State for Justice v McCloud and Mostyn. Home Secretary and Welsh Ministers v Sargeant [2018 ECWA Civ 2844]

¹³⁸ HCWS 1725, 15 July 2019

• "attributable" benefits payable under the Armed Forces Pension Scheme 1975

People injured before 6 April 2005 continue to receive payments under these "legacy" schemes. New claims are also still possible under these schemes, if the illness, injury or death was caused by service before this date.

War Pensions scheme

The <u>War Pensions</u> scheme is administered by <u>Veterans UK</u> and is primarily intended to provide benefits for disablement caused or made worse by service in HM Armed Forces. Although it shares certain features with the Industrial Injuries Scheme, it is much wider in scope; there is no list of prescribed diseases, jobs or substances. Claims can be made for any medical condition whatsoever provided there is a causal link between the condition and military service (i.e. the condition is "attributable"). The condition does not have to have been caused by involvement in a war or active service; the injury could have been sustained simply playing organised sport on a military facility. It is a "no fault" scheme – i.e. payments are made without any admission of fault by the Ministry of Defence.

The scheme rules are set out in <u>The Naval</u>, <u>Military and Air Forces Etc.</u>
(<u>Disablement and Death</u>) <u>Service Pensions Order 2006</u>¹³⁹ – referred to as the Service Pensions Order.

War Disablement Pensions can be claimed at any time after leaving the Armed Forces, but the rules regarding the burden of proof are more restrictive if the claim is made more than seven years after leaving service, and an award will usually only start from the date of the claim.

Rates of War Disablement Pension depend on the degree of disability, assessed on a percentage basis as in the Industrial Injuries Scheme. The rates are updated yearly and are available on Gov.uk: war disablement pension rates. For disability assessed at less than 20%, a one-off lump sum gratuity is paid, unless the claim is for noise-induced sensorineural hearing loss, in which case no award is made.

A range of allowances and supplements is also available, depending on individual circumstances. These include the unemployability supplement, the mobility supplement, the constant attendance allowance and the severe disablement allowance. Allowances are also available for dependants.

All pensions and allowances are non-contributory and tax-free, but compensation for the same disabling condition received from other sources (e.g. Criminal Injuries Compensation) may cause the War Disablement Pension to be abated.

^{139 &}lt;u>SI 2006/606</u> as amended

A War Widow(er)'s Pension is paid to the surviving spouse or civil partner of someone whose death was due to, or hastened by, their military service. In some circumstances an unmarried partner can also qualify.

There is no statutory requirement to uprate the benefits available through the War Pensions Scheme, but successive governments have honoured the commitment made in 1971 by the then Secretary of State for Social Services, Sir Keith Joseph, to review the level of War Pensions on an annual bases to protect their purchasing power.¹⁴⁰

Claims must be made in writing to Veterans UK. Individuals can request a review of a War Pensions decision. Appeals can also be made to an independent tribunal (in England and Wales, the War Pensions and Armed Forces Compensation Chamber of the First-tier Tribunal; in Scotland and Northern Ireland, the Pensions Appeal Tribunal).

The War Pensions scheme applies both to regular and reserve forces. In addition, there are a number of other minor schemes with similar provisions to the War Pensions scheme for those who, though not former members of Armed Forces, were in analogous situations (e.g. members of the Merchant Navy who served in times of conflict).

Detailed policy information on the War Pensions scheme and the main related schemes can be found in Section 2 of the Ministry of Defence Joint Service Publication 765 <u>Armed Forces Compensation Scheme Statement Of Policy</u>. Information is also available on GOV.UK under <u>War Pension Scheme</u>: What <u>You Need To Know</u>. Veterans UK also has a <u>range of leaflets on the War Pension Scheme</u>.

Armed Forces Compensation Scheme

The Armed Forces Compensation Scheme provides financial compensation to serving or former serving personnel who were injured as a result of their service in the Armed Forces. Claims can only be made where the illness or injury was caused as a result of service on or after 6 April 2005. Claims for injuries or illnesses prior to this date should be made under the War Pensions Scheme, which the AFCS replaced.

The AFCS provides a lump sum payment for pain and suffering and a regular tax-free 'Guaranteed Income Payment' (GIP), payable for life, alongside higher-level tariff awards for those who suffer significant loss of earning capacity. It is a no-fault scheme which means payment is made without admitting fault.

The scheme was introduced by the <u>Armed Forces (Pensions and Compensation) Act 2004</u>, and the detailed rules are in <u>The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005</u>, ¹⁴¹ made under the Act.

¹⁴⁰ HC Deb, <u>Pensions and Benefits (Annual Review</u>), 16 December 1971, cc 852-853

¹⁴¹ SI 2005/439

Joint Service Publication 765 <u>Armed Forces Compensation Scheme Statement of Policy</u> provides the detailed policy.

Criticisms of the scheme prompted the then Labour Government to ask the former Chief of the Defence Staff, Lord Boyce, to review the scheme. The Government subsequently accepted <u>all of the review's recommendations</u> when it was published in early 2010. This included increased awards for mental health conditions, new interim payments, increases in lump sum payments and increases in the Guaranteed Income Payment.

All current and former members of the UK armed forces, including reservists, may submit a claim for compensation. There is a seven-year time limit to claim. However, there are exceptions to this and those with late onset illness can claim at any point, if it is within three years of seeking medical advice. Late onset illness includes mental disorders.

Claims can be made for any injury or illness which has been sustained as a result of service or participating in a service-related activity, for example physical exercise or organised sport.

There are two main types of AFCS benefits:

- **Lump sum payments:** Ranging from £1,236 to £650,000 this is a lump sum payment for pain and suffering depending on the severity of the injury/illness. There are 15 tariffs and supplementary awards are also available.
- Guaranteed Income Payments (GIPs): a tax free, index linked monthly payment for those with the most serious injuries and illnesses which would cause a significant loss of earning capacity. This is meant to supplement any pension and other income stream. Various factors are taken into account when calculating GIP including the effect of an injury on future promotion prospects. Awards of GIP may be subject to adjustment due to payments made under the Armed Forces Pension Schemes. As of 31 March 2021, 3,369 veterans were in receipt of a GIP. 142

An appeal system is available for those who feel their claim was wrongly rejected.

Detailed information on the tariffs, eligibility and how to claim is available on the Gov.uk website: <u>Armed Forces Compensation Scheme: A Guide</u>.

Further information can also be found in Library briefing CBP-07923, <u>Armed Forces Compensation Scheme</u>, 23 March 2017.

Armed Forces Independence Payment

Armed Forces Independence Payment (AFIP) was introduced on 8 April 2013 as an alternative to the DWP benefit Personal Independence Payment (PIP) for

⁴⁴² Ministry of Defence, <u>Armed Forces Compensation Scheme Annual Statistics 2020/21</u>, 24 June 2021

serving or former service personnel who have been seriously injured as a result of service. Like PIP, AFIP is intended to help with the extra costs incurred by people as a result of their disability.

Individuals are eligible for AFIP if they receive an AFCS Guaranteed income Payment of 50% or more. Eligible individuals are not required to undergo an initial assessment, nor is there any future reassessment. Once in payment, AFIP continues for life, unless the GIP is reduced below the 50% level.

AFIP is administered by Veterans UK as part of the Armed Forces Compensation Scheme, but payments to individuals are made by the DWP.

AFIP is currently worth £152.15 per week – the same amount a person entitled to the enhanced rates of the PIP mobility and daily living components would receive. AFIP can "passport" an individual to other sources of help, including the Motability scheme.

For further details are available at: <u>Armed Forces Independence Payment (AFIP) - GOV.UK (www.gov.uk)</u>

At 31 March 2021 there were 1,238 recipients of the Armed Forces Independence Payment.¹⁴³

Proposed 'Enhanced Compensation Scheme' for combat injuries/deaths

The 2015-17 Government proposed a new compensation scheme for those injured or killed in combat. This would be open to all current and former members of the UK armed forces and to their dependents after death. This would work in parallel to the AFCS. However, after criticism from a number of bodies, including the Law Society, in September 2020 the government announced it was no longer planning to take forward legislation "at this time". Further analysis of this decision can be found in Library briefing CBP-09009, Government rules out Combat Compensation Scheme, 18 September 2020.

6.3 Survivors' benefits

Where a surviving partner receives compensation payments, these might change if they remarry, enter into a civil partnership, or start cohabiting with another person. The rules have changed over time with compensation arrangements, and due to policy decisions by successive governments, resulting in a complicated picture.

In the Armed Forces Compensation Scheme (AFCS), survivors' benefits – for partners of service personnel whose death was attributable to their service

Ministry of Defence, Armed Forces Compensation Scheme Annual Statistics 2020/21, 24 June 2021

from 6 April 2005 – are unaffected by any subsequent marriage, civil partnership or cohabitation. 144

For deaths occurring before 6 April 2005, the overall payment may be made up of a non-attributable pension from Armed Forces Pension Scheme (AFPS 75) and a compensation award. The compensation award may be made up of two parts:

- War Widow(er)'s Pension under the War Pensions scheme
- Armed Forces Attributable Benefits Scheme (AFABS) survivors' benefits

Under both schemes, the original policy was to withdraw survivors' benefits in the event of remarriage or cohabitation. The rules have changed so that:

- War widow(er)s whose spouse died before 31 March 1973 could keep their War Widow(er)'s Pension if they remarried, formed a civil partnership or started cohabiting with another person after 6 April 2005. However, those who had remarried or began cohabiting before this date did not have their pension reinstated.¹⁴⁵
- A War widow(er) whose spouse died after 31 March 1973 whose War Widow(er)'s Pension had been withdrawn because of remarriage or cohabitation could get the pension reinstated if their new partner died or the relationship ended.¹⁴⁶
- Since 31 October 2000, AFABS pensions have been paid for life, regardless of remarriage, the formation of a civil partnership or cohabitation. This didn't apply to people who remarried or started cohabiting before this date (although their pension could be reinstated if their new partner died or the relationship ended).¹⁴⁷
- Everyone receiving a survivors' pensions (whether under the War Pensions Scheme or AFABS) who remarried, formed a civil partnership or started cohabiting after 1 April 2015 have been able to keep their pension.¹⁴⁸

The change introduced on 1 April 2015 did not extend to those who had already surrendered a War Widows' Pension on remarriage, entering into a civil partnership or cohabitation. There is an ongoing campaign to get pensions to this group reinstated.

On 5 March 2021, the then Defence Minister, Johnny Mercer, said the Government continued to "examine all possibilities, including the ex-gratia scheme [...] the Secretary of State is committed to resolving it, and we will get

Armed Forces compensation Scheme Statement of Policy (PDF), Ministry of Defence, July 2021

¹⁴⁵ War Pension Scheme: War Widows or War Widowers Pension, Ministry of Defence, 6 March 2020

¹⁴⁶ As above

Armed Forces Pension Scheme 1975 Family Benefits (PDF), February 2015, para 2.6

¹⁴⁸ Armed Forces Pension Scheme 1975 Family Benefits (PDF), February 2015, para 2.7

there in the end."¹⁴⁹ On 20 May, Defence Minister, Baroness Goldie, explained that:

The Ministry of Defence is exploring options that ensure consistency with established Government convention that such payments are not made retrospectively. The issue remains a priority for the Department, though it remains very complex. 150

On 7 September, she hoped it would be possible to report further on the issue in the not-too-distant future. 151

For more on the background, see Library briefing paper <u>War Widows'</u> <u>Pensions</u> (CBP568) and <u>Lifetime Survivors' Pensions In Public Service Pension Schemes</u> (CBP 7919).

¹⁴⁹ HC Deb 15 March 2021 c22

¹⁵⁰ PQHL211 [on <u>War Widows: Pensions</u>] 20 May 2021

¹⁵¹ HL Deb 7 September 2021 c770

7 Employment and benefits

In Great Britain, back to work support is provided through Jobcentre Plus – part of the Department for Work and Pensions (DWP) – although many welfare-to-work schemes are delivered by contracted providers. Jobcentre Plus is also responsible for administering most working-age benefits. ¹⁵²

There are no Government welfare-to-work schemes specifically for Armed Forces veterans, nor are there (with the exception of the Armed Forces Independence Payment – see section 6.2 above) any social security benefits specifically for veterans, although there are some "easements" for veterans and their family members.

For employment support for recent service leavers, see section 3 of this briefing paper.

7.1 Employment outcomes

The Ministry of Defence have published information on the employment outcomes of veterans in two different publications:

- Annual population survey: UK armed forces veterans residing in Great
 Britain: these are figures that are taken from the ONS <u>Annual Population</u>
 Survey (APS). However, the 2019 publication, which provided figures for
 2017, was the last of these publications.
- <u>Career Transition Partnership ex-service personnel employment</u>
 <u>outcomes</u>: these are statistics for those who used services provided by
 the Career Transition Partnership. These were last published in January
 <u>2022</u>.

The ONS have included a publication on the employment trends of the UK veteran population in their list of proposed publications based on Census 2021. However, this will not be published until 2024 at the earliest. 153

The 2017 figures from the Annual Population Survey found that working-age Armed Forces veterans were as likely to be employed as non-veterans (79% for both groups). There were no significant differences between working-age

Jobcentre Plus formerly had agency status, but from October 2011 it was, along the Pensions Service and Disability and Carer's Service, brought within "DWP Operations". However, the Jobcentre Plus and Pensions Service "brands" continue to be used.

ONS, <u>UK armed forces veterans: Census 2021 analysis plans</u>, 24 May 2022

veterans' and non-veterans' employment status by gender, age group, ethnicity and region.

The occupations of veterans aged 16-34 did differ from the occupations of non-veterans. These veterans were more likely to be working as Process, Plant and Machine Operatives than non-veterans, and were less likely to be working in Professional or Scientific Occupations.¹⁵⁴

Of those who left the Armed Forces in 2020/21 and used a billable Career Transition Partnership service, 83% had found employment within six months, 6% were unemployed, and 12% were economically inactive. 36% of those who were economically inactive were in education, training or volunteering. 155

Employment Schemes

There are various employment schemes currently in place, or due to be introduced, to support veterans to find employment and to encourage employers to take on veterans.¹⁵⁶

Employment support is provided for service personnel leaving the Armed forces through the Career Transition Partnership. Further information on this provision is provided in section 3.1 of this briefing.

Support is also provided to help veterans move into careers within various professions. With the intention of improving their employment prospects, the Government has launched guaranteed interviews in the civil service for veterans. Support to join the civil service is also provided by the Going Forward Into Employment scheme which is aimed at veterans who may struggle to otherwise find employment. The Step into Health programme supports veterans to take up careers in the NHS. The Ministry of Justice will also introduce a programme to support veterans to become prison officers, while support will also be provided to help veterans into careers in uniformed services and into teaching. 160 161

The Government introduced from April 2021 a National Insurance contributions relief for employers who hire veterans. This relief will be available for 12 months started on the veteran's first day in civilian employment and will end 12 months later. This means that, from April 2022,

MOD, Annual Population Survey: UK Armed Forces Veterans Residing in Great Britain 2017 (31 January 2019)

MOD, <u>Career Transition Partnership Ex-Service Personnel Employment Outcomes: Financial Year 2018/19</u> (31 January 2019)

¹⁵⁶ HC Deb, <u>Armed Forces: Transition into Employment</u>, 24 May 2021

¹⁵⁷ Cabinet Office/Office for Veterans' Affairs, <u>Government delivers on promise to veterans announcing guaranteed interviews for government jobs</u>, 6 February 2020

¹⁵⁸ Career Transition Partnership, Going Forward Into Employment (accessed 30 May 2022)

¹⁵⁹ NHS, <u>Military step into health</u> (accessed 30 May 2022)

Office for Veterans' Affairs, <u>New plans to boost veterans employment launched</u>, 19 January 2022

¹⁶¹ Office for Veterans' Affairs, Veterans' Strategy Action Plan 2022-24, CP 598, January 2022, pp22-23

employers have been able to retrospectively claim the relief against eligible earnings over the 2021 to 2022 tax year. ¹⁶²

The Defence Employer Recognition Scheme was launched in 2014 with the intention of encouraging employers to support veterans. Employers must have signed the Armed Forces Covenant to receive recognition, and may receive a bronze, silver or gold award. As of May 2022, 140 organisations were gold award holders.

The Government announced, as part of its <u>National Disability Strategy</u>, that it will be launching an "Access to Work Adjustments Passport", which will support disabled people with their transition into employment. The DWP will carry out a series of pilots to test the passport, with one pilot involving veterans. The veterans pilot is due to be rolled out in Spring 2022. 166

"Armed Forces Champions" have been introduced into Jobcentre Plus, with the intention of improving the support that is provided to veterans. The DWP will evaluate the impact of this new model. Further information is provided in section 7.2.

No specific programmes have been brought in for veterans who have been affected by COVID-19, although they can receive support through the general schemes that are in place. The measures that have been introduced to support people back into work are outlined in the library paper <u>Coronavirus</u>: <u>Getting people back into work</u> (September 2020).¹⁶⁸

7.2 Jobcentre Plus services

<u>DWP guidance</u> states that "all former service personnel have access to the full range of Jobcentre Plus services."¹⁶⁹

The Work and Health Programme provides support to people in England and Wales to find and keep a job. It is available, on a voluntary basis, to those with health conditions or disabilities, and to various groups of vulnerable people.¹⁷⁰

Former Armed Forces personnel are a "priority group" for this programme which allows for "early voluntary entry to the programme at the most

HMRC, Zero-rate of secondary Class 1 contributions for armed forces veterans, 12 May 2021

MOD, <u>Defence Employer Recognition Scheme</u>, 23 May 2022

¹⁶⁴ MOD, <u>ERS gold award holders - 2021</u>, 23 May 2022

DWP, National Disability Strategy, Part 1: practical steps now to improve disabled people's everyday lives, 28 July 2021

PQ 102728 [on Access to Work Programme], 12 January 2022

Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p22

PQ HL8255 [on Employment: Veterans], 1 October 2020

DWP, Armed Forces Access to Jobcentre Plus Services and Armed Forces Champions, updated 16 August 2019

¹⁷⁰ See Commons Library briefing CBP-7845, Work and Health Programme

appropriate time in their claim for those who would benefit from specialist employment support to find work."¹⁷¹

Employment support programmes are now devolved in Scotland. The <u>Fair Start Scotland</u> employment support service provides "tailored, personcentred support", delivered by public, private and third sector bodies under nine separate regional contracts. Participation in employment programmes in Scotland is voluntary, i.e. a person cannot be sanctioned if they refuse to participate.

Jobcentre support for veterans

In response to parliamentary questions, Ministers have said that all ex-service personnel claiming out-of-work benefits should receive a "flexible, personalised service and access to the full range of Jobcentre Plus services from day one". This starts with an initial interview with a personal adviser/work coach to discuss and agree a course of action to offer the best prospects of finding work, followed by ongoing contact and support "tailored to individual need." Throughout this process, the advisor/work coach may provide information about, and access to, a range of help available through Jobcentre Plus and partner organisation, including veterans' charities. 173

In April 2021, the DWP introduced a question on the Universal Credit (UC) system so that people making a claim for UC, or reporting a change of circumstances, can indicate whether they are a veteran, or are currently serving in the Armed Forces. The Department is to extend this Armed Forces "marker" to include existing UC claimants.¹⁷⁴

The purpose of the marker/identifier is to help the Department "more easily identify customers who belong to the Armed Forces Community, and provide them with any extra help they may need". The DWP also hopes that, over the longer term, the data collected will enable it and others to "better understand the needs of Armed Forces Community customers".

To ensure that support, advice and guidance meets the needs of veterans and the wider community, Jobcentre Plus has appointed 50 "Armed Forces Champions." <u>DWP guidance</u> explains their role:

The armed forces champion provides Jobcentre Plus support to:

- veterans
- service leavers

PQ 110766 [on <u>Veterans: Training</u>], 1 November 2017

HC Deb 9 September 2013 cc609-10W

⁷³ As above

Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p13

MOD, <u>Armed Forces Covenant and Veterans Annual Report 2021</u>, 15 December 2021, p98

¹⁷⁶ As above

- serving personnel within their resettlement period
- spouses and civil partners of serving and ex-service personnel

Champions maintain close contact with Jobcentre Plus staff, who make the champion aware of armed forces issues and raise issues with them if you request it. Champions are not always based in the Jobcentre.

The role of the armed forces champion is to:

- develop and maintain joint working arrangements between Jobcentre
 Plus and the armed forces community in their Jobcentre Plus district
- provide information to Jobcentre Plus staff about specific armed forces initiatives
- provide an understanding of the issues the forces community face that can be a barrier to employment
- be the first point of contact for Jobcentre Plus staff and services welfare and families staff to advise on queries regarding individual armed forces cases – including serving personnel, your families and veterans
- focus specifically on the Jobcentre Plus support available to veterans, service leavers, those within a resettlement period and spouses and civil partners of serving and ex-service personnel – where necessary and appropriate, the champions will work to put support in place

They also work to raise the profile of the service community in terms of the skills, knowledge and experience they can offer, and work with colleagues to ease some of the barriers to work you face.

The champion will tailor their activities to match the needs of the armed forces community in their district. This means some activities may differ from district to district. The role and responsibilities of the champion remain the same regardless of location.

Each of the services has appointed points of contacts who form a link with the relevant champions within their area.

You can tell your champion about an issue through your:

- nominated service focal point
- local Jobcentre Plus office¹⁷⁷

In February 2019 the DWP issued "a refreshed job description for the Armed Forces Champion (AFC) which sets out what is expected of an AFC, the key relationships they need to form and other resources available to them."

Armed Forces Access to Jobcentre Plus Services, DWP, updated 16 August 2019

PQ 266118 [on <u>Social Security Benefits: Veterans</u>], 24 June 2019

From April 2021, the DWP began to introduce "a new model for providing support to the Armed Forces Community". The MOD's <u>Armed Forces Covenant and Veterans Annual Report 2021</u> explains:

Building on the existing network of Armed Forces Champions across the Jobcentre Plus network, the new model includes 11 dedicated management roles. There is now one Armed Forces Champion Lead in each DWP group area.

The leads oversee 50 Armed Forces Champions working across the Jobcentre Plus network (there is at least one champion in each Jobcentre Plus district). The leads form a virtual network and, along with the champions, are responsible for building capability throughout the DWP and working with partners to share best practice.

The 50 champions each have specific responsibility within their districts for supporting members of the Armed Forces Community and improving colleagues' awareness of Armed Forces issues. Under the new model, their role includes front line responsibilities, including handling some claims personally, supporting veterans into work and helping to resolve complex cases where necessary. DWP Work Coaches also receive training on how to provide tailored and personalised support to members of the Armed Forces Community and their families, working in partnership with the champions.¹⁷⁹

The DWP states that the new model of 50 Armed Forces Champions and 11 Leads in the Jobcentre Plus network has been "well received by stakeholders." The Department is committed to evaluating its impact. ¹⁸¹

The DWP emphasises that the new dedicated Armed Forces roles "will complement the investment in recruiting an additional 13,500 Work Coaches overall (and every Work Coach receives appropriate training to support members of the Armed Forces Community), as well as investing billions of pounds in employment support schemes (such as Kickstart and JETS)."¹⁸²

7.3 Benefits rules

In certain situations, the normal benefits rules are modified for former and/or serving service personnel and their families. These include:

- Benefit cap exemption families which include a person receiving an Armed Forces Compensation Scheme Guaranteed Income Payment, or a War Pensions Scheme payment, are exempt from the household benefit cap.
- Exemption from the 3-month residence requirement for JSA those returning to the UK after having served abroad are exempt from the usual 3-month residence requirement for income-based Jobseeker's

MOD, Armed Forces Covenant and Veterans Annual Report 2021, 15 December 2021, p97

PQ 117093 [on <u>Jobcentres: Armed forces</u>], 9 February 2022

Office for Veterans' Affairs, <u>Veterans' Strategy Action Plan 2022-24</u>, CP 598, January 2022, p21

PQ HL315 [on <u>Jobcentre Plus: Armed Forces</u>], 2 June 2021

Allowance.¹⁸³ This also applies to spouses or partners, and children up to 21, returning from overseas. However, with the introduction of Universal Credit, it is now no longer possible to make new claims for income-based JSA.

- National Insurance (NI) credits spouses and civil partners reaching State Pension age from 6 April 2016 can now apply for NI credits for periods from 1975 when they were accompanying their partner serving abroad. This may help them qualify for the new State Pension. Since April 2010, service spouses and civil partners have also been entitled to Class 1 NI credits while accompanying a partner posted overseas. These count towards the State Pension and contributory working-age benefits. A further easement for those benefiting from the new Class 1 credits relaxes the first contribution condition for both New Style JSA and New Style ESA. 184
- Employment and Support Allowance claims when a service medical board decides a severely disabled person can no longer be employed in the Armed Forces and should be discharged, DWP now uses the Service Medical Board evidence to determine eligibility to ESA rather than conduct a face to face medical assessment.

Further details are given in the DWP guidance <u>Armed Forces Access to Jobcentre Plus Services and Armed Forces Champions.</u>

In the consultation, <u>Work, Health and Disability Green Paper: Improving Lives</u>, the 2015 Government suggested expanding the use of Service Medical Board evidence for benefits purposes:

[...] there may be opportunities to use [Service Medical Board] evidence more widely in Employment and Support Allowance and Universal Credit assessments for all members of the armed forces which would result in speedier benefit awards and a less burdensome claiming process for the individuals.¹⁸⁵

The subsequent Government strategy paper <u>Improving Lives: The Future of Work, Health and Disability</u>, published on 30 November 2017, said that in relation to this particular initiative, work was "in progress". It added:

We are continually reviewing the way we deliver our services to ensure they meet the needs of our customers. This includes armed forces veterans, where we already try to use existing medical reports where we can for benefit

See Commons Library briefing CBP-6889, Measures to limit migrants' access to benefits

DWP, Spouses and Civil Partners of Service Personnel – An Easement for Contribution-Based Employment and Support Allowance and Contribution-Based Jobseeker's Allowance: Equality Impact Assessment, November 2011

DWP and Department for Health, <u>Work, Health and Disability Green Paper: Improving Lives</u>, Cm 9342 31 October 2016, paras 140-141

purposes so customer do not have to undergo further examinations unless absolutely necessary. 186

Recent research (see section 7.4 below) casts some doubt however on whether these and other easements/adaptations for Armed Forces veterans, and other aspects of the benefits system, are working effectively for former service personnel.

7.4 Research on veterans' experiences of the benefits system

Welfare conditionality and service leavers

The <u>Forces in Mind Trust</u> (FiMT) commissioned researchers at the University of Salford and the University of York to undertake a two year project (2017-2019) looking at how service leavers and their families experience the mainstream conditional social security benefits system as part of their transition to civilian life.¹⁸⁷ "Conditional" benefits are those which depend on the recipient meeting specified responsibilities – for example undertaking job search activities or mandatory training – and where a failure to comply may incur a benefit sanction, or termination of the award.

A briefing paper setting the scene for the project ¹⁸⁸ commented that while the specific exemptions and easements (including those outlined above) suggested official acknowledgement that service leavers and their families face specific issues and circumstances, little was known of how service leavers experienced moving through the mainstream benefit system. It noted that while for the vast majority of service leavers the transition to civilian life is "relatively unproblematic", a growing body of research recognised that issues can occur in the transition process, including problems relating to mental health and/or physical impairment, homelessness, drug and alcohol use, and interactions with the criminal justice system. Early Service Leavers (ESLs) – those with less than four years' service – in particular had been identified as a group who often struggle to navigate successfully the transition from military to civilian life.

The research involved two waves of repeat qualitative longitudinal interviews with veterans and their families who were claiming social security benefits,

DWP and Department for Health, <u>Improving Lives: The Future of Work, Health and Disability</u>, Cm 9526 30 November 2017, Annex B, p53

See Welfare Conditionality Project, Sanctions, Support and Service Leavers: Welfare Conditionality and Transitions From Military to Civilian Life

FiMT, <u>Briefing Paper: Social Security Benefits</u>, <u>Welfare Conditionality and Armed Forces Service</u>
<u>Leavers</u>, 26 June 2017

and consultations with key national, regional and local policy and practice stakeholders. The <u>final report of the project</u> was published on 18 June 2019.¹⁸⁹

Key findings include:

- Overwhelmingly, veterans found the social security system complex and difficult to navigate, with the ongoing rollout of UC adding a further layer of complexity. People routinely struggled to comprehend the benefits that may be available, the contemporary conditions attached to continued eligibility, and how to apply for and manage their ongoing claims.
- Most respondents had disclosed their status as a member of the Armed Forces community, and there were significant differences in the responses of Jobcentre Plus Work Coaches/advisors to this disclosure, although the majority of veterans felt that it made little difference to the support subsequently provided.
- The majority of the support that veterans were receiving often came from outside the DWP (i.e. Armed Forces charities, other third-sector organisations, housing providers, etc), underlining the importance of the DWP's role in signposting veterans to relevant local and national agencies.
- Experiences with ESA and PIP assessments had been "overwhelmingly negative", with significant concerns about the ability of the process and those undertaking assessments to appropriately consider the specific mental and physical health impairments that may result from Service in the Armed Forces. Concerns were also raised that Service medical records and other relevant supporting medical information were not routinely being considered in assessments an omission often only rectified when a third party, such as a GP or Armed Forces charity, advocated on behalf of a claimant at the appeal stage.
- There are significant variations in the support provided to veterans within
 the social security system, with experiences varying from area to area
 and even within individual Jobcentres respondents could experience
 varying and inconsistent levels of support when interacting with more
 than one Work Coach or when allocated a new Work Coach.
- Variations in the understanding of Jobcentre Plus staff in relation to the various adjustments and easements for Armed Forces veterans and specific issues/barriers veterans face. Variations and inconsistencies in approaches and in understanding were attributed to staff training and also the proximity to garrisons.

Sanctions, Support & Service Leavers: Social Security Benefits and Transitions From Military to Civilian Life, Lisa Scullion et al. June 2019; see also Researchers Say Benefits Sanctions Should Not be Imposed on Veterans, FiMT, 18 June 2019.

- Although there was evidence of good practice, there were also inconsistencies in relation to the delivery of the role of Armed Forces Champions (AFCs) and the degree to which different AFCs engaged with the role.
- Although again good practice was evident, respondents were often critical of the supposedly "personalised" mandatory support provided by Jobcentre Plus. On the whole, the support was seen as generic and focused more on compliance than on sustainable employment outcomes or addressing health and wellbeing issues. In addition, many veterans did not believe the work-related requirements imposed on them were reasonable or achievable, and in some cases compliance with the conditions had been counterproductive to their chances of securing employment.
- Respondents also raised the broader issue around wanting to be treated
 with dignity and respect. The application of benefit sanctions had
 "profoundly negative" consequences for respondents, and sanctions had
 sometimes occurred as a result of difficulties in navigating the social
 security system or difficulties arising from ongoing mental health issues.
- Although only a small number of those in the sample had transitioned to Universal Credit, for those who had the transition had been problematic. Respondents receiving legacy benefit likely to migrate to UC in the future also expressed concerns about what would happen, including the interaction with other benefits and pensions, dealing with monthly payments, and the "digital by default" system.

The report makes a <u>series of recommendations</u> to address these and other issues, including:

- Guidance on the UK social security system, including claimants' responsibilities, should be included as part of the transitional support for those leaving the Armed Forces.
- The DWP should ensure that Armed Forces background is consistently recorded by Work Coaches to ensure appropriate tracking of the needs of individual veterans and their progress through the system.
- Consistency in DWP signposting of veterans to organisations that can provide appropriate support with issues they may face.
- An urgent review of the assessment process applied to those claiming working-age incapacity benefits, to ensure assessors are qualified to assess the health needs of people leaving the Armed Forces.
- DWP should ensure that Service medical records and other relevant supporting medical information are consistently included within WCAs and PIP assessments.

- DWP should ensure that all Jobcentre Plus staff are provided with guidance and/or training on the specific adjustments and easements applicable to the Armed Forces community, and on the mental and physical health impairments that may affect some veterans' ability to engage in work-related activity.
- Each Jobcentre should have at least one designated individual who takes a leading role in supporting the Armed Forces community in their interactions with the social security system.
- A comprehensive review of the Armed Forces Champion (AFC) role, which should look at the different models currently being used across the UK to map areas of good practice and identify areas requiring improvement; the development of a job description to ensure consistency in the delivery of the role; consistent training of AFCs; and a commitment to appropriately resource AFCs.
- DWP should review the sanctioning of members of the Armed Forces community to ensure that sanctions are not applied to veterans experiencing mental and physical health impairments resulting from Service in the Armed Forces.
- DWP should provide additional support to veterans as they transition from legacy benefits to UC, which is tailored and/or enhanced to reflect the unique circumstances of those who have served in the Armed Forces.

Disabled veterans and the benefits system

In November 2020, the Royal British Legion and Poppyscotland published a report, Making the benefits system fit for service: Improving support for veterans with military compensation. It focuses on aspects of the benefits system that most impact disabled veterans' ability to access and manage benefit claims and statutory support to gain employment, as well the effect this has on their overall health and wellbeing. The report was based on a literature review, semi-structured interviews with veterans, focus groups with veterans and relevant stakeholders, and the results of an online survey of veterans receiving both military compensation payments and at least one disability benefit.

Looking at the process for applying for benefits, 63% of survey respondents who applied for ESA and 76% of PIP applicants found completing the form "difficult" or "very difficult". In addition to recommending that the DWP and the appropriate devolved administrations redesign benefit application forms to include a question to identify Armed Forces veterans, the report recommends that the MoD, DWP and Social Security Scotland:

 work together to implement and extend data-sharing arrangements already in place for veterans being medically discharged to cover all veterans receiving compensation who make a claim for disability benefits; and provide appropriate support with completing benefit application forms and guidance on what to expect at assessments to all veterans with compensation, through agencies such as Veterans UK and the wider veterans support network, including the Royal British Legion and Poppyscotland.

The report found that for many of the veterans and benefit advisers who took part in the research, assessments were the most important, yet most problematic, stage of the benefits journey. Only 8% of respondents claiming ESA and 20% claiming PIP believed the assessor considered their Service Medical Records in assessments. Recommendations for improvements specific to veterans included:

- training for Health Care Professionals (HCPs) undertaking assessments to increase their knowledge of military culture and common Servicerelated conditions;
- clearer guidance for HCPs and Decision Makers on the use of Service
 Medical Records for veterans making a claim for disability benefits based on Service-related conditions; and
- DWP should use the most up to date military compensation assessment and report to inform benefit assessments, thus reducing the need for multiple and face-to-face assessments.

The survey found that while only 30% of respondents who were unhappy with their initial benefits decision went on to appeal the decision, focus group participants who had gone through an appeal had a more positive perception of tribunals than of the rest of the benefits journey. Possible factors explaining this finding included the composition of the tribunal panels, the use of further evidence presented, and a greater understanding of Service-related conditions. The report recommends that the DWP:

- undertake a study of the appeals process to find out why there is significant trust in the system, and to identify "learning points" that could improve experiences at the other stages of the benefits journey (and reduce the need for appeals); and
- give consideration to the creation of specialist assessors, especially with knowledge of the Armed Forces and Service-related conditions.

The research also looked at veterans' experiences of back to work support provided by Jobcentre Plus. It found that views on the support offered were mixed. Survey and focus group participants reported a lack of knowledge of the Armed Forces culture, experience, or compensation schemes amongst some Work Coaches, and variable experiences of working with Armed Forces Champions. The report recommended that:

 Work coaches should ask whether a claimant is a veteran at their initial interview, and that this should be recorded to facilitate signposting to appropriate services if needed;

- Work Coaches should be "veteran friendly", i.e. sufficiently trained to understand the impact of military life on fitness for work, and have a strong understanding of the interaction between Armed Forces compensation schemes and welfare benefits; and
- the DWP consult on the remit and job descriptions of Armed Forces
 Champions with key stakeholders, to ensure that the support offered to veterans is tailored to their needs;
- Champions' training should be standardised and develop strong understanding of both military culture and the barriers to employment faced by working-age disabled veterans; and
- the Access to Work scheme should be widely promoted to wounded, injured and sick veterans by Veterans UK during a claim for compensation.

The report also included recommendations on the treatment of Armed Forces compensation payments for means-tested benefits. This is covered in the next section of this briefing.

Asked for the Government's assessment of the report's finding that only 8% of survey respondents claiming PIP and 6% of those claiming ESA felt that the assessor had knowledge of the Armed Forces and Service-related conditions, the Minister for Welfare Delivery Will Quince said in a written answer on 9 December 2020 said that the Department for work and Pensions was "currently giving this report the careful consideration it deserves." He added:

However, our early analysis finds some of the themes highlighted in the report – such as, effectively identifying veterans; making best use of data and evidence; and improving staff awareness and training – are areas where DWP has already taken action to improve the service we offer to veterans, or have future plans to do so. For example, where possible the healthcare professionals undertaking assessments will use paper based evidence alone, this will include Service Medical Board reports, where available.

For Personal Independence Payment, assessors have Post Traumatic Stress Disorder guidance which was developed with the help of the Royal British Legion.¹⁹⁰

7.5 Effect of compensation payments on benefits

Where a veteran is in receipt of a War Disablement Pension or Armed Forces Compensation Scheme payments, it may affect entitlement to social security benefits.

The basic War Disablement Pension does not affect any non-means tested social security benefit (or vice versa), with the exception of Industrial Injuries

¹⁹⁰ PQ 123525 [on <u>Social Security Benefits: Veterans</u>], 9 December 2020

Disablement Benefit for the same disablement. 191 The supplementary allowances, however, can affect the payment of similar benefits available through the social security system – so for example a person cannot get Attendance Allowance from the Department for Work and Pensions in addition to constant attendance allowance under the War Pensions scheme.

For means-tested benefits - such as Income Support, income-related Employment and Support Allowance and Pension Credit – £10 a week of a War Disablement Pension is ignored as income. The disregard is in recognition of the "special nature of war pensions". ¹⁹² Certain aspects of the supplementary allowances are also ignored in full.

Local authorities also have the discretion to ignore more than the statutory £10 a week when calculating entitlement to Housing Benefit. They may decide to disregard all or part of a war pension. For these purposes, a "war pension" includes both the War Disablement Pension and Service Attributable Pensions payable under the Armed Forces Pension Scheme 1975.

For means-tested benefits, lump sum AFCS payments for pain and suffering are treated in the same way as personal injury payments and are disregarded as capital for the first 52 weeks. This gives the recipient time either to spend the money, or put it in a trust fund.

AFCS Guaranteed Income Payments (GIPs) are treated in the same way as War Disablement Pensions for income-related benefits purposes – i.e., the first £10 a week is ignored but the excess counts as income. For Housing Benefit, local authorities may decide to disregard more than the minimum £10, or the whole amount.

For tax credits, War Disablement Pensions are ignored, as are lump sum AFCS payments. The basic GIP does not count as income for tax credits, but a GIP paid to a survivor or payments for children under the AFCS will count as income (subject to the £300 a year disregard in respect of pension payments).

Universal Credit is replacing means-tested social security benefits and tax credits for people of working age. War Disablement Pensions and AFCS GIPs are disregarded completely for Universal Credit. In the meantime, there are no plans to make any changes to the treatment of these payments for existing "legacy" benefits. 193

The Royal British Legion and Poppyscotland report published in November 2020, Making the benefits system fit for service: Improving support for veterans with military compensation (see section 7.4 above), described the variable treatment of compensation payments as a "peculiarity" of the

¹⁹¹ In this situation, the War Disablement Pension would be reduced by the amount of Industrial Injuries Disablement Benefit in payment.

¹⁹² HC Deb 1 November 2004 cc125-126W

¹⁹³ HC Deb 28 January 2014 c468W

benefits system that does not adhere to the principles of the Armed Forces Covenant. It commented:

...military compensation is awarded to serving personnel and veterans in recognition of their pain and loss of amenity brought about by an injury caused in Service. As a no-fault compensation scheme for injury, it is distinct from income replacement benefits, such as ESA. However, many injured veterans find either all or the majority of their compensation payments treated as if it were normal income in welfare means tests, and can be left only able to hold onto the first £10 of it which is 'disregarded' from the income assessment. Furthermore, the treatment of the two compensation schemes within benefits legislation differs significantly. AFCS is widely disregarded entirely whereas a [War Disablement Pension] only sees £10 disregarded when claiming benefits such as ESA or Job Seekers Allowance. Even those on Universal Credit, who have all their compensation disregarded still face the uncertainty of sacrificing their compensation payments when they reach State Pension Age and move to Pension Credit. For those in receipt of a Service Invaliding Pension, or Service Attributable Pension, the picture becomes more complex still. 194

The report recommended creating a blanket disregard of compensation payments – including Service Invaliding and Service Attributable Pensions – within means tests, for both DWP benefits and local authority services (see section 7.6 below).

7.6 Effect of compensation payments on social care (England)

People eligible for local authority funding towards their social care are expected to contribute their income towards the cost. However, some income is "disregarded" for these purposes and does not have to be contributed.

Since April 2017, veterans in receipt of payments under the War Pension Scheme¹⁹⁵ – including the War Disablement Pension – have had their payments fully disregarded in the assessment of what they can pay for social care.¹⁹⁶ This brought them into line with veterans in receipt of the Guaranteed Income Payment from the Armed Forces Compensation Scheme (AFCS) where a full disregard has applied since 2012.¹⁹⁷

However, for non-veterans, only the first £10 of a War Disablement Pension payment is disregarded from the social care financial assessment.¹⁹⁸

Executive Summary, p8

¹⁹⁵ With the exception of Constant Attendance Allowance which is specifically intended to pay for care.

Department of Health and Social Care, <u>Care and Support Statutory Guidance</u> (January 2022), para 8 21a

Department of Health, <u>Charging for Residential Accommodation and Non-Residential Care Services</u>, Local Authority Circular LAC(DH)(2012)03 (15 October 2012), p. 3, para 1 (Annex)

Department of Health and Social Care, <u>Care and Support Statutory Guidance</u>, (January 2022), Annex C, para 33

Further information on how individuals in England may access financial support from their local authority towards the costs of their adult social care is available in the Library briefing: <u>Paying for adult social care in England</u>.

8 Medals and Memorials

8.1 Military Medals

Military medals are awarded to serving – and former – members of the armed forces and eligible civilians, to recognise their service in a particular campaign or in time of war.

Next of kin are entitled to receive medals on behalf of deceased Service personnel.

Sir John Holmes' Review

The Government asked Sir John Holmes to <u>review the rules</u>, principles and processes for medallic recognition of military campaigns in 2012.

The review was prompted by several long-running campaigns by veterans' groups and individuals seeking redress for perceived injustices in medallic recognition. Some argued for medallic recognition of past campaigns; some were seeking an extension to the qualifying criteria for existing campaign medals; others wanted broader recognition of service.

Sir John published his findings in July 2012 in the Military Medals Review.

Based on the initial recommendations in his review, Sir John was asked, by the then Prime Minister, to lead a second stage of work.

National Defence Medal

Sir John made <u>eight recommendations</u>, one of which was to examine instituting a National Defence Medal, to be awarded as a recognition of military service of whatever form. The Committee on the Grant of Honours, Decorations and Medals (commonly known as the HD Committee) considered Sir John's findings but was not persuaded that a strong enough case was made, though advised that the issue might be reconsidered in the future.

Many veterans' organisations and Members continue to lobby for such an award: there was a Westminster Hall debate on a <u>National Defence Medal</u> on 12 April 2016 and there have been subsequent PQs. In March 2022 (<u>PQ136497</u>) the MOD reiterated the position on issuing a National Defence Medal that it had previously set down in a PQ in March 2020 (<u>30067</u>). The Minister's reply said there were no plans to do so. The government has long maintained the policy that medals are not awarded as a record of service, but in recognition of specific campaigns or operations, acts of gallantry or outstanding service.

Medals awarded

The Ministry of Defence Medal Office is responsible for issuing medals authorised by Her Majesty to British service personnel and veterans. It provides a full list of campaign medals from World War 1 to the more recent Ebola Medal, as well medals awarded for gallantry and distinguished conduct. This list – which includes descriptions and eligibility for each medal – is available on the Gov.uk page: Medals: campaigns, descriptions and eligibility.

Medals awarded prior to the Second World War can no longer be issued.

How to apply

The majority of service personnel receive campaign medals awarded to them while they are still in the armed forces, as they are required to be worn for ceremonial duty and other functions for which their uniform is required.

However, if an individual leaves the armed forces before the medal can be issued, it is their responsibility to make a claim from the MOD Medal Office.

Consequently, there are still many veterans who have not received the medals to which they are entitled. By far the largest group of veterans are those who were in the armed forces during Second World War. These historic medal claims form a large proportion of the work of the MOD Medal Office.

Service veterans and those applying on behalf of others may submit applications to the MOD Medal Office, using the MOD medal application form.

Further information on applications can be found in the Commons Briefing Paper How to apply for a military medal (CBP-7190).

This paper also has details on replacement medals and the Veterans Badge.

8.2 Memorials

There are estimated to be over 100,000 war memorials in the UK, the majority being small affairs raised by local communities.

The War Memorials Trust defines a war memorial:

Any physical object created, erected or installed to commemorate those involved in or affected by a conflict or war should be considered a war memorial. Memorials to civilians and animals should be included. 199

¹⁹⁹ War Memorials Trust, Importance of War Memorials (2017)

The cost of erecting memorials and associated projects is not usually met from public funds but from private donations or public subscription.

Exceptions have been made. In recent years the Government financially supported the construction of the Armed Forces Memorial, inscribed with the names of all those who have died while on duty since 1945. ²⁰⁰ This is located at the National Memorial Arboretum in Staffordshire.

The Government also contributed to the costs of the opening ceremony of the Bomber Command memorial in London in 2012.²⁰¹

In 2014 the Government announced a £5 million fund to conserve and protect war memorials as part of the centenary of the First World War.²⁰²

Responsibility for war memorials was vested in local authorities who were empowered by the <u>War Memorials (Local Authorities' Powers) Act 1923</u> to incur reasonable expense to maintain, repair and protect memorials within their control. This does not oblige them to do so however, and responsibility for the design of a memorial, its maintenance, protection and decision as to what it commemorates ultimately rests with the owner, or the organisation in which ownership is vested.

The Cenotaph

The Cenotaph is the UK's primary national war memorial. Situated on Whitehall in London, it is the focus of Remembrance Day events, held on Remembrance Sunday, the closest Sunday to 11 November (Armistice Day) each year. The <u>Royal British Legion</u> provides information on Remembrance events throughout the UK and the National Service of Remembrance at the Cenotaph.

The march past the Cenotaph did not take place in 2020 because of Covid-19.

The Armed Forces Memorial

The names of those who have died since the end of Second World War, while on duty, are inscribed upon the <u>Armed Forces Memorial at the National Memorial Arboretum</u>.

The Memorial honours those members of the Armed Forces (Regular and Reserve) who were killed on duty while performing functions attributable to the special circumstances and requirements of the Armed Forces (e.g. in training or an exercise), or as a result of terrorist action, and those who died while deployed on designated operations, since the end of Second World War. Members of the Royal Fleet Auxiliary and the Merchant Navy who died in conflict zones while in direct support of the Armed Forces are also included.

²⁰⁰ HC Deb, Departments: Ministerial Powers, 10 July 2007, 1363W

²⁰¹ 'Bomber Command Memorial: Government Pledge Over Shortfall', BBC News, 8 October 2012.

²⁰² PQ 150634 [on <u>World War I: War Memorials</u>], 6 July 2018

The Memorial was completed in 2007. Funding came from public donations, sale of the Trafalgar coin and a lottery grant. In a departure from a longstanding policy on the funding of war memorials, the costs of constructing the memorial were also underwritten by the Ministry of Defence.

Memorial to the British Victims of Overseas Terrorism

A <u>dedication ceremony</u> for a new National Memorial to the British Victims of Overseas Terrorism at the National Memorial Arboretum took place in May 2018. It is dedicated to all British victims of overseas terrorism and will stand to honour any future victims. The memorial was funded by fines levied on banks by the Financial Conduct Authority.²⁰³

A separate memorial dedicated to the victims of the Sousse and Bardo attacks in Tunisia was unveiled in March 2019 in Cannon Hill Park, Birmingham.²⁰⁴

Sources of information

The following organisations provide useful and detailed material about memorials and Remembrance:

- UK War Memorials
- War Memorials Trust
- Commonwealth War Graves Commission
- The Imperial War Museums
- Veterans UK
- The Royal British Legion

The UK War Memorials website is supported by the Department for Culture, Media and Sport. It provides information about war memorials in the United Kingdom, the Crown Territories of the Isle of Man, the Bailiwick of Guernsey and the Bailiwick of Jersey. It has a <u>Frequently Asked Question</u> section which provides answers to many questions raised by constituents.

The War Memorials Trust has a wide range of leaflets covering <u>Frequently Asked Questions</u> about memorials which may be of assistance to constituents. This includes help and guidance on adding names to a memorial; funding new memorials; relocating memorials and maintaining them.

²⁰³ HCWS486, National Memorial to British Victims of Overseas Terrorism, 22 January 2016; Department for Culture, Media and Sport and No10, "National Memorial for the British Victims of Overseas Terrorism to be Unveiled by Summer 2017", 10 July 2016

Foreign and Commonwealth Office, "<u>Duke of Sussex Unveils Sousse and Bardo Memorial</u>", 4 March 2019

The Government funds the Commonwealth War Graves Commission which is responsible for the upkeep and maintenance of graves for those killed in the world wars overseas. The Commission maintains a <u>casualty database</u> with the names and place of commemoration of the 1.7 million men and women of the Commonwealth forces who died during the two world wars. It also records details of the 67,000 Commonwealth civilians who died "as a result of enemy action" in the Second World War.

The Imperial War Museum provides a searchable database with information on locations of memorials and, in the future, lists of names commemorated on memorials: <u>UK War Memorials</u>

Further information on war memorials can be found in Library Briefing Paper Maintaining and Funding War Memorials, CBP-7180.

9 List of services and concessions

9.1 Veteran's Charities and Support Organisations

There are a range of services and sources of information available to support veterans. These include, but are not limited to:

Veterans Gateway

A 'single point of contact' for Veterans, provided by a consortium of charities. It provides information for Veterans to get support either by self-help with guidance on the website or puts them in touch with organisations locally. It has information on a range of issues – housing, finance, employment, living independently, mental wellbeing, physical health and families and communities.

Veterans UK

The Government's veterans' website. Includes links for applications for compensation schemes and receiving medals. A helpline for assistance on issues including benefits, housing and welfare is available (0808 1914 218).

Armed Forces Covenant Fund

The Armed Forces Covenant Fund makes grants to support the Armed Forces Community. It has £10 million per year and runs different programmes, including the popular Local Grants programme which awards grants up to £20,000 for projects that meet local needs, or help bring Armed Forces and civilian communities together. Those seeking to apply to the Covenant Fund for grants should look at their website.

Citizens Advice

Provides free advice and information on benefits and concessions for veterans.

Royal British Legion

Provides support on finance, housing and health issues. Provide grants to schemes supporting work programmes and rehabilitation programmes (<u>Legion Scotland</u> - for Scotland).

The Confederation of Service Charities

Provides information on armed forces and veterans charities

Combat Stress

The veterans' mental health charity. Services include a 24-hour helpline (0800 138 1619) for those currently serving, veterans, or their families to talk about mental health.

Army Families Federation

This charity provides support and information for those in the army currently serving, their families and veterans.

Naval Families Federation

This charity provides support and information for those in the navy currently serving, their families and veterans.

RAF Families Federation

This charity provides support and information for those in the RAF currently serving, their families and veterans.

9.2 Veteran's Concessions

Veterans may also be eligible to apply for the following concessions:

Defence Discount Service

Offers discounts to the armed forces community on a range of goods and services.

Veterans travel in London

Those who receive payments under the War Pensions Scheme or Guaranteed Income Payment under the Armed Forces Compensation Schemes are eligible for a Veterans Oyster photocard allowing free travel around London. Photocard holders can also travel free on most National Rail services from 09:30 weekdays and anytime on weekends and public holidays

Veterans travel in Scotland

The National Entitlement Card allows people aged 60+ and people with a disability to travel for free on local or Scottish long-distance buses. Eligibility is dependent on receipt of a lump sum benefit under the Armed Forces Compensation Scheme within tariff levels 1 - 8 (inclusive) and the Secretary of State certifies that you have a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.

Veterans Railcard

The Veterans Railcard is available for UK Veterans who served at least one day in Her Majesty's Armed Forces or Merchant Mariners who have seen duty on legally defined military operations. The Railcard offers savings of 1/3 on most rail fares. Holders can also nominate a companion to get 1/3 off when travelling with the holder and up to 4 children travelling with the holder get 60% off.

The House of Commons Library is a research and information service based in the UK Parliament. Our impartial analysis, statistical research and resources help MPs and their staff scrutinise legislation, develop policy, and support constituents.

Our published material is available to everyone on commonslibrary.parliament.uk.

Get our latest research delivered straight to your inbox. Subscribe at commonslibrary.parliament.uk/subscribe or scan the code below:



commonslibrary.parliament.uk



@commonslibrary