

31/01/02

## 2. MATTERS DISCUSSED

a) case update

- Injury award

Trevor Forbes briefed the meeting on a recent West Midlands case where an ex-officer (Insp) was claiming that as he may have progressed to the rank of Superintendent, that his injury award calculation should have been based on the Superintendent's pay scales. The officer lost his appeal. A briefing note on the case is attached.

Nigel Willey (Leics) advised the meeting that Russell Jones and Walker are attempting to include housing allowances/incremental progression into the calculation.

b) Agenda items

- calculating loss of earnings in injury award cases. Chris Rowson advised the group that West Midlands are to trial arrangements where potential occupations and earnings will be developed through an external company, Reward Group.

**Chris Rowson to update the group on the outcomes and progress of the trial.**

09/04/02

1. INJURY AWARDS

a) Earnings capacity

There was discussion amongst the group on whether an officers last salary earned salary or the current figure adjusted for inflation, should be used in calculating the percentage injury award. There was a mixed response from the Group. Some Forces apply actual last earnings and others apply salaries that have been adjusted for inflation. Eric Griffiths (~~Sussex~~<sup>Sussex</sup>) advised that he had received Home Office guidance (HO 44/99) that it should be based on final earnings.

John Gilbert advised of the need to use a fair comparator and his advice was to use inflated earnings.

**A letter from John Gilbert is attached providing further information on this issue.**

b) Future matters

John Gilbert advised that the Home Office were considering whether to apply a number of options in relation to injury awards, i.e., whether to apply an age cut-off for applications; whether to reduce or cut-off the allowance when individuals reach a certain age, etc. Overall, they were looking for a simpler injury award system.

(65) Eric Griffiths advised that ~~Essex~~<sup>Sussex</sup> are considering cessation of the allowance when officers reach the age of 55 (60 for Inspectors).

09/10/02

| 1  | <b>Matters Arising</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Action</b>                                                                                                                         |
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| a) | <p data-bbox="347 344 549 376"><b>Injury Awards</b></p> <p data-bbox="347 412 1177 618">A number of Forces have submitted pro-forma questionnaires issued to assist in the calculation of injury award payments. Colleagues from remaining Forces were asked to forward any further 'Best Practice' examples, so these can be collated into a single 'best practice' model which can be used by Forces to support their local management arrangements.</p> <p data-bbox="347 654 1177 990">The attention of the group was drawn to a letter from the Home Office (dated 8 July) concerning payment of injury awards to officers over state retiring age. This effectively advises that Forces can use the lowest banding for awards from age 60. A discussion followed on how to handle existing cases in the system and the potential for public relations problems if the issue is handled badly and/or forces take different approaches/policies. It may be better to look at all new cases and give claimants notice from the outset on the likely position at age 60.</p> <p data-bbox="347 1025 1177 1113">It was agreed that a further debate would be needed at the next meeting.</p> | <p data-bbox="1193 443 1426 510">Laraine Williams<br/>(WMP)</p> <p data-bbox="1193 757 1426 824">All to note<br/>for next meeting</p> |

15/01/03

### **3. Injury Awards**

Mike Tarry requested that particular attention is paid to the drafting of injury award regulations to define injury in the execution of duty.

John Gilbert illustrated the difficulties in drafting the regulations. He gave an example of other public service employees claiming injury award. If a filing cabinet falls on the clerical officer they can claim an injury award. If a filing cabinet falls on a police officer they are not able to claim – some would say that this is in injustice.

23/10/03

Injury Awards

Queries were raised about the type of emoluments that should be included when determining the police pay comparator when calculating injury awards. It was suggested that the following practices should be applied:

- i) Average pensionable pay should be used
- ii) CRTP should only be included if the officer was actually in receipt of the payment

06/04/04

### **3. INJURY AWARDS**

Colin Phillips sought feedback on the draft guidance that had been issued and members of the group gave their opinion.

Linda Van den Hende (Met) advised about her concerns regarding the lack of consultation with the PNB, APA and ACPO.

Colin Phillips advised that further draft guidance would be issued and that feedback from the group would be valuable.

07/07/04

**INJURY AWARDS – 55/65 ARRANGEMENTS**

Guidance will be issued as a Home Office Circular.

**ANY OTHER BUSINESS**

If officers live abroad how does a review for an injury award take place? Some forces negotiate pay expenses to UK mainland and some forces do not pay any expenses. If officer says that they are too ill to fly over to be reviewed / no insurance cover due to illness then local consulate could carry out the review.

13/01/04

Injury Awards

A discussion took place regarding the cessation or lowering of the percentage band on reaching 55/65. The majority of Forces are either implementing or considering this action. John Gilbert advised that at age 55 it would be reasonable to assume that their policing days were over and at 65 working days are over.

John Gilbert suggested that Force should ensure that their legal advisers should examine injury award processes.

**ALL TO NOTE**

It was agreed that Forces would send Chris Rowson an outline of how they are dealing with officers in receipt of an injury award when they reach the age of 55/65.

**ALL TO ACTION**

It was confirmed that when calculating the police comparator pay – allowances should not be included. However, CRTP should be included if the officer was actually in receipt of the payment.

The group was advised of the existence of a website to assist occupational health/management if they had any queries on the Ill Health Management regulations – the details are [www.pensions.policereform.gov.uk](http://www.pensions.policereform.gov.uk).