



NORFOLK
CONSTABULARY
Our Priority is You

Mr J. Jarman

www.whatdotheyknow.com

Date: 18th of January 2010

Norfolk Constabulary

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Dear Mr Jarman

Freedom of Information Request Reference N^o: FOI 692/09

I write in connection with your request for information received by the Norfolk Constabulary on the 11th of December 2009, in which you sought access to the following information:

- 1. Do you have a written policy governing the management and review of police injury pensions? If you do, please provide me with a copy.*
- 2. Since August 2004, to date, how many injury pensions have been reduced when reviewed?*
- 3. Since August 2004, to date, how many injury pensions have been increased when reviewed?*
- 4. Since August 2004, to date, how many injury pensions have been reduced to the lowest band when the former officer in receipt of the pension reached (or had already reached) the age of 65?*
- 5. If your force has any document recording any analysis and/or consideration of the guidance contained in Annex C to Home Office circular 46/2004 please supply me with a copy.*
- 6. If your force has any document recording any calculation and/or projection of the potential budgetary savings and/or financial impact that might result from adoption of the guidance contained in Annex C to Home Office circular 46/2004 please supply me with a copy.*

Extent of Searches to Locate Information:

To locate the information relevant to your request, searches were conducted within the Human Resources Department of the Norfolk Constabulary.

We will answer letters within 10 working days, where information is available. Where this is not possible, an explanation will be given for any delay.



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INVESTOR IN PEOPLE

Result of the Searches to Locate Information Relevant to your Request.

The following information has been provided by the Human Resources Department of the Norfolk Constabulary.

The Norfolk Constabulary has not conducted any reviews of injury award pensions, consequently we do not hold any information relevant to parts 2, 3, and 4 of your request.

In relation to parts 1, 5, and 6 of your request, the constabulary does not hold any recorded information relevant to these parts of your request.

The information shown below is taken from the Committee meeting minutes of a meeting held on the 11th of February 2009, which refers to the proposals and considerations that will take place concerning the option to review injury award pensions in the future.

Should you have any further queries concerning this request, please contact me quoting the reference number shown above.

Yours sincerely,

Freedom of Information Department

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

The Norfolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

REVIEW OF ILL HEALTH RETIREMENT AND INJURY ON DUTY AWARDS

Report by the Chief Constable

This report is for decision in respect of a broad proposal for further action.

1. INTRODUCTION

This report is prepared following discussions at the Fairness at Work Risk Management Group regarding the overall management of ill-health retirements; and aims to provide information which would assist the Police Authority in considering whether to exercise its discretion to review, in accordance with regulations, ill health and injury on duty awards payable to retired police officers.

2 BACKGROUND

2.1 Ill health retirement pensions (IHR) are awarded to police officers who retire from the Force on the grounds of permanent disablement. The award is calculated in accordance with Regulation B3 of the Police Pensions Regulations.

2.2 Injury on Duty awards (IoD) are payable to police officers who are permanently disabled as a result of an injury received in the execution of their duty. An award is calculated in accordance with Schedule 3 of the Police (Injury Benefit) Regulations 2006 and consists of gratuity award and an injury pension. The IoD award is paid on top of the ill health award

2.3 Both awards are paid for the life of the officer.

2.4 Currently there are 139 ex-officers in receipt of an (IHR) pension and 104 ex-officers in receipt of an IHR and IoD award. The total cost to Norfolk Constabulary is £3,649,333 per annum. This represents a considerable spend from the Pension Fund.

3. THE POWER TO REVIEW

3.1 Both the IHRs and IoDs are reviewable in accordance with regulations.

3.2 IHRs

Under Part K of the Police Pensions Regulations 1987 (as amended), Police Authorities **may** consider, at such intervals as they in their discretion think proper, whether a disability has ceased. This power to review disablement and thus the continuance of the payment of an IHR, is discretionary. The aim of the review would be to ensure that the payment of the IHR remains appropriate in the event of there being any changes to the medical prognosis regarding disablement. The review is limited to people who are below compulsory retirement age with less than 25 years service.

3.3 IoDs

In accordance with Regulation 37 of the Police (Injury Benefit) Regulations 2006, the Police Authority **should**, at suitable intervals, consider whether the degree of disablement has altered and, as necessary, review the injury pension. IoDs are paid on the basis of the loss of earning and the calculation of the loss of earnings changes according to the age of the officer. The purpose of a review of IoDs would be to ensure that officers in receipt of the award are paid at the appropriate age related banding.

4. DRIVERS FOR CHANGE

The drivers for change are essentially two-fold. To achieve consistency and fairness of treatment of all police officers currently working for the Constabulary and those who have been ill health retired and/or in receipt of an injury on duty award; and the Authority having due regard to the legislation in this area and determining an appropriate and proportionate response thereto.

5. THE WAY FORWARD

5.1 In the event that a decision is made to exercise discretion to review IHRs and IoDs in principle, a draft policy will be forwarded to the next meeting of the Committee. This policy will identify a suggested structure and time frame for conducting periodic reviews, not least to ensure both fairness and transparency. In addition, an options paper will accompany the proposed policy regarding methodology.

5.2 It is acknowledged that there will be sensitivities around any review of this nature and it will be important, therefore, to involve the Staff Associations at an appropriate stage.

6. IMPACT IMPLICATIONS

6.1 In producing the report, the following impact implications have been considered:

- a) **Finance:** There may be costs savings which further scoping will clarify, however this must be balanced with the potential costs of reviews (fees of the Selected Medical Practitioner and the Force Medical Adviser) and costs arising from any consequent appeals.
- b) **Staff:** There may be an impact on staff time, the extent of which will be identified as part of the policy development work.
- c) **Training:** N/A.

- d) **Accommodation:** N/A.
- e) **ICT:** N/A.
- f) **Vehicles:** N/A.
- g) **Equipment:** N/A.
- h) **Other resources:** The overall true cost will be dependant upon the full scoping document which will be produced, should the Police Authority agree the proposal.
- i) **Efficiency gains:** Potential cashable gains as per finance above.
- j) **Link with Norfolk Police Authority/Norfolk Constabulary priorities:** Linked to the KPI in respect of attendance.
- k) **Risk Management:** Sensitive management will be required to alleviate any potential risk to the Force's reputation as a fair and reasonable employer.
- l) **Diversity:** N/A

7. **RECOMMENDATION/ACTION REQUIRED**

7.1 It is recommended that

- a) The Police Authority considers exercising its discretion to proceed, in principle, with IHR and IoD reviews and, if agreed,
- b) The Fairness at Work Risk Management Group will present a further report to the next meeting of the Committee outlining policy proposals and methodology options.

Contact Officer:

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Human Resources/OCC
19953 323874
tofts@norfolk.pnn.police.uk

Executive Officers

Kevin Wilkins
Assistant Chief Constable

Neville Hounsome
Assistant Chief Officer (People)

Are there Background Documents? No

Does the report contain Exempt Information? Yes

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk Constabulary to review their decision.

Ask the Norfolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by the Norfolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk Constabulary that you are requesting a review within 2 months of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Professional Standards Department
Norfolk Constabulary
Operations and Communications Centre
Jubilee House
Falconers Chase
Wymondham
Norfolk NR18 0WW*

In all possible circumstances the Norfolk Constabulary will aim to respond to your request for us to re-consider our response within 20 working days of receiving such a request.

The Information Commissioner.

After lodging a request for a review with the Norfolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.informationcommissioner.gov.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700