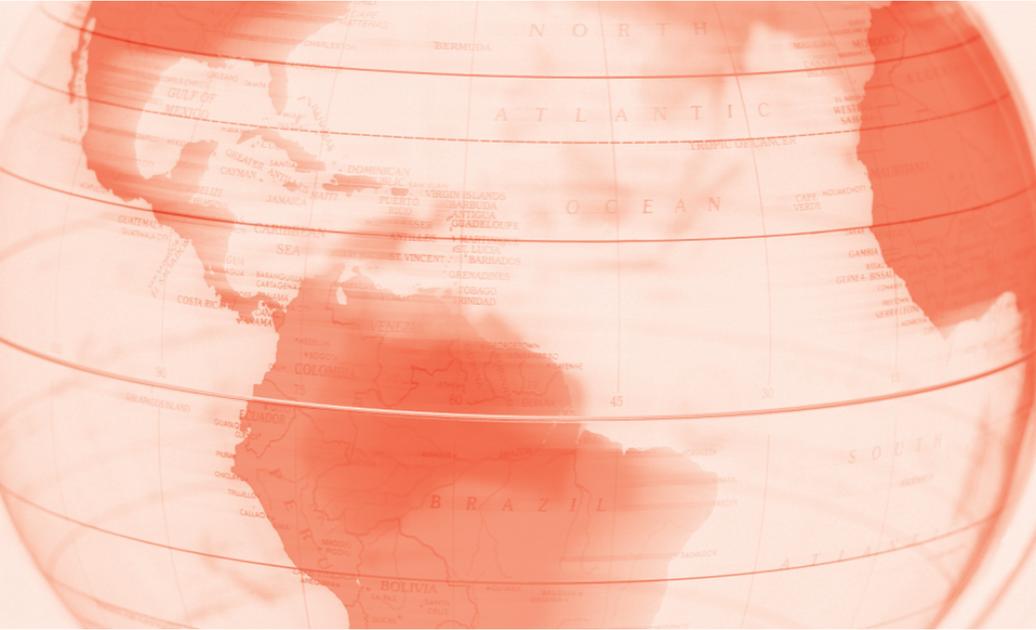




Ministry
of Defence

Veterans UK
Leaflet-5



Notes about rejected claims for War Disablement and War Widows or Widowers pensions living overseas

About this leaflet

The letter we have sent you with this leaflet tells you about the decision we have made on your claim.

Pages 4 to 9 tell you what to do if you disagree with our decision. **Includes important information about time limits.**

Pages 10 to 22 tell you where to get help and advice.

Page 23 Our service to you.

Page 24 explains about 'Freedom of information'.

Information in this leaflet relates to decisions made on or after 5 April 2010.

The War Pensions Scheme is administered by Veterans UK. This leaflet gives you general guidance, but it is not a full statement of the law. Please remember that the law may change from time to time. This may affect your rights and responsibilities, including whether you are likely to get a War Pension.

If you need more advice about anything to do with war pensions, call **Veterans UK Helpline** on:
0808 1914 2 18.

For more information on our helpline and other ways to contact us please go to **page 10**.

What to do if you disagree with our decision

If you disagree with our decision, you can ask us to look at it again.

If you want more information about our decision or you want us to look at it again further, you can contact us at the address on **page 10**.

For certain decisions you may also be able to appeal to an independent tribunal who can change the decision if they consider it is wrong. The letter telling you about the decision tells you if you have a right of appeal. There are time limits for appealing against a decision (see **pages 6 to 7**).

Reviews

If we have made an assessment we will normally not look at your case again unless you ask us to.

You can ask for a review if:

- there are some facts about your condition that you did not tell us about, **or**
- there are some facts about your late husband, wife or civil partner that we may not know.

When can you ask for a review?

You can ask for a review at any time. There is no time limit for asking for a review.

How do you ask for a review?

If you want us to review your case, please let us know as soon as possible. Remember to tell us your National Insurance number and the reason you want us to review our decision.

There are special considerations if you want a review and your disablement is 'noise-induced hearing loss' (see **Leaflet-10 Notes about War Pension claims for deafness**).

What happens next

If you ask for a review, we may send you a form to fill in. We will look carefully at why you have asked us to look at your case again. We will write to you as soon as possible to tell you what we have decided.

Veterans UK decisions

If you think our decision is wrong and the letter notifying you of that decision gives a right of appeal, you can appeal to an independent Tribunal.

You can appeal against:-

- the refusal of an award or level of entitlement;
- the level of an award (% assessment or rate of allowance if less than the maximum);
- the date from which an award starts;
- changes to the amount (upwards/ downwards), or period of an award; and
- the label (medical name given for a claimed condition).

How to appeal

If you live overseas and you want to appeal you need to contact us in writing stating:-

- your name, address and National Insurance number;
- the name and address of any representative;
- an address where documents can be sent or delivered (this will normally be your home address);
- the date and details of the decision you want to appeal against;
- why you disagree with the decision; and finally
- you must sign and date your letter.

If you fail to provide all of the required information, we may have to make further enquiries, which may delay or even make your appeal late.

Right of appeal

Not every decision will carry a right of appeal. If you receive such a decision and you disagree with it you may ask for an appeal, but it will be up to the Tribunal to decide if it can be heard. If the Tribunal decide that the appeal cannot be heard, there is no further right of appeal against that decision.

Appeal time limits

Your letter or appeal form must be received by us within 12 months, starting with the day on which the decision letter was sent to you.

Late appeals

In some circumstances you will be allowed to appeal even if you have not written to us within the 12 month period. When you write after this period however you must state why you (or someone on your behalf) did not write to us within the 12 month period. You cannot however appeal more than 24 months after the date on which the decision letter was sent to you.

If you live overseas

If the Secretary of State does not object to the late appeal, it will proceed as if it were in time.

In all cases, in deciding whether or not to object, Veterans UK will also consider, despite the circumstances of the delay, whether the appeal was brought as soon as was reasonably practicable.

If Veterans UK objects to the late appeal being brought it will then be for the Tribunal to decide if it can hear the appeal.

Help and advice

The ex-service organisations listed in this leaflet may give free advice, if required on any aspect of War Disablement Pensions, including appeals. These organisations may represent you, free of charge at a hearing.

You can also contact us or our Veterans Welfare Service for help on any practical issues concerning your appeal.

Decision of the Tribunal

The Tribunal may, depending on the issue under appeal:-

- maintain Veterans UK's decision;
- accept a condition previously rejected or raise the level of entitlement;
- increase or reduce an award;
- change the date from which an award was made;
- change the amount or period of an award; and
- change the label (the medical name for the condition claimed).

Note - It is possible that a Tribunal could make a decision which is to your disadvantage.

If the Tribunal gives a different decision to that of Veterans UK, we will implement it as soon as possible, unless Veterans UK decides to appeal the Tribunal's decision.

Further rights of appeal

If you disagree with the Tribunal's decision, you must seek advice from the Tribunal office on making an appeal to an Upper Tier Tribunal (UTT). If you live overseas this will be the Administrative Appeals Chamber for England and Wales.

Similarly, if Veterans UK disagrees with the Tribunal's decision it too can make an appeal.

Where to get help and advice

Veterans UK Helpline

Veterans UK Helpline number is **0808 1914 2 18**.

It is open:

- 07.30am to 18.30pm Monday to Thursday; **and**
- 07.30am to 17.00pm Friday.

The staff can give you general advice and can also help you to fill in your claim form. We may monitor your phone calls to us to make sure we maintain our high standards of customer service. You can write to us at:

Veterans UK

Norcross

Thornton-Cleveleys

FY5 3WP

England

You can contact us by E-mail at:

Veterans-UK@mod.uk

You can find us on the Internet at:

www.veterans-uk.info

Overseas Pensions Agents (OPA) and Department of Veterans' Affairs (DVA)

These services are available in Australia, USA, Canada, New Zealand and South Africa to help war pensioners, war widows and war widowers get free and confidential advice about war pensions. If you live in one of these countries and are not sure how to contact your OPA or DVA, please call the **Veterans UK Helpline** on: **0808 1914 2 18**

Ex-Service organisations

There are many ex-service organisations which help veterans and their families. They can give you help and advice on war pensions and allowances.

If you want to appeal against a decision on your claim, these organisations can help you with your case and represent you at the appeal. It will not cost you anything and you do not need to be a member of the organisations to get free advice.

These organisations include the following.

BLESMA- The Limbless Veterans

185-187 High Road

Chadwell Heath

Romford

Essex

RM6 6NA

Tel: + 44 208 590 1124

Fax: + 44 208 599 2932

web:www.blesma.org

e-mail: headquarters@blesma.org.uk

The association aims to promote the welfare of all those who have lost a limb or limbs, or one or both eyes, or the use of limbs as a result of their service in any branch of Her Majesty's Forces or Auxiliary Forces. It also aims to help dependants of these people and those ex-servicemen and servicewomen who lose a limb after service.

Burma Star Association

34 Grosvenor Gardens
London
SW1W 0DH

Tel: + 44 207 823 4273

web:www.burmastar.org.uk

e-mail:burmastar@btconnect.com

The association provides a welfare service and gives free and confidential advice to all holders of the Burma star.

The Ex-Services Mental Welfare Society (Combat Stress)

Tyrwhitt House
Oaklawn Road
Leatherhead
Surrey
KT22 0BX

Tel: + 44 1372 587000

web:www.combatstress.org.uk

e-mail:contactus@combatstress.org.uk

The society cares for ex-members of the Armed Forces and the Merchant Navy who have psychiatric disabilities. The society provides a network of regional welfare officers throughout the United Kingdom. There are also three short-term treatment centres and a veterans home.

Defence Medical Welfare Service

The Old Stables
Redenham Park
Fyfield
Andover
Hampshire
SP11 9AQ

Tel: +44 1264 774000

web: www.dmws.org.uk

e-mail: info@dmws.org.uk

Purpose:

The Defence Medical Welfare Service (DMWS) delivers an independent and impartial 24 hour specialist welfare service to those members of the British Armed Forces who are receiving hospital care, their dependant relatives and entitled civilians in order to contribute to the coherence of the recovery and rehabilitation pathway for service personnel. The crucial practical and emotional support is provided at times when it is most needed and is bound by a code of confidentiality.

Mission:

To provide a high-quality hospital welfare service to the military community both serving and their dependants, on operations and static locations in UK and Overseas in order to sustain the delivery of military capability.

The National Gulf Veterans and Families Association

Building E Office 8
Chamberlain Business Centre
Chamberlain Road
Hull
HU8 8HL

Tel: + 44 845 257 4853

web: www.ngvfa.org.uk

e.mail: info@ngva.org.uk

The NGVFA supports those affected by Gulf War 1 and Gulf War 2 (Iraq), the ongoing conflict in Afghanistan, and all future desert conflicts. Charity services and activities include welfare and advice, counselling, 24 hour free phone helpline, website - with a members only area, five day respite break, and information guides.

The 'Not Forgotten' Association

4th Floor
2 Grosvenor Gardens
London
SW1W 0DH

Tel: +44 207 730 2400

Fax: +44 207 730 0020

web: www.nfassociation.org.uk

The association helps disabled ex-service personnel. They provide televisions and holidays for severely disabled people and outings, concerts and gifts for people in hospitals and care homes.

Gurkhas Welfare Trust

P.O.Box 2170
22 Queen Street
Salisbury
SP2 2EX

Tel: +44 1722 323955

e-mail: staffassistant@gwt.org.uk

The Officers' Association

1st Floor
Mountbarrow House
6-20 Elizabeth Street
London
SW1W 9RB

Tel: +44 207 808 4160 / 845 873 7153

**e-mail: a.carrington@officersassociation.org.uk or
for advice on welfare or benevolence matters**

e-mail: k.wallis@officersassociation.org.uk

web: www.officersassociation.com

The association gives advice and help to ex-officers and their families through:

- cash grants;
- continuing allowances to those with very small incomes; **and**

In special circumstances they can also give help with education or training fees.

The Officers' Association (continued).

There is a care home for single ex-officers near Teignmouth, Devon and a 12-bungalow estate near Watford for disabled ex-officers and their families.

The association also helps ex-officers to find suitable jobs, either when just leaving service or if they become unemployed.

The Royal Alfred Seafarers' Society

Head Office

Weston Acres

Woodmansterne lane

Banstead

Surrey

SM7 3HB

Tel: +44 1737 353763

Fax: +44 1737 362678

web: www.royalalfredseafarers.com

e.mail: enquires@royalalfred.org.uk

The society provides accommodation in Surrey and Sussex for former seafarers and their dependants. Sheltered housing and care homes are available in Surrey and there are care homes in Sussex.

The Royal Airforces Association

1171/2 Loughborough Road

Leicester

LE4 5ND

Tel: +44 116 266 5224

Fax: +44 116 266 5012

web: www.rafa.org.uk

The association gives help and advice to ex-RAF and Commonwealth Air Forces personnel.

The Royal British Legion

Haig House

199 Borough High street

London

SE1 1AA

Tel: +44 808 8028080

web: www.britishlegion.org.uk

The organisation provides for the welfare of ex-servicemen, ex-servicewomen and their dependants. It provides:

- financial help;
- care homes;
- employment for the disabled;
- small-business advice and loans;
- resettlement training; **and**
- free pensions advice and much more.

All work is funded by public donations.

The Royal British Legion also provides a social focus for ex-service personnel through it's branches and clubs all over England, Wales and Ireland.

**The Royal British Legion Scotland
The Earl Haig Fund Scotland and the Officers'
Association Scotland**

New Haig House
Logie Green Road
Edinburgh
EH7 4HR

Tel: +44 131 550 1562 / 1583

They help all ex-service personnel, their widows or widowers and their dependants living in Scotland. They provide help with pensions, welfare advice and friendship.

The Royal Naval Association

Room 209, Semaphore Tower
PP70, HM Naval Base
Portsmouth
Hants
PO1 3LT

Tel: +44 2392 723747

Fax: +44 2092 723371

web: www.royal-naval-association.co.uk

The Royal Naval Association believes firmly that 'welfare is not only money'. With 35,000 members, they are a brotherhood and sisterhood for life, offering friendship, comradeship and personal support to their members. Limited Welfare funds are raised by members to support these activities.

The Royal Hospital

Chelsea
London
SW3 4SR

Tel: +44 207 881 5200

web: www.chelsea.pensioners.co.uk

e-mail: info@chelsea-pensioners.org.uk

The Royal Hospital provides a home for old soldiers who are getting an army long-service pension or a war pension. It is not a medical hospital.

The Royal Naval Benevolent Trust

Castaway House
311 Twyford Avenue
Portsmouth
Hampshire
PO2 8RN

Tel: +44 2392 690112

Fax: +44 2392 660852

web: www.rnbt.org.uk

e-mail: rnbt@rnbt.org.uk

All ratings and others ranks of the Royal Navy or Royal Marines are part of the 'RNBT Family'; so are their wives, husbands and dependent children. They number three million people worldwide.

The trust provides help such as:

- financial grants
- regular payments to supplement the income of older people;
- care for older people at Pembroke House; **and**
- advice on welfare matters.

Blind Veterans UK (*formerly St Dunstan's since 1915*)

12-14 Harcourt Street

London

W1H 4HD

Tel: +44 207 723 5021

web: www.blindveterans.org.uk

e-mail: enquiries@blindveterans.org.uk

Blind Veterans UK, formerly St Dunstan's believe that no one who's served our country should battle blindness alone.

With a lifetime's practical and emotional support, regardless of when they served and how they lost their sight help blind veterans to recover their independence and discover a life beyond sight loss.

The Soldiers', Sailors' and Airmen's Families Association (SSAFA)

4 St Dunstan's Hill
London
EC3R 8AD

Tel: +44 207 403 8783

web: www.ssafa.org.uk

e-mail: info@ssafa.org.uk

The association helps all service and ex-service personnel and their families. It acts as a friendly adviser, whatever the problem. It helps people to get all the practical and financial help they are entitled to from statutory sources. It acts as an agent of service, regimental and other funds to provide relief for those in need. And it offers accommodation for disabled people and care homes for elderly. There are local representatives throughout the UK.

Forces Pension Society

68 South Lambeth Road
Vauxhall
London
SW8 1RL

Tel: +44 207 820 9988

web: www.forcespensionsociety.org.uk

e-mail: memsec@forpen.co.uk

The society protects the pension interests of ex-service personnel of all ranks and their dependants.

War Widows' Association of Great Britain

c/o Haig House
199 Borough High street
London
SE1 1AA

Tel: +44 845 241 2189

e-mail: info@warwidows.org.uk

The War Widows' Association exists to improve the conditions of war widows and war widowers and their dependants in Great Britain. Its work includes anyone who receives a war widows or war widowers pension regardless of whether they have lost their husband or wife in peacetime or as a result of war.

Our service

We aim to provide a high-quality service and to treat everyone equally.

We are always trying to improve the service that we give you. To help us give you a better service, we have a Customer Service Manager.

If you want to tell us anything about our service, you can get in touch with our Customer Service Manager.

Please write to:

Customer Service Manager

Veterans UK

Norcross

Thornton-Cleveleys

FY5 3WP

England

You can contact us by e-mail at:

Veterans-UK@mod.uk

Or you can phone our free Helpline on:

0808 1914 2 18 and ask for the Customer Service Manager.

Open government

Veterans UK is committed to the principles of Open Government as set out in the **Freedom of Information Act**. The Freedom of Information Act came fully into effect on 1st January 2005 and is available to view on the Internet at: **www.foi.mod.uk**.

The **Data Protection Act** came into force in July 1998 and regulates the processing of personal information, granting individuals certain rights regarding personal data. A copy of the Data Protection Act 1998 is available to view on the Internet at: **www.dataprotection.gov.uk**.

Veterans UK will be happy to answer your questions and give you any information you need.

If you want more information, please write to:

Freedom of Information Officer

Veterans UK

Norcross

Thornton-Cleveleys

FY5 3WP

England

When you write to or phone us you need to explain the information you want and give your name, address and National Insurance number.

