

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2015-16**

**HEALTH & WELLBEING SCRUTINY  
COMMITTEE**

**17 JUNE 2015**

**REPORT OF THE DIRECTOR OF  
LEGAL & DEMOCRATIC SERVICES**

**Agenda Item No. 2**

**ROYAL BRITISH LEGION INSULT TO  
INJURY CAMPAIGN**

**1. PURPOSE OF THE REPORT**

The purpose of this report is to inform the Committee of issues in relation to the Royal British Legion 'Insult to Injury' Campaign

**2. RECOMMENDATIONS**

- 2.1 Members asked to consider the information presented at today's meeting and determine whether the Committee wishes to make any recommendations to the Cabinet and/or Welsh Government.

**3. BACKGROUND**

- 3.1 At the Council meeting held on 25<sup>th</sup> March 2015, Members considered a Notice of Motion standing in the names of County Borough Councillors D.H.Williams, R.Lewis, L.M.Adams, (Mrs.)T.Bates, H.Boggis, J.Bonetto, S.A.Bradwick, A.Calvert, P.Cannon,QPM, S.Carter, (Mrs.)J.Cass, (Mrs.)A.Crimmings, W.J.David, A.L.Davies MBE, (Mrs.)A.Davies, J.Davies, (Mrs.)M.E.Davies, (Mrs.)L.De Vet, J.Elliott, S.Evans, M.Forey, A.S.Fox, M.Griffiths, P.Griffiths, (Mrs.)E.Hanagan, G.Holmes, G.E.Hopkins, (Mrs.)S.J.Jones, W.L.Langford, (Mrs.)C.Leyshon, S.Lloyd, C.Middle, K.Montague, A.Morgan, B.Morgan, M.A.Norris, S.Pickering, K.A.Privett, S.Rees, (Mrs.)A.Roberts, J.Rosser, G.Smith, G.Stacey, B.Stephens, (Mrs.)M.Tegg, R.K.Turner, G.Thomas, (Mrs.)J.S.Ward, M.J.Watts, M.Webber, W.D.Weeks, C.J.Williams, T.Williams, C.J.Willis and R.Yeo: namely that:

*"This Council should lend its support to the British Legion's Insult to Injury Campaign.*

*Veterans injured during Service are having to give up most of their compensation to pay for the costs of their social care.*

*Military compensation is awarded as recompense for the pain, suffering and loss of amenity experienced by injured Service personnel and veterans; it should **not** be treated as normal income.*

*This Council considers it unfair that War Pensioners are treated differently to other injured veterans. It is also unacceptable that War Pensioners are treated less favourably than civilians who have been injured in the work place, who are able to place compensation awarded into a trust fund. This Council believes this point to not take account of the Armed Forces Covenant, which states that Service personnel, veterans and their families should face no disadvantage as a result of Military Service.*

*The Council believes such an approach to be unfair and therefore requests the appropriate Scrutiny Committee/s to consider this issue to ensure all appropriate measures are taken by this local authority to address this issue. This Council also calls upon the Welsh Government to take the steps to address this issue at an all Wales level by providing the necessary guidance to ensure veterans will not in future be penalised in this way.”*

- 3.2 Council RESOLVED that the matter should be considered by the appropriate Scrutiny Committee, which following the new scrutiny framework is the Health and Wellbeing Scrutiny Committee.

#### **4. ROYAL BRITISH LEGION'S CAMPAIGN**

- 4.1 The Royal British Legion launched its Insult to Injury campaign in January 2015 to highlight the disparity in the way that War Pensioners are treated within the social care system. The Legion is calling on Welsh Government to change existing guidelines so that War Pensioners (injured on or before 5<sup>th</sup> April 2005) are treated in the same way as those receiving payment through the Armed Forces Compensation Scheme (ie those injured on or after 6 April 2005).
- 4.2 The Welsh Government have responded to the Royal British Legion by saying that they will take these matters into consideration when they consult on the regulations to be made under the Social Services & Wellbeing (Wales) Act 2014 which is being implemented in April 2016.
- 4.3 Attached at Appendix 1 is the argument set out by the Royal British Legion and they have been invited to send a representative to this meeting to address the Committee.
- 4.4 The Service Director, Direct Services, Business and Housing will also be in attendance to outline to Members the current charging policy and the implications of change.

#### **5. CONCLUSION**

- 5.1 Having considered the information put before them, Members are asked to consider whether they wish to make any recommendations to Cabinet.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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**HEALTH & WELLBEING SCRUTINY COMMITTEE**

**17<sup>TH</sup> JUNE 2015**

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**Background Papers**

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