

Request reference: 2041/12

I understand that a meeting of the National Attendance Management Forum was held on the 1st June 2012 - hosted by West Midlands Police.

I also understand that a representative from the Home Office was due to attend to answer questions on matters concerning police injury pensions.

1) Please provide a copy of the minutes of the meeting.

Please see following pages.

2) If the Home Office representative presented any papers, reports, hand-outs or other material or any powerpoint or similar type of presentation, please provide a copy.

No information held. No such documents were given or presentations made at the meeting.

**NATIONAL ATTENDANCE MANAGEMENT FORUM
QUARTERLY MEETING
HOSTED BY WEST MIDLANDS POLICE AT TALLY HO! BIRMINGHAM
FRIDAY 1st JUNE 2012**

1) Welcome

Chris Rowson welcomed everyone to the meeting, advised of the imminent departure of John Woolley from West Midlands Police and thanked him for his services to this forum. Adrian Henson (Northamptonshire) will be taking the minutes of this meeting and any responses to action items should be addressed to Adrian at adrian.henson@northants.pnn.police.uk or on 03000 111 222 extension 7684.

2) Minutes of the Meeting held on 10th February 2012

Were agreed as a true and accurate record, subject to item 9 being amended to record Northumbria absenteeism as 7.36 days lost by officers and 5.28 days by staff.

3) Matters Arising

Item 10 National Terminology for Absence Recording – Steve Whitfield's response to Devon & Cornwall is to be circulated by Trevor Dicks and discussed at the next meeting.

Item 12 Restricted Officers – James Boag will submit the GMP guidance notes to Adrian for circulation.

4) Case Update

Nicholas Wirz (Northumbria) has kindly supplied an e-mail update on recent cases in his absence, which John Woolley circulated in advance of the meeting.

Peter Spreadbury (Home Office) was asked whether, now that the legal position surrounding injury awards is more settled following publication of the Haworth judgement, it was intended to issue further guidance to forces. Peter responded that they were currently working with their lawyers on this, but that any further guidance would be for Ministers to decide and would involve consultation with the PNB plus also ourselves before issue. That said, and in appreciation of the pressure forces are under to recommence reviews, they hoped to be able to put something out within the next six weeks.

In respect of the Home Office guidance contained in HO Circular 46/2004 concerning reductions made to awards on attaining the age of 65 and subsequently deemed unlawful in the Simpson judgement, Surrey have reimbursed their award recipients, Northamptonshire are about to do so, and Derbyshire have agreed to carry out a further review of such cases. The MPS have decided, in the light of recent case law, not to review awards in future once granted. Discussion followed on the requirement to do so periodically, and in a further question to Peter Spreadbury, he confirmed the regulations on Injury Awards will be revised at some stage, though this does not have the same priority as under the previous government.

Chris Rowson (West Midlands) stated that it was important that Ministers understood the scale and complexities of this issue for Forces and asked that attendees advise Adrian Henson of their current annual injury awards budgets to

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enable him to raise the subject at the forthcoming CIP Heads of Profession meeting next month, plus inform the Home Office.

ACTIONS;

- 1) Attendees to advise Adrian of their Force's injury award budget by, say, 25th June, please.
- 2) Home Office to copy Adrian with any future guidance / communication on injury awards for circulation to attendees.

Andrew Dixon (Gloucestershire) asked about the interpretation of 'expedited ill health retirement' referred to in the Supplementary Report on Capability - this was considered to be either serious permanent incapacity or shortened life expectancy.

Trevor Dicks (Devon & Cornwall) and Chris Rowson reported two successful defences of age discrimination cases against their respective forces.

5) Pensions Update

Peter Spreadbury spoke on pension changes in 2010 arising out of the Finance Act 2004 and of the need to ensure a minimum 28 day period between an officer retiring and then subsequently being re-employed, to avoid a significant potential tax liability on both any lump sum commutation plus monthly pension in payment.

Peter also covered the police pension reform proposals currently in hand, and which will lead to a pensionable age of 60 and be based on career average earnings. It was suggested reference be made to the transcript of the recent Home Secretary's speech at the Federation conference and stated that it is considered a fair deal in comparison with other work forces e.g. teachers, doctors.

Finally, Peter also talked on a change in pension legislation effective August 2012 on a rolling basis according to size of employer, whereby employees will be automatically enrolled in the pension scheme, having to opt out should they wish to do so. Whilst the initial communication will be from the employer, the intention to opt out must be made to the scheme's pension administrators. This exercise will need to be repeated tri-annually with existing employees. Further information is available on the Pensions Regulator's website and the Home Office have a DWP contact for use if required.

ACTION; Sheila Donscha will forward banding details for the roll out programme to Adrian for circulation.

6) Occupational Health Issues arising from Winsor 2

The requirement for fitness testing is covered in considerable detail in Winsor 2 and information on any work done by forces on its implementation would be helpful for feedback to the forthcoming CIP Heads of Profession meeting. Feedback from those present was that the 'shuttle run' test was not too onerous and that forces were, in principle, supportive of the proposals. Reference was made to the PSNI Fitness Test Model; feedback from PSNI being that this will require modification if it was adopted as a national standard, given that it caters for their specific and unique operational conditions. The requirement for a fully validated national test capable for national

use is not until 2018 and the possible outsourcing of this testing to achieve national consistency amongst the 43 forces is an option for consideration.

Several Forces have already introduced fitness testing. Surrey have been doing so for 6 months, have tested nearly 900 with 11 failures – 1 man and 10 women, though with an expectation these figures will rise as the more reticent are tested. A robust approach is adopted to those contending they are unable to undertake the test on health grounds, with an alternative test on offer, plus time and guidance / support given to get fit e.g. weight management. Hertfordshire's programme has been running for a year and officers are allowed 3 attempts, being put on a capability report thereafter, being deemed to have failed a test demonstrating the standard of fitness required to do the job. 11 officers have failed to date – 8 of them female; they are offered a support package to get fit and none have got to the stage where their continued employment is open to question.

These proposals are about officer's personal responsibility for their own fitness and will put health and wellbeing initiatives higher up the agendas of both individual forces plus ACPO.

ACTION; Attendees are asked to research any proactive fitness initiatives by their force for reporting back at the September meeting.

Andrew Dixon expressed a concern that these requirements may breach disability considerations in respect of reasonable adjustments required for existing employees. This was discussed without conclusion.

Concern was also expressed about the potential impact of these proposals on the number of restricted duties officers plus the number of ill health retirement requests, which would have to be funded. This issue is of particular concern to the MPS. Moving forward it is vital that national consistency is achieved the recording of restricted duties officers.

ACTION; Chris Rowson to raise at the forthcoming CIP Heads of Profession meeting.

7) Update from the Working Group on a National SMP Service

Lesley-Anne Moore talked through the notes circulated and added that it is proposed that the outcome of 2 tenders to West Yorkshire and Hertfordshire/Bedfordshire/Cambridgeshire respectively for the provision of both FMA and SMP services, due to be known in June, should be awaited. These may represent the start of a national service.

Procurement considerations for a national service were discussed and Stephen Mitchel (Nottinghamshire) advised of work done by Ian Fraser (Leicestershire) for the East Midlands regional occupational health collaboration in liaison with West Midlands.

ACTIONS;

- 1) Lesley-Anne Moore to produce a briefing note for Chris Rowson for the forthcoming CIP Heads of Profession meeting.
- 2) Chris Rowson to investigate procurement issue within West Midlands.

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8) Occupational Health Intranet Sites

Following discussion it was established that the Police Mutual Foundation (www.policemutual.co.uk or Claire Long on 01543 440982) will supply a personalised wellbeing site for any force free of charge. Gwent and PSNI have already taken advantage of this and the former have a 'health bus' visiting the force for 2 weeks shortly providing free half hour health checks from a nurse.

ACTION; Kath Thomas (Gwent) to endeavour to arrange for a presentation from Police Mutual Foundation at the next meeting.

9) Sickness Absence Reporting

An around the room discussion revealed some interesting variations in sickness levels across forces re both police officers and staff. In some forces female officer sickness was an issue due to childcare issues, whilst in others staff levels had reduced against a backdrop of redundancy programmes. Proactive management has had some positive results and in West Midlands a recent exercise has been undertaken writing a cause for concern letter to all staff not attaining an attendance record of 97% or above.

Date of Next Meeting; Friday 14th September 2012