



**Home Office Circular No. 4/2000**

**The Police Pension Scheme: 2000 pensions increase, medical appeals and other issues**

---

**1 March 2000**

This circular is about: **The Police Pension Scheme: 2000 pensions increase, medical appeals and other issues**

From: **Police Personnel and Training Unit**

Expiry date: **none**

Effective from: **10 April 2000**

This updates HOC 44/99 (1 September 1999)

For more information about [this](#) Circular contact\*:

Sue Hadland, PPTU,  
Home Office,  
50 Queen Anne's Gate, London SW1H 9AT

Tel: 020 7273 2990  
Fax: 020 7273 2501 or

Cliff Young, PPTU  
Tel: 020 7273 3107

This circular is addressed to: **Chief Officers of Police (England and Wales)**

Copies are being sent to: **Clerks to the Police Authorities**

\* For enquiries about circulars on other subjects please telephone the Home Office Publications Unit on 020 7273 3072 who will refer your request as necessary to the policy unit responsible. Please quote, where possible, the number and year of the circular required.

---

*Dear Chief Officer*

This circular advises of the following pensions matters:

- A. 2000 Pensions Increase and Multiplier Tables
- B. Up-date on medical appeals
- C. Contact points in the Police Pensions & Retirement Policy Section
- D. Public Sector Transfer Arrangements-Club Schemes

*These items should be brought to the attention of your pensions manager and police medical appeals co-ordinator for their immediate action/attention and information.*

#### **A. Pensions Increase (Review) Order 2000**

1. The Pensions Increase (Review) Order 2000 will provide for public service pensions to be increased by 1.1% from 10 April 2000. Details are given at Annex A.
2. Police Authorities are reminded that, in accordance with the provisions of regulation E10 of the Police Pensions Regulations 1987 and Schedule 12 to the Police Pensions Regulations of 1971 and 1973, as amended, widows' flat rate pensions and children's flat rate allowances are increased directly by orders made under Section 59 of the Social Security Pensions Act 1975 (as amended). These awards may accordingly be increased by 1.1% on 10 April 2000.
3. Home Office Circular 6/1996 gave details of the 1996 Pensions Increase (Review) Order. A note on the operation of pensions increase legislation for public service pensions schemes was included at appendix 2 to that circular. This guidance continues to apply and should be referred to when applying pensions increase legislation.

#### **B. Up-date on medical appeals**

##### Additional guidance to medical referees

4. An updated note for medical referees, which aimed to provide comprehensive guidance on procedural matters in medical appeals, was circulated with HOC 44/99. Since issuing that guidance we have reviewed the way in which we send this out to the medical practitioners we ask to serve as referees in appeal cases.
5. We have concluded that, while the guidance serves as a useful point of reference for medical practitioners, they should also be given a shorter leaflet outlining the role of the referee, so that they understand as early as possible what is expected of them. We have also devised a leaflet in a similar format giving a blow-by-blow account of how referees should go about considering an appeal on degree of disablement. The two leaflets are attached for your information at Annex B and Annex C respectively.

##### Consent to obtain medical records

6. One cause of delay in appeals is the need to obtain the appellant's GP or hospital records. As a matter of good practice, in cases where medical retirement is under consideration, we would encourage all police authorities to obtain the relevant written consent from an officer to enable their Selected Medical Practitioner to access the officers personal (GP) medical records. If the officer is agreeable, the same consent could also be used to enable any medical referee subsequently appointed by the Home Office access to the relevant medical records and thereby reduce delays. It would be helpful if the relevant written consent could be enclosed with the letter of appeal at the time it is forwarded to the Home Office.

Forces may wish to add to their existing medical consent form a sentence to the following effect:

"I also give my permission for a medical referee appointed by the Home Office to access



my medical reports in the event of an appeal".

Examples of medical consent forms in use are attached at **Annex D**. Forces may wish to consult their legal adviser before finalising the text of any revised form.

### **C. Contact points in the Police Pensions & Retirement Policy Section**

7. In HOC 10/99 we gave details of the staff in the Police Pensions & Retirement Policy Section at the Home Office. There have since been a number of staff changes. The list below gives the up to date position.

Mrs Sue Hadland (Head of Section) Room 525 ( 0171 273 2990) **1**

Mr Cliff Young Room 523 ( 0171 273 3107) **1, 2, 3**

Mr Ian Moir Room 523 ( 0171 273 3624) **2, 3, 5**

Mrs Maureen O'Reilly Room 523 ( 0171 273 254) **1 2, 4, 5**

Miss Patricia Rooney Room 523 ( 0171 273 4273) **2, 4, 5**

1 – general policy

2 – medical appeals procedures

3 – general police pensions enquiries

4 – administration of medical appeals

5 - transfer values

### **D. Public Sector Transfer Arrangements – Club Schemes**

8. Changes to the list of schemes participating in the 'club' transfer arrangements are included at **Annex E**.

**Sue Hadland**  
**Pensions & Retirement Policy Section**

---

## **ANNEX B**

*Please read this before agreeing to act as a medical referee*

### **MEDICAL APPEALS UNDER THE POLICE PENSION SCHEME NOTICE BY HOME OFFICE TO MEDICAL REFEREES**

#### What is a medical appeal?

- *A police officer may appeal to a medical referee if dissatisfied with the medical opinion upon which a police authority has based its decision whether or not to retire the officer on ill health grounds*
- *Both police officer and police authority are parties to the appeal.*

What is the rôle of the Medical Referee

- The referee's function is primarily medical but is also judicial.
- The referee reaches a decision not just on examination of the appellant, but on considering the evidence of both parties.
- The referee's decision should be clear and unambiguous.

How is a medical referee appointed?

- The Home Office approaches a suitable specialist, taking into account the area of medicine under dispute and the appellant's home address.
- If the specialist is willing to act as referee, the Home Office formally appoints him or her as the medical referee.

Can more than one referee be appointed?

- Yes, but normally only if more than one area of medicine is in dispute.
- Where there is more than one referee, they act jointly.

What guidance is given to a potential medical referee?

- A copy of the Home Office guidance is attached.
- It is essential that you read the guidance before taking the case on.

What do I do if accept and am formally appointed as referee?

- Once appointed, NOT BEFORE, set a date for the appeal hearing.
- Any separate interview or examination must be treated by you as part of the appeal hearing.
- Both the appellant and the Police Authority's medical representative must be allowed to attend the entire hearing.
- You should allow written evidence to be submitted in advance of the appeal hearing and READ IT before the hearing.
- Your fees will allow for your preparations for the appeal.
- You should also consider any oral evidence given at the hearing.

---

ANNEX C

Please read this before determining degree of disablement

NOTICE BY HOME OFFICE TO MEDICAL REFEREES

What is degree of disablement?

- *For police injury awards "degree of disablement" means the extent to which earning capacity has been affected by the relevant injury.*

Why should I assess earning capacity?

- *The level of injury pension is not based on loss of normal functioning or pain and suffering, but on a "minimum income guarantee" designed to bring total income in retirement up to a certain level.*

How can I assess loss of earning capacity?

- *Before the hearing ask for evidence from the police authority on:*
  1. *Whether, and how, they consider the injury has impaired the appellant's ability to work;*
  2. *What jobs they believe the appellant can do;*
  3. *What mental/physical capabilities the jobs they have in mind entail;*
  4. *What earnings would be expected from such jobs;*
  5. *What earnings the appellant received as a police officer.*
- *Again before the hearing, then ask the appellant:*
  1. *For his or her comments on the evidence of the police authority;*
  2. *For details of any jobs he or she has done since retirement.*
- *At the hearing you should carefully assess for yourself the loss of normal functioning.*
- *You should then weigh up on the balance of probabilities, in view of your own assessment of the appellant's capabilities, whether:*
  1. *The appellant can reasonably be expected to cope with the jobs described to you;*
  2. *The appellant's capabilities are being accurately estimated.*
- *Once you have decided the job and earnings the appellant can hold down, compare that salary with the appellant's police salary.*
- *Finally work out the percentage, if any, by which the police salary will drop to reach the level of the salary the appellant is able to command following the injury.*

Where do I get more information?

- *Annex A to the Guidance Note (...) refers.*

---

Police Personnel and Training Unit

Home Office Circulars

Home Office front page

---