



FREEDOM OF INFORMATION REQUEST

Please note the text of this request has been reproduced exactly as received.

FOI Reference number: FOI 20/2024

Date: 29 March 2024

Request:

Can you send me a copy of the subject matter available via your website:

PSNI Compulsory Retirement Age (extension retirement policy)

Answer:

The information that you request relates to information contained within a previous FOI request (FOI 35/2018). Please find attached the NI Policing Board's response to same.

If you have queries about this request or the decision, please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should contact the Board's Chief Executive -

Via Email: foi@nipolicingboard.org.uk

Or in writing at the following address:

Northern Ireland Policing Board
James House
Block D
2 – 4 Cromac Avenue
The Gasworks
Belfast
BT7 2JA

You should contact the Board within 40 working days of this response.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner. Generally, the Information Commissioner's Office cannot investigate or make a decision on a case unless you have exhausted the complaints procedure

provided by the Board. The Information Commissioner can be contacted at the following web link –

www.ico.org.uk/foicomplaints

or in writing at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone: - 0303 1231114
Email: - ni@ico.org.uk

Please be advised that Policing Board replies under Freedom of Information may be released into the public domain via our website @ www.nipolicingboard.org.uk.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.



FREEDOM OF INFORMATION REQUEST

FOI Reference number: 35/2018

Date: 22 February 2019

Request:

You requested that the Board supply the following information;

1. Copies of all reports presented to the NIPB/Committee regarding the PSNI Compulsory Retirement Age and Extension of Service Policy from the following periods:
 - a. January 2007 – December 2008
 - b. June – November 2008
 - c. January – June 2005
 - d. March 2007 – November 2008
2. A copy of the NI Office Policing Division Circular 7/2007.
3. Copies if all correspondence, e-mails, letters, notes or record of meetings in relation to the PSNI Compulsory Retirement Age and Extension of Service Policy for the periods March 2007 – November 2008
4. Confirmation that the PSNI provided to the NIPB the number of extensions of service approved where inefficiency or disablement were involved during the period November 2008 – 2009 and June 2016 – 2017.

Answer:

Please note that in our response the Board has interpreted your request to relate to information pertaining to the policy itself as opposed to the Committee's ratification of decisions made by Board officials under delegated authority relating to individual applications made under the policy.

1. Included in response to question 1 are:
 - I. **Paper to the Human Resources Committee – 17 April 2007.**
 - II. **Paper to Human Resources Committee – 13 June 2007.**
 - III. **Paper to Human Resources Committee – 11 September 2008**

In addition to the papers outlined above the Human Resources Committee considered a paper at a meeting held on 28 January 2005 relating to the Extension of Service Policy. As the purpose of this paper was to allow Members to consider advice provided by the Crown Solicitors Office provision of the paper is exempt from release under Section 42 (2) (Legal Professional Privilege - Advice Privilege) of the Freedom of Information Act 2000. Section

42 of the Act is a qualified exemption and as such has been subject to a 'Public Interest Test' a copy of which is attached at **Appendix A**.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. Copy of NIO Policing Division Circular 7/2007

3. Included in response to question 3 are:

- I. Action Following the Meeting note – 17 April 2007
- II. Correspondence to NIO Policing Division – 23 April 2007
- III. Correspondence to PSNI Human Resources Department – 23 April 2007
- IV. Hand written file note following meeting on Extensions of Service – 15 May 2007
- V. Correspondence from NIO regarding Compulsory Retirement Age – Extensions of Service
- VI. Correspondence to PSNI regarding PSNI Extension of Service Policy – 26 September 2008
- VII. Relevant extracts from minutes of Human Resources Committee meetings of 17 April 2007, 13 June 2007 and 11 September 2008.

4. At the Human Resources Committee meeting of 11 September 2008 Members considered a paper seeking authority to devolve responsibility for extensions of service to the Chief Constable. At that meeting it was agreed that authority be devolved to the Chief Constable to approve extensions of service in all cases relating to Superintendent ranks and below, except in instances where inefficiency or disablement are involved. As such, in relation to the dates you have specified, the Board had responsibility for the approval of extensions of service applications where inefficiency or disablement were a factor. I can confirm however that the Board did not receive any such requests during the period Nov 2008 – 2009 and June 2016 -2017.

Please note: All redactions have been carried out under Section 40(2) of the Freedom of Information Act 2000 as they relate to third party information.

If you have queries about this request or the decision please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should write to the Board's Chief Executive at the following address:

Northern Ireland Policing Board
Waterside Tower
31 Clarendon Road
Clarendon Dock
Belfast BT1 3BG

Email: foi@nipolicingboard.org.uk

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FOI 35/2018 – Section 42 Exemption “Advice Privilege”**Public Interest Test**

The above exemption is a qualified exemption, and a Public Interest Test must be carried out to decide whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

Information under consideration for release

A paper considered by the Human Resources Committee at a meeting held on 28 January 2005 relating to the Extension of Service Policy.

Arguments in favour of disclosure of the requested information

1. Disclosure of the requested information would be in line with a public authority being open and transparent in how it transacts its business, and would help in promoting accountability.
2. Disclosure would also be within the overall spirit of the Freedom of Information legislation in asking public bodies to be open and transparent.

Arguments in favour of engaging the exemption and withholding the requested information

1. Maintaining legal privilege would safeguard openness in all communications between the Board and its legal advisors to ensure access to full and frank legal advice, which in turn is fundamental to the administration of justice.

Result

Taking into account the deliberations above, it is felt that the public interest in engaging the exemption to withhold the information outweighs the arguments towards disclosure.

As a result the information should not be provided.

NORTHERN IRELAND POLICING BOARD

HUMAN RESOURCES COMMITTEE MEETING – 17 APRIL 2007

PSNI COMPULSORY RETIREMENT AGES – EXTENSION OF SERVICE POLICY,
CONSIDERATION OF AN APPLICATION AND RATIFICATION OF DELEGATED
AUTHORITY UNDERTAKEN BY BOARD OFFICIALS

1. Aim of Paper

1.1. The aim of this report is to advise on the draft guidance for Police Authorities on new compulsory retirement ages and retirement policy for police officers which is currently being consulted upon by the Northern Ireland Office (NIO). This is as a result of a discussion at the Police Negotiating Board (PNB).

1.2 In addition, the report provides information regarding work being undertaken within PSNI and the development of policy and procedure.

1.3 The report acknowledges that the Board's current policy on extensions of service will require revision following agreement on the guidance under consultation.

1.4



2. Background

2.1 The Employment and Equality (Age) Regulations (NI) 2006 came into force on 1 October 2006, except the Pensions Provision which came into force on 1 December 2006. These regulations make it unlawful to discriminate on the basis of age in employment. Although the regulations do apply to police officers, there are some provisions of the regulations which do not.

2.2 The Police (NI) Act 1998 empowers the Secretary of State to make regulations providing for pensions and gratuities in respect of service as a member of PSNI.

- 2.3 As previously advised to this Committee, the Secretary of State had determined compulsory retirement on the grounds of age. This was set out in the 1998 RUC Pension Regulations at Section A16. New compulsory retirement ages now exist as from 1 October 2006 – age 60 for all federated ranks including the Full Time Reserve apart from Part Time Reservists who retire at 65, Superintendent and Chief Officer ranks retire at age 65. In relation to this there is the added flexibility to extend services for an unlimited period at the discretion of the Chief Constable and / or the Board.
- 2.4 Members should be aware that the RUC Pension Regulations 1988 will be amended to replace the previous compulsory ages (CRA's) and provisions for extensions of service. They will be given backdated effect to 1 October 2006 and the new Police Pension Regulations 2007 will also contain these provisions.
- 2.5 Proposed guidance advises that the Board should act on the guidance and that working together, the Board and PSNI, should institute monitoring procedures to ensure that the guidance is applied fairly and consistently.
- 2.6 PSNI has been working with the Board and the NIO to develop a PSNI Service Procedure which outlines the specific procedural arrangements which are to be put in place to ensure consistency and fairness. Members will be advised when the Service Procedure (the newly agreed designation within PSNI for a General Order) is published.
- 2.7 Whereas in the past the Board could approve extensions of service for a maximum of 5 x 1 year extensions, now there is no overall set limit. Further detailed procedures will have to be devised. Guidance also exists for those officers who reach their new CRA on or after 1 May 2007.
- 2.8 There are transitional arrangements for officers whose CRA or postponed CRA falls between 1 October 2006 and 30 April 2007 inclusive.
- 2.9 Discussion on the particular aspects of the guidance is still under discussion, especially as it relates to the discretion to grant extensions of service to officers up to and including the rank of Chief Superintendent. Currently, the Pension

Regulations allow for the Chief Constable to make a determination and then seek the approval of the Board. The guidance would seem to suggest that referral to the Board may not be necessary for extensions up to the rank of Chief Superintendent. It is suggested that an ACPO rank extensions authority comes to the Board for consideration and approval.

- 2.10 New agreed procedures are required to be put in place which set out each stage clearly and who is responsible for action at that point. It is noted that certain key procedures and considerations will form the basis of these procedures to ensure consistent application in the United Kingdom.
- 2.11 Each request for an extension of service should be justified on its own individual merit and circumstances. The PSNI are not obliged to grant extensions to service and the duration of an extension to service must be defined.
- 2.12 Guidance is set out in relation to circumstances for an officer's request to continue in service is not successful, an appeal process will exist. Officers should remain in service while the application process, including any appeal is being conducted. Both PSNI and the Board should give a clear explanation for a decision to refuse an extension of service.

3. Current Position

- 3.1 As discussions are ongoing, the Board will be required to approve all extensions of service under the new CRAs. Such cases are currently relatively few in number and have been determined under delegated authority in accordance with approved procedure which is listed in Appendix 1.
- 3.2 Officials in exercising this delegated authority are mindful of applying the new suggested criteria in this guidance much of which has been encapsulated in Appendix 2.
- 3.3 Members have been concerned in the past about the officer's attendance at work and have applied criteria which determine a closer examination of the officer's sickness record. This is being reviewed by Board officials in conjunction

with PSNI due to changes in the PSNI Managing Attendance Policy and the introduction of Unsatisfactory Attendance Regulations.

3.4 At present the Board's applied criteria is different to that of PSNI in that they examine an officer's attendance over a 2 year period.

4. 

4.1 

4.2 

4.3 

4.4 

[REDACTED]

4.5

[REDACTED]

4.6

[REDACTED]

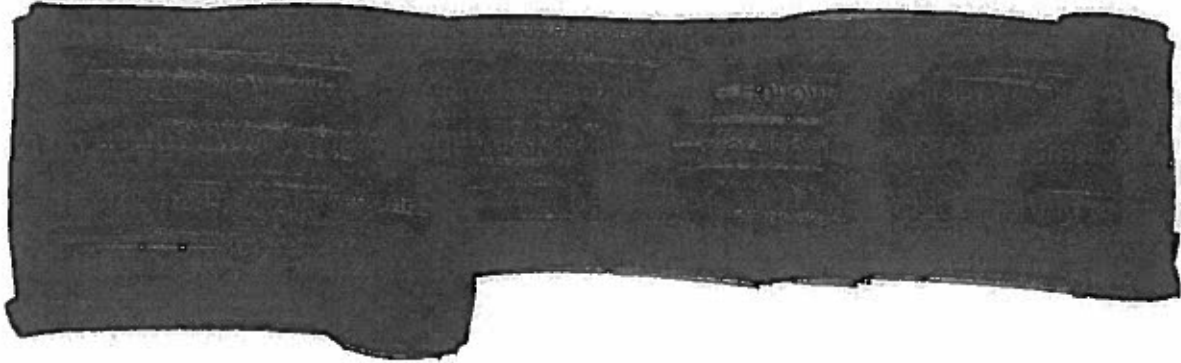
4.7

[REDACTED]

4.8

[REDACTED]

4.9



5. Ratification of Delegated authority

5.1 Members are asked to note the delegated authority taken by Board officials in accordance with agreed Policy in approving Extensions of Service as listed in Appendix 3. (Appendix 3 to be tabled at the meeting.)

6. Recommendations

6.1 Members are asked to note the draft Guidance on new Compulsory Retirement Ages and Policy which is currently being consulted upon.

6.2 Furthermore members are asked to determine a view as to whether they wish to give final approval to all Extensions of Service for serving PSNI officers.

6.3 Members are asked to resolve to approve the interim Extensions of Service Policy as detailed in Appendix 2 pending further agreement with PSNI and the NIO.


6.4



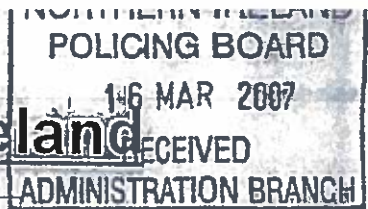
6.5 Members are asked to approve the delegated undertaken by officials as listed in Appendix 3.

Police Administration Branch

April 2007.

ADM 11/05; 

Record No: 66477



Police Service of Northern Ireland

For Internal Use Only



HQ Ref:

General Order No: xx/2007

File Box:

Date: April 2007

Sub Head:

Part I

Appendices 1-3

TITLE

1. INTRODUCTION

- 1.1. The Employment Equality (Age) Regulations (Northern Ireland) 2006 make it unlawful to discriminate on the basis of age in employment. Although the Regulations do apply to police officers, there are some provisions, which do not. However, the spirit of the Regulations will be followed in the areas in which they do not apply.
- 1.2. The new arrangements will in no way affect Pension arrangements or eligibility to apply for Severance. Officers will not be disadvantaged if they choose to retire as they expected to at their 'former' compulsory retirement age (as it was previously). *Any queries or concerns about pension rights should be referred to Pensions Branch and enquires in about severance to the Voluntary Severance Unit or in the case of FTR to the Reserve Office.*

2. AIM

- 2.1 This General Order relates to Police Officers.
- 2.2 This General Order provides new procedures for Police Officers, Human Resources managers and other practitioners to the new Compulsory Retirement Age (CRA) for Police and applications for related Extensions of Service.

3. DEFINITIONS

- CRA Compulsory Retirement Age
- CRD Compulsory Retirement Date
- NIPB Northern Ireland Policing Board
- ACPO Association of Chief Police Officers

4. New Compulsory Retirement Age (CRA)

- 4.1 The Compulsory Retirement Age (CRA) can only be extended at the discretion of the PSNI Chief Constable in conjunction with the Northern Ireland Policing Board Amendments to the Police Pensions Regulations will set a new (CRA) as follows: -
- 60 years of age for (Constable including Full Time Reserve up to & including Chief Inspector)
 - 65 for (Superintendent and Chief Superintendent)
- 4.2 The CRA for all ACPO ranks is 65 years of age with extension to service requiring sole approval of the NIPB.
- 4.3 The CRA is also set as 65 years of age for Police Officers Part Time within the Police Service of Northern Ireland Reserve (Part Time) Regulations 2004. Extensions to service require sole approval of the PSNI.
- 4.4 In effect, this means that every officer will have a Compulsory Retirement Date (CRD) on either their 60th or 65th birthday, depending on their rank. There will be no requirement to apply for Extensions of Service until 6 months before the new Compulsory Retirement Age.
- 4.5 Extensions of service beyond the CRA will now allow the extension of an officer's service for an unlimited period beyond the CRD in certain cases where there is an operational need to retain the officer beyond their CRA.
- 4.6 Former Officers who have been compulsorily retired before 1st October 2006 will not be able to "reverse" their retirement or apply for extensions of service retrospectively.
- 4.7 As the CRD for FTR officers and contract renewal date is highly likely to be different, this genre of officer must have successfully attained both Extensions to Service and contract renewal to remain in service.
- 4.8 As there may be particular circumstances in respect of a future phase out of the FTR the PSNI reserves the right to adjust the termination date of any extension of service in line with any 'phase out' process.
- 4.9 The following paragraphs will outline new procedures for application for extension of service and revised criteria that must be included on the application form.

5. Notification Process

- 5.1 All forms used for the Extension to Service process are designed, if applicable, to be used electronically.
- 5.2 Personnel Managers will notify an officer in writing of their new CRD up to 9 months in advance and certainly no less than 6 months. The Notification Letter (Appendix 'A') will inform the officer of the possibility to extend their service beyond their CRA. At the same time officers will be reminded that the PSNI/NIPB, as applicable, will consider any request to extend service beyond the CRA (using set criteria), and that they may refuse the request.
- 5.3 This notification will also remind Regular and FTR officers that the new CRA does not affect pension age, and also of the requirement to notify the Pensions Branch three months in advance of their retirement date if they intend to commute part of their pension.

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- 5.4 Officers should consider seeking both pensions and independent financial advice before making application for extension to service.
- 5.5 Officers will be required to respond to the notification of their CRD in good time to inform PSNI of their intentions. (Notification Letter Appendix 'B') This should be within one month of notification and certainly no later than three months after notification if they decide to seek extension of their service beyond the CRD.
- 5.6 Officers who wish to extend their service should be encouraged to request an extension in writing as soon as possible after receiving notification of their CRD from their Personnel Manager. A request for extension of service must be considered before the officer retires.
- 5.7 The officer should complete Extension of Service Application and Review Form setting out what skills and experience they can offer to the service. (Appendix 'C') They should also indicate whether they would want to be considered for future service only if they remain in their current role or if they would wish to stay on if exceptionally required to be redeployed. Officers on extensions of service remain liable to redeployment where operational resilience dictates.
- 5.8 The request should be returned to the Personnel Manager within one month. Applications received after three months may not be accepted
- 5.9 Unless the officer has requested a shorter term a maximum of two years will be the 'default' time period for the first extension to service. A maximum of one year will be the 'default' time period for extension to service thereafter.
- 5.10 If the Officer is not notified of their CRD and of their ability to request to continue in service at least 6 months before their CRD, they will still be able to make their request at any point before their CRD. If the Officer does make a request, they will continue in service at least until the day after they are notified of the decision on their request to continue in service. Sufficient time will be allowed for any appeal and HR may consider (if necessary) to allowing the Officer a short-term extension in order to permit an appeal.
- 5.11 If the Officer has previously made application for Severance and now intends to apply for an Extension of Service a copy of the notification letter (Appendix 'B') should also be forwarded to the respective Severance office.
- 5.12 Once an Extension of Service is requested and granted this notification process must be repeated each time an officer reaches a new CRD, unless the extension granted was previously renewed within the last 6 months.

6. Criteria for Extension of Service

- 6.1 Each of the six criteria for extension to service must be satisfied for a successful application to proceed. These criteria are: -
- Assessment of skills & role
 - Assessment of performance
 - Role-Related Risk-Assessment
 - Medical Assessment
 - Attendance
 - Vetting
- 6.2 The Extension of Service Review Form, (Appendix 'C'), should be forwarded by the Personnel Manager to the line manager as soon as possible after receiving the officer's application for completion of the relevant sections.

6.3 The line manager will arrange a meeting with the officer to discuss their application as soon as reasonable (unless not practicable) and explain the criteria to be used within a reasonable period of receiving it, (seeking Central HR advice if necessary)

6.4 Assessment of skills & role

The operational effectiveness of the PSNI is a key factor, which includes their financial viability for retention. Line managers should therefore consider:-

- The officer's experience competencies and skills against service requirements.
- How the retention of the officer would benefit the service as a whole.
- That a suitable role has been identified for the officer that matches their skills.
- Where the current post does not match, other viable roles may be considered.

6.5 Assessment of performance

Previous performance is a key indicator of suitability for retention but must be considered objectively. Consideration for retention, by the line manager must therefore be given to: -

- Completion of a satisfactory APR / Appraisal within the last 12 months.
- Where the applicant is subject to Unsatisfactory Performance Regulations this should also be highlighted.

The suitability of each officer should be determined on its own merits. The line manager must complete the relevant sections of the Extension of Service Review Form within two weeks of receipt. The form should then be forwarded to the applicant's Personnel Manager with a clear recommendation. The information in the appropriate sections relating to the criteria can then be used in assessing the application.

6.6 Role Related Risk-Assessment

Personnel Manager should task the local risk assessor to carry out a role related risk assessment in accordance with service instructions. This risk assessment should concentrate on the main role the officer may have to perform. If there are secondary roles only specific risks require to be covered.

Once completed the Personnel Manager should give consideration to: -

- The medical assessment in proportion to the role related risk assessment and the role(s) the officer would perform or potentially perform.
- Their capabilities within that role taking into account any DDA 'reasonable adjustment'.
- The risks involved and options for management of such risks.

The suitability of each officer should be determined on its own merits and a clear recommendation made on this criterion.

6.7 Medical Assessment

The application should only proceed to medical assessment where a potentially suitable role has been identified for the officer.

The officer's ability to carry out police duties within the identified role is another key area. It must be established that the officer is mentally and physically capable for the role(s) they will or could potentially perform. The Personnel Manager should ensure an appointment is made with OHW as soon as the officer has made notification of intention to apply for an Extension of Service.

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Consideration by the Personnel Manager should be given to: -

- The results of the required medical examination (carried out by OHW), proportionate to the role or roles the officer will be performing.
- Where the officer has been assessed by OHW as 'disabled' under the Disability Discrimination Act, any 'reasonable adjustment' should also form part of the decision making process.
- Where there is a requirement for a DDA 'reasonable adjustment' this should comply with current service policy.
- A final decision cannot be made until the applicant has been medically assessed

Applicants should not be refused an extension simply on the basis of not being able to carry out all the duties of a member of the service. The final decision will depend upon a role-related risk assessment.

6.8 Attendance

Applications for Extensions of Service are subject to the successful Management Attendance Policy (MAP). The applicant's Personnel Manager in line with service policy should carry this out. The officer seeking the extension should submit all relevant evidence in respect of the MAP application at least 3 months before the CRD.

Attendance will be measured from the period of two years prior to 3 months before the CRD of the officer. Where there is a MAP appeal this should be carried out in line with service instructions arranged by the Personnel Manager.

The applicant must successfully pass MAP for the Extension of Service to proceed for recommendation. Further appeals to the refusal to an Extension of Service cannot reconsider the MAP.

Where there is a significant change of attendance history between the date that MAP was carried out and date of approving the Extension of Service the application may be subject to review.

6.9 Vetting

Officers applying for Extensions of Service are subject to successful outcome of appropriate vetting checks carried out by the Human Resource Department. Personnel Manager should forward details of the officer's name, rank, service number and date of birth to Internal Selection for checks to be completed.

In the event of any adverse vetting, Human Resource Department will consult with the Personnel Manager or the member of the Senior Management Team responsible for recommending the Extension to advise them in their decision-making. Nil returns will be forwarded direct to Personnel Managers

Early referral for vetting is essential as it involves contact with outside agencies such as PONI and up to 4 weeks time period can be expected to have returns made.

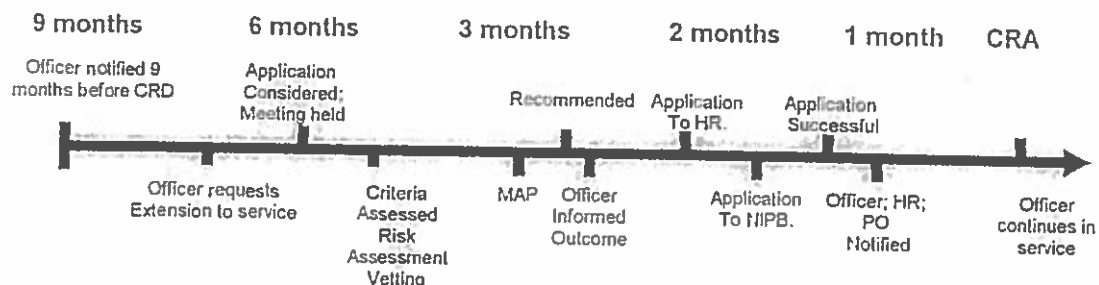
7. Recommendations

7.1 The Personnel Manager must consider all the six criteria before making a recommendation on the Extension of Service Review Form. It must then be forwarded to a member of the officer's Senior Management Team of at least the rank of Superintendent or Police Staff equivalent, who will be required to review the application and give their recommendation.

7.2 Where the Extension of Service is not recommended a clear explanation for the decision should be given.

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- 7.3 The Personnel Manager should inform the applicant in writing of the recommendation and if unsuccessful or if requested by the officer, arrange a meeting to discuss the outcome of their application. The officer will continue in service until their CRD.
- 7.4 The Extension of Service Review Form should be forwarded to the Human Resource Department zPoliceAppointments at least 10 weeks prior to the CRD for final verification and update of records.
- 7.5 Where the application has been recommended it will be forwarded to the Northern Ireland Policing Board at least 8 weeks prior to the CRD for final approval.
- 7.6 An Extension of Service must have both the approval of the PSNI and / or NIPB, as applicable. Either body can refuse an application. Where it is refused, a clear explanation for the decision will be given.
- 7.8 The officer; HR Department and Personnel Manager will be informed in writing of the decision to recommend or refuse the application by the NIPB in writing as soon as is reasonably practicable. The officer will continue in service until their CRD or date of this notification if beyond the CRD. In this instance a short extension of service approved by HR will be given to cover this intervening period.
- 7.9 While PSNI & NIPB will give applications due consideration, they are not obliged to grant them. Each application, including the duration, will be judged against the operational need of the organisation.
- 7.10 PSNI will ensure that they operate in accordance with the Equal Opportunities Policy when considering requests for Extension of Service.
- 7.11 The timeline below shows how the process should proceed in respect of a successful application.

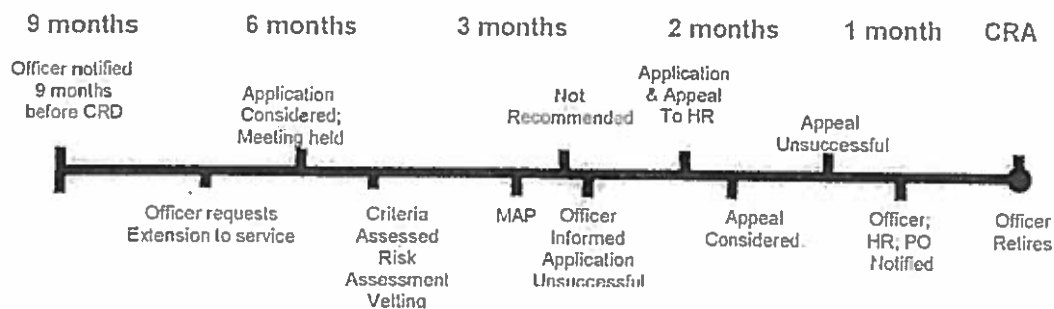


8. Appeals

- 8.1 If an officer's request to continue in service is not successful, they may appeal against the decision. The officer may appeal the decision if their request to continue in service is refused in its entirety or if accepted only for a shorter period than the default extension period.
- 8.2 There is however no additional MAP appeals mechanism, unless it relates specifically to a procedural matter.
- 8.3 A medical appeal will be allowed if an extension of service is refused solely on the basis of a medical assessment by the OHW Medical Advisor (MA) and the officer contests this by producing another medical practitioner's opinion directly contradicting the opinion of the OHW MA. The appeal should in the first place be in the form of a review by the OHW MA of his or her decision in the light of the fresh medical opinion. If the OHW MA declines to alter his or her opinion the case should be referred to another OHW MA not directly connected with the case for his or her final opinion.

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- 8.4 Where the decision to refuse the application has been made by the PSNI, the Director of Human Resources or Deputy will conduct the appeal.
- 8.5 Where the decision to refuse the application has been made by the NIPB their appeals panel will conduct it.
- 8.6 The officer must lodge appeal papers within 14 days of the date of the written notification that the extension of service has not been recommended or granted, to the relevant appellant authority.
- 8.7 The officer; HR Department and Personnel Manager will be informed in writing of the outcome of the appeal within a further 14 days.
- 8.8 Officers should remain in service until the application process (including any appeal) has been completed. The timeline below shows how the process should proceed; it shows an unsuccessful application by the PSNI so as to demonstrate the appeal process. If this process cannot be completed before the CRD by the PSNI or NIBP, the officer may be granted a temporary extension of service.



- 8.9 At least a month's written notice will be given of termination of services.
- 8.10 Only in extremely exceptional circumstances, and at the discretion of the Chief Constable, will an officer be removed from service before the application process is complete.

9. Curtailment of Extension to Service

- 9.1 The power to remove Officers from service applies equally to officers on extension as to other officers in service. The normal service policy and procedures will be applied to officers on extensions of service in the same way as any other officer.

10. Resignation

- 10.1 Officers who have a new CRA will be able to resign from the service, following the proper procedure (i.e. giving at least one month's notice), like any other officer.

11. Transfers Appointments and Promotions

- 11.1 Opportunities for transfer, appointment to specialist posts, promotion and secondment apply equally to officers on extension of service as to other serving officers. Where an officer is successful in such an application it will be necessary to

conduct a review of the previous conditions of the extension in respect of that new post.

12. Consultation

- 12.1 PSNI Senior Management Team
- 12.2 Northern Ireland Office – Police Division
- 12.3 Northern Ireland Policing Board
- 12.4 PSNI Legal Adviser
- 12.5 Police Federation for Northern Ireland
- 12.6 Superintendents' Association of Northern Ireland

13. Human Rights/Equality/Integrity

- 13.1 This General Order is deemed to be Human Rights compliant; it has been screened for Section 75 considerations and meets the PSNI Integrity standards.

14. Monitoring and Review

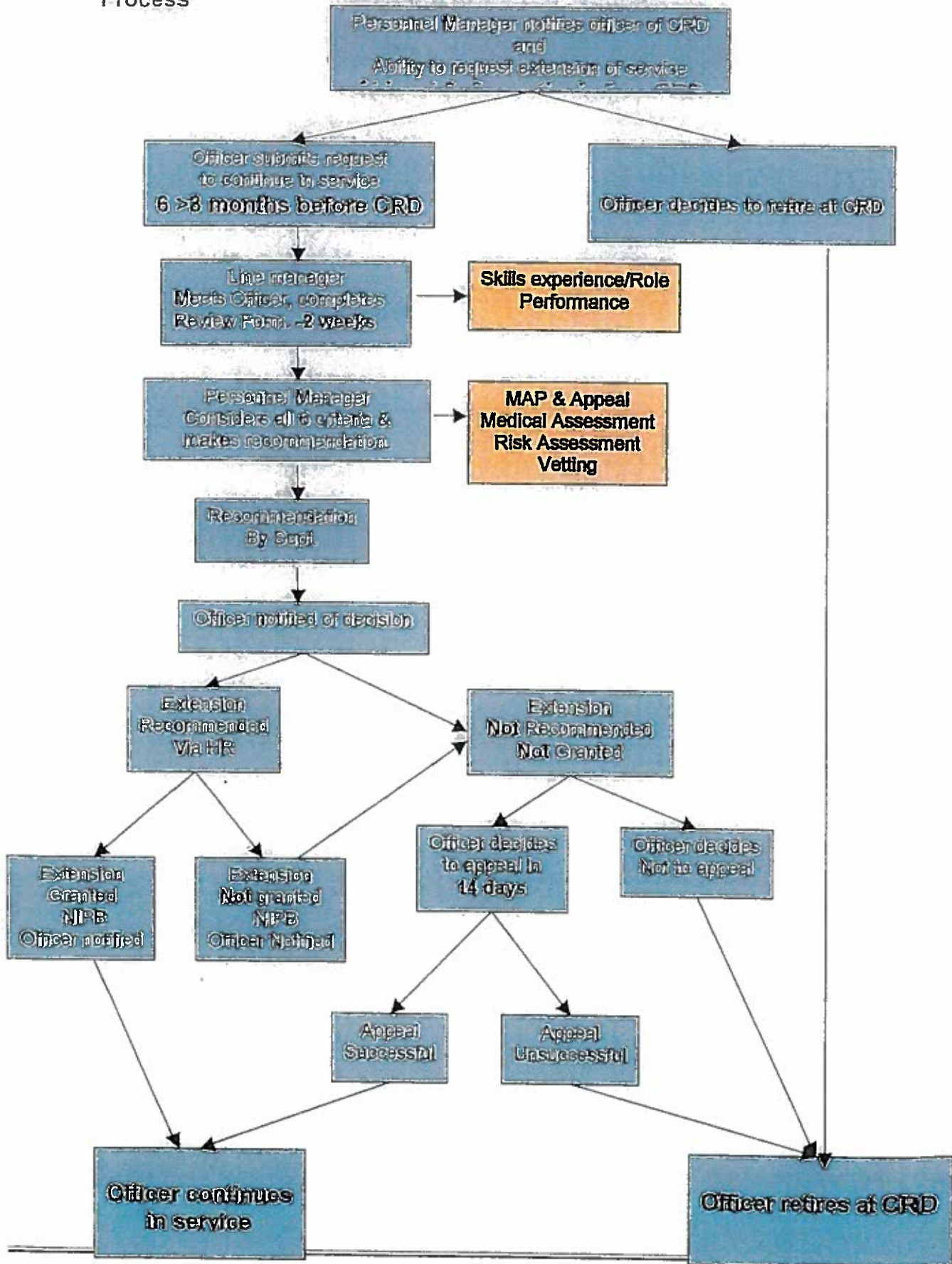
- 14.1 The General Order will be reviewed 12 months from the date of publication.

CONCLUSION

**Internal Links -
Distributions**

**All Chief Officers, Chief superintendents, Superintendents,
Departments, Stations, offices and the Police Ombudsman for Northern
Ireland**

Extension of Service Process



Appendix 'A'

Notification of your Compulsory Retirement Date.

Date / /

Dear,

Name Rank Number

As you will now know, General Order xx/2006 sets out details of new compulsory retirement ages (CRA) for police officers and the procedures to be adopted when applying for an extension of service beyond the CRA.

I wish to inform you that your Compulsory Retirement Date (CRD) is ___/___/____. If you wish to be considered for an extension of service you need to apply now.

The attached Application Form (to be completed whether you wish to retire or extend your service beyond your CRD) should be returned to this office by within 1 month and certainly no later than ___/___/____ (within 3 months of date of this notification). If your form is not received within the time frame, it will be assumed that you wish to retire from the service on or before your CRD.

If it is your intention to retire you are still required to notify the PSNI at least one month prior to your CRD.

If you are making an application for extension of service, please also complete the attached extension of service application form. Please note that your application will be considered by the Chief Constable / NIPB, as applicable, using the criteria set out in General Order xx/2006. The PSNI & / or the NIPB will consider any request to extend service beyond the CRA (using set criteria), but also that they are entitled to refuse the request.

All officers should consider seeking both pensions and independent financial advice before making an application for extension to service.

Pensions Rights - Regular or FTR officers

Although the Compulsory Retirement Age has been changed it is important to understand that your pension age has not been affected in any way.

You are required to notify the Pensions Branch at least three months in advance of your retirement date if you intend to commute part of your pension. If you require more information on pension concerns, please contact Pensions Branch.

DRAFT Version 10

Severance

If you made an application for Severance and now intend to apply for an Extension of Service a copy of the notification letter page 1 (Appendix 'B') should also be forwarded to the respective Severance office.

Personnel Manager
District Command Unit
Department

Appendix 'B'

DRAFT Version 10

APPLICATION TO RETIRE OR EXTEND SERVICE BEYOND CRA

Please read the form carefully

All officers must complete section A

If you wish to retire on your CRA – complete section B only

If you wish to extend your service beyond your CRA – complete section C only

SECTION A – ALL OFFICERS

Full Name:

Current Rank:

Service Number:

DCU/Department:

Work Tele. Number:

Date of Birth:

SECTION B – NOTIFICATION OF RETIREMENT ON CRD

I wish to retire on or before my CRD(please enter date)

Name:

Rank:

Signed:

Date:

SECTION C – REQUEST FOR EXTENSION OF SERVICE BEYOND CRD

I wish to apply for extension of service beyond my CRD. I wish to continue in service for
.....If extension of service applied for is less than
the initial 2 years or 1 year thereafter please provide reason
.....

I understand that the Chief Constable/Northern Ireland Policing Board is not obliged to grant an extension, but that I do have the right to appeal the decision.

Name:

Rank:

Signed:

Date:

Copy of notification to Voluntary / FTR Severance Unit*

*Delete as required

DRAFT Version 10
Application for extension to Service beyond Compulsory Retirement Date

The following section must be completed by inserting YES or NO as applicable

1. Are you presently absent from duty through sickness?
2. Have you been absent from duty through sickness over the previous two years beyond that permitted by Management Attendance Policy (calculating period is the two years prior to the 3 months before your CRD)
If yes an appeal should be submitted at least 3 month before your CRD
3. Do you consider yourself to be physically and mentally fit to carry out the responsibilities of your current role (s)
4. Are you currently being investigated by the Professional Standards Department or the Police Ombudsman for NI for disciplinary or criminal allegations, (this includes any discipline or criminal allegations which are pending) or being investigated for any criminal offence?
5. Are you currently being processed under the unsatisfactory performance regulations?
6. Have you been the subject of disciplinary punishment, other than a caution during the past two years (calculating period two years prior to the closing date of this Notice)?
7. Under the Disability Discrimination Act 1995 a person is considered to have a disability if he/she has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities.
Do you consider that you meet this definition of disability?

The following section must also be completed.

8. You should also indicate whether you would want to be considered for future service only if you remain in your current role or if you would wish to stay on if exceptionally required to be redeployed. *Officers on extensions of service remain liable to redeployment where operational resilience dictates.*
9. You should set out what skills and experience you can offer to the service.

APPLICANT'S DECLARATION

I certify that the information contained within this application is accurate.

Signature _____

Date

Date _____

DRAFT Version 10

Appendix C

POLICE SERVICE FOR NORTHERN IRELAND

EXTENSION OF SERVICE APPLICATION AND REVIEW FORM

To: _____

DATE / /

PLEASE COMPLETE AND RETURN TO PERSONNEL MANAGER BY E-MAIL WITHIN 2 WEEKS, IN RESPECT OF: -

Name:

Rank:

Service Number:

Compulsory Retirement Date:

DCU/Branch:

(The applicant's Line Manager must complete Sections 1 – 3)

1. **Assessment of Skills and Role:** Comment on the Officers specific skills, experience, competencies and financial viability for retention. State whether a suitable role(s) has been identified or if other role(s) should be considered.

2. **Assessment of Performance:** Comment on the officer's previous performance, whether a satisfactory PDR has been completed in the last 12 months. Indicate if the applicant is/or has been subject to Unsatisfactory Performance Regulations.

DRAFT Version 10

3. Recommendation of Line Manager:

I recommend/do not recommend consideration of this application for the following reasons:

Signed: _____ Rank: _____ Date: _____

To: _____ Date: _____

(Personnel Manager)

(Sections 4 - must be completed by the applicant's Personnel Manager)

4. Has Role Related Risk Assessment been carried out?

Yes/No

Copy attached:

Yes/No

5. Has an OHW Assessment been carried out?

Yes/No

Copy attached:

Yes/No

6. How long does the officer wish to remain in service?

7. Does the officer wish to remain in their current role?

Yes/No

8. Does the officer need to be considered for another role.

Questions 9 –11 refer to MAP

9. Total number of days absent within last two years
(Please note:- the measure is the two years prior to 3 months before the applicants CRD.)

10. Number of days related to 'disability' absence if assessed as 'disabled' under DDA by OHW.

11. Number of days related to a confirmed IOD, within this period

MAP Recommendation:

12. Has the officer been assessed by OHW as 'disabled'?

Yes/No

13. Comment on any 'reasonable adjustment' under DDA.

[Empty box for comment on reasonable adjustment]

14. Vetting: Comment on any investigation regarding discipline and/or unsatisfactory performance that might mitigate against the offer of an Extension of Service. (Attach reports from Professional Standards Dept and PONI.)

[Empty box for vetting comment]

Recommendation by Personnel Manager

I recommend/do not recommend consideration of this application for the following reasons:

Name: _____ Date: _____

14(a) Comments of officers Superintendent or Police Staff equivalent to include specific reasons why Extension of Service should be offered or refused.

I recommend/do not recommend consideration of this application for the following reasons:

14(b) Recommendation

[Empty box for recommendation]

Name: _____ Rank: _____ Date: _____

FOR COMPLETION BY HUMAN RESOURCES DEPARTMENT (POLICE APPOINTMENTS)

Staff Officer
Administration Branch
Northern Ireland Policing Board
Waterside Tower, Belfast

Your Ref:
Our Ref: APP
Date:

Dear Sir/Madam,

Re: Application for an Extension of Service -

Please see the above application for Extension of Service. The officers Compulsory Retirement Date is

There are no DDA considerations in this case.

Please find attached:-

1. Extension of Service Review Form
2. Sickness record
3. Risk Assessment
4. OHW report.

The member's application is supported by his/her authorities, therefore, approval is sought to postpone the member's retirement age for a further period until , under Regulation A16 of the 1988 RUC Pension Regulations and the Employment Equality (Age) Regulations (Northern Ireland) 2006

Yours faithfully,

**R WILSON
CHIEF INSPECTOR
RESOURCING BRANCH**

DRAFT Version 10

Register Number _____/06

Computer System - H R M S

Installation – LSHAP 28

Security
Classification - CONFIDENTIAL
of Printout

To: Staff Officer
Admin Branch
NIPB

1. Please find enclosed sickness printout from the HRMS computer system.
2. This computer printout must only be used for official purposes and must be shredded and burned when no longer required. You are reminded that should this printout be despatched to another location either on its own or as part of a file, current instructions in respect of classified documents must be adhered to.
3. Please print, sign and return to Police Appointments.

Name Lorraine McLearn

Rank/No EO1

Date _____

RETURN COMPLETE FORM

To: Police Appointments
Room 128
HR Department
Lisnasharragh

I acknowledge receipt of the above printout which will be used only for official purposes.

I note that – the information contained in the above printout is controlled by the provisions of the Data Protection Act 1984.

Signed _____

Name (in Block Capitals) _____ Rank/No. _____

Station/Location _____ Date _____

NORTHERN IRELAND POLICING BOARD

HUMAN RESOURCES COMMITTEE MEETING – 13 JUNE 2007

EXTENSION OF SERVICE POLICY AND [REDACTED]
[REDACTED]

1. Purpose of Paper

1.1 [REDACTED]

1.2 To bring to Member's attention the response received from the Northern Ireland Office in relation to their view on the Board giving final approval to all extensions of service before further discussion and approval by the Committee.

2. Background

Extension of Service Application REG 42

2.1 [REDACTED]

2.2 [REDACTED]

- [REDACTED]

- [REDACTED]

- Medical information relied upon at the MAP Appeals Panel is provided.

Extension of Service Policy

2.3 As previously advised to this Committee, the Secretary of State had determined compulsory retirement on the grounds of age. This was set out in the 1998 RUC Pension Regulations at Section A16. New compulsory retirement ages now exist as from 1 October 2006 – age 60 for all federated ranks including the Full Time Reserve apart from Part Time Reservists who retire at 65, Superintendent and Chief Officer ranks retire at age 65. In relation to this there is the added flexibility to extend services for an unlimited period at the discretion of the Chief Constable and / or Board.

3. Information Received

[REDACTED]

3.1

[REDACTED]

3.2

[REDACTED]

3.3

[REDACTED]

Compulsory Retirement Age (CRA) – Extensions of Service

- 3.4 It has been the responsibility of the Board to approve all police officers extensions of service prior to the new extensions of service policy being prepared in accordance with the requirements of the Age Discrimination legislation. The new draft policy is an amendment to the RUC Pensions Regulations 1988 and will be in line with the New Police Pension Scheme (NI) 2007 Regulations which will be made by the NIO in the near future.
- 3.5 It is the view of the NIO that the Board can view and record the decisions reached by the Chief Constable on officer's below ACPO ranks but this would be an internal policy between the PSNI and the Board. The reply is attached at Appendix 3.

4. Decision

4.1



- 4.2 Members are asked to note the response received from the Northern Ireland Office in relation to the Extension of Service Policy and to request the PSNI to Provide on a monthly basis details of extensions of service granted.

Police Administration Branch

June 2007

File ref: ADM

NORTHERN IRELAND POLICING BOARD

HUMAN RESOURCES COMMITTEE MEETING – 11 SEPTEMBER 2008

PSNI EXTENSION OF SERVICE POLICY

1. Purpose

- 1.1 The purpose of this paper is to bring to Members' attention the PSNI Extension of Service policy and to seek authority to devolve responsibility for extensions of service to the Chief Constable.
- 1.2 In addition, Members are asked to ratify the delegated authority decisions taken by officials in approving PSNI extensions of service.

2. Background

- 2.1 The HR Committee held on 17 April 2007, discussed the draft guidance that was being consulted upon by the Northern Ireland Office (NIO) in relation to new compulsory retirement ages and a retirement policy for police officers.
- 2.2 At the meeting it was agreed that the NIO should be asked for their views on the Board giving final approval to all extensions of service for serving PSNI officers. In addition, an interim extensions of service policy was approved pending further agreement with the PSNI and NIO.
- 2.3 The HR Committee in June 2007, considered a paper on the response from the NIO which intimated that the Board can view and record the decisions reached by the Chief Constable and officers below ACPO rank but this would be an internal policy between PSNI and the Board. It should also be noted, that in cases involving inefficiency or disablement, the Board will continue to make the ultimate decision regardless of an officer's rank.

- 2.4 The HR Committee on 13 June 2007, agreed that when the NIO introduces new legislation which enables the Chief Constable to grant extensions of service (excluding Chief Officers), that PSNI should be requested to provide the Board on a monthly basis, details of extensions of service which have been granted to police officers.

3. Current Position

- 3.1 The NIO have now published the guidance which states that, "5.8 - PSNI (in consultation with the Board) will need to set up agreed procedures for processing officers applications to postpone their compulsory retirement dates which sets out each stage clearly and who is responsible for action at that point."
- 3.2 PSNI published its Service Procedure on 'extensions to service' and compulsory retirement ages in September 2007, which provided for applications for 'extensions to service' to be finally approved by the Board. This Service Procedure is due for revision by PSNI in September 2008.
- 3.3 Considering the previous decision of the Board and the advice provided by the NIO, there is no requirement for the Board to make a decision on extensions of service for police officers except as advised earlier in cases of disablement and inefficiency.
- 3.4 PSNI have recently requested extensions of service for 3 officers.

4. Decision

- 4.1 Members are asked to NOTE the contents of this paper and RESOLVE that authority be devolved to the Chief Constable to approve extensions of service in all cases involving Superintendent ranks and below, apart from those applications where inefficiency or disablement are involved.

- 4.2 Furthermore, Members are asked to ratify the delegated authority decisions approved by Board officials and request PSNI to provide the Board, when reporting on the HR Strategic Monitoring Framework, details of 'extension to service' which have been granted to police officers.

Police Administration Branch

August 2008

File ref: ADM 11/05

Police Service of Northern Ireland

For Internal Use Only

HQ Ref: HRP/01/07

Service Procedure No: 65/2007

File Box: B

Date: 17 September 2007

Sub Head: (b)

EXTENSION OF SERVICE FOR POLICE OFFICERS

1. INTRODUCTION

- (1) The Employment Equality (Age) Regulations (Northern Ireland) 2006 make it unlawful to discriminate on the basis of age in employment. Although the Regulations do apply to police officers, there are some provisions, which do not. However, the spirit of the Regulations will be followed in the areas in which they do not apply.
- (2) The new arrangements will in no way affect pension rights or eligibility to apply for Severance under current procedures. Officers will not be disadvantaged if they choose to retire as they expected to at their 'former' compulsory retirement age (as it was previously).

2. AIM

- (1) This Service Procedure relates to all police officers.
- (2) This Service Procedure provides new procedures for police officers, HR Managers and other practitioners to the new Compulsory Retirement Age (CRA) for police and applications for related Extensions of Service.

3. DEFINITIONS

- CRA** Compulsory Retirement Age
- CRD** Compulsory Retirement Date
- NIPB** Northern Ireland Policing Board
- ACPO** Association of Chief Police Officers

4. NEW COMPULSORY RETIREMENT AGE (CRA)

- (1) The **CRA** can only be extended at the discretion of the PSNI Chief Constable in conjunction with the NIPB. The age limits have been set by the Northern Ireland Office (NIO) in consultation with the Police Negotiating Board. Amendments to the Police Pensions Regulations will set a new **CRA** as follows:
 - (a) 60 years of age for (Constable including Full Time Reserve up to and including Chief Inspector);
 - (b) 65 for (Superintendent and Chief Superintendent).
- (2) The **CRA** for all ACPO ranks is 65 years of age with Extension to Service requiring sole approval of the NIPB.

- (3) The CRA is also set as 65 years of age for Police Officers Part Time within the Police Service of Northern Ireland Reserve (Part Time) Regulations 2004. Extensions to service require sole approval of the PSNI.
- (4) In effect, this means that every officer will have a **Compulsory Retirement Date (CRD)** on either their 60th or 65th birthday, depending on their rank. There will be no requirement to apply for Extensions of Service until 6 months before the new CRA.
- (5) Extensions of Service beyond the CRA will now allow the Extension of an officer's Service beyond the CRD in certain cases where there is an operational need to retain the officer beyond their CRA.
- (6) Former officers who have been compulsorily retired before 1st October 2006 will not be able to "reverse" their retirement or apply for Extensions of Service retrospectively.
- (7) As the CRD for FTR officers and contract renewal date is highly likely to be different, this genre of officer must have successfully attained both Extensions to Service and contract renewal to remain in service.
- (8) As there may be particular circumstances in respect of a future phase out of the FTR the PSNI reserves the right to adjust the termination date of any Extension of Service in line with any 'phase out' process.
- (9) The following paragraphs will outline new procedures for application for Extension of Service and revised criteria that must be included on the application form.

5. NOTIFICATION PROCESS

- (1) All forms used for the Extension to Service process are designed, if applicable, to be used electronically.
- (2) HR Managers will notify an officer in writing of their new CRD up to **9 months in advance and certainly no less than 6 months**. The Notification Letter (Appendix 'A') will inform the officer of the possibility to extend their service beyond their CRA. At the same time officers will be reminded that the PSNI/NIPB, as applicable, will consider any request to extend service beyond the CRA (using set criteria), and that they may refuse the request.
- (3) This notification will also remind Regular and FTR officers that the new CRA does not affect pension age, and also of the requirement to notify the Pensions Branch 3 months in advance of their retirement date if they intend to commute part of their pension.
- (4) Officers should consider seeking both pensions and independent financial advice before making application for Extension to Service.
- (5) Officers will be required to respond to the notification of their CRD in good time to inform PSNI of their intentions. (Notification Letter Appendix 'B') This should be within 1 month of notification and **certainly no later than 3 months after notification** if they decide to seek Extension of their Service beyond the CRD.
- (6) Officers who wish to extend their service must request an extension in writing using the 'Application to Retire or Extend Service beyond CRA' (Appendix 'B') as soon as possible after receiving notification of their CRD from their HR Manager. **A request for Extension of Service must be considered before the officer retires.**
- (7) They should also indicate whether they would want to be considered for future service only if they remain in their current role or if they would wish to stay on if exceptionally required to be redeployed. **Officers on Extensions of Service remain liable to redeployment where operational resilience dictates.**
- (8) The request should be returned to the HR Manager within 1 month. **Applications received after 3 months may not be accepted.** Upon receipt the HR Manager should forward the completed form to zPoliceAppointments.
- (9) Unless the officer has requested a shorter term a maximum of 2 years will be the 'default' time period for the first Extension to Service. A maximum of 1 year will be the 'default' time period for Extension to Service thereafter.

- (10) If the officer is not notified of their CRD and of their ability to request to continue in service at least 6 months before their CRD, they will still be able to make their request at any point before their CRD. If the officer does make a request, they will continue in service at least until the day after they are notified of the decision on their request to continue in service. Sufficient time will be allowed for any appeal and HR may consider (if necessary) to allowing the officer a short-term extension in order to permit an appeal.
- (11) If the officer has previously made application for Severance and now intends to apply for an Extension of Service a copy of the notification letter (Appendix 'B') should also be forwarded to the respective Severance office.
- (12) Once an Extension of Service is requested and granted this notification process must be repeated each time an officer reaches a new CRD, unless the extension granted was previously renewed within the last 6 months.

6. CRITERIA FOR EXTENSION OF SERVICE

- (1) Each of the six criteria for Extension to Service must be satisfied for a successful application to proceed. These criteria are:
- (a) Assessment of skills and role;
 - (b) Assessment of performance;
 - (c) Role-Related Risk-Assessment;
 - (d) Medical Assessment;
 - (e) Attendance;
 - (f) Vetting.
- (2) The Extension of Service Review Form, (Appendix 'C'), should be forwarded by the HR Manager to the line manager as soon as possible after receiving the officer's application for completion of the relevant sections.
- (3) The line manager will arrange a meeting with the officer to discuss their application as soon as reasonable (unless not practicable) and explain the criteria to be used within a reasonable period of receiving it, (seeking Central HR advice if necessary). The line manager should complete Extension of Service Application and Review Form (Appendix 'C') setting out what skills and experience the applicant can offer to the service. The relevant criterion is set out in the following paragraphs.
- (4) **Assessment of skills and role**
- The operational effectiveness of the PSNI is a key factor, which includes their financial viability for retention. Line managers should therefore consider:
- (a) The officer's experience competencies and skills against Service requirements;
 - (b) How the retention of the officer would benefit the Service as a whole;
 - (c) That a suitable role has been identified for the officer that matches their skills;
 - (d) Where the current post does not match, other viable roles may be considered.
- (5) **Assessment of performance**
- (a) Previous performance is a key indicator of suitability for retention but must be considered objectively. Consideration for retention, by the line manager must therefore be given to:
 - (i) Completion of a satisfactory APR/Appraisal within the last 12 months;
 - (ii) Where the applicant is subject to Unsatisfactory Performance Regulations this should also be highlighted.

- (b) The suitability of each officer should be determined on its own merits. The line manager must complete the relevant sections of the Extension of Service Review Form within 2 weeks of receipt. The form should then be forwarded to the applicant's HR Manager with a clear recommendation. The information in the appropriate sections relating to the criteria can then be used in assessing the application.

(6) Role Related Risk-Assessment

- (a) The HR Manager should task the local risk assessor to carry out a role related risk assessment in accordance with service instructions. This risk assessment should concentrate on the main role the officer may have to perform. If there are secondary roles only specific risks require to be covered.
- (b) Once completed the HR Manager should give consideration to:
 - (i) The medical assessment in proportion to the role related risk assessment and the role(s) the officer would perform or potentially perform;
 - (ii) Their capabilities within that role taking into account any DDA 'reasonable adjustment';
 - (iii) The risks involved and options for management of such risks.
- (c) The suitability of each officer should be determined on its own merits and a clear recommendation made on this criterion.

(7) Medical Assessment

- (a) The application should only proceed to medical assessment where a potentially suitable role has been identified for the officer.
- (b) The officer's ability to carry out police duties within the identified role is another key area. It must be established that the officer is mentally and physically capable for the role(s) they will or could potentially perform. The HR Manager should ensure an appointment is made with OHW as soon as the officer has made notification of intention to apply for an Extension of Service.
- (c) Consideration by the HR Manager should be given to:
 - (i) The results of the required medical examination (carried out by OHW), proportionate to the role or roles the officer will be performing;
 - (ii) Where the officer has been assessed by OHW as 'disabled' under the Disability Discrimination Act, any 'reasonable adjustment' should also form part of the decision making process;
 - (iii) Where there is a requirement for a DDA 'reasonable adjustment' this should comply with current Service policy;
 - (iv) A final decision cannot be made until the applicant has been medically assessed.
- (d) Applicants should not be refused an extension simply on the basis of not being able to carry out all the duties of a member of the Service. The final decision will depend upon a role-related risk assessment.

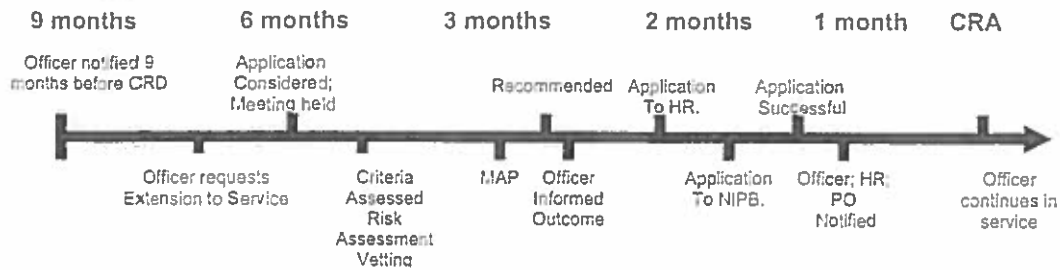
(8) Attendance

- (a) Applications for Extensions of Service are subject to the provisions of the Management of Sickness Absence Policy – PD 08/07 and associated Unsatisfactory Attendance Procedure – Police Officers - Service Procedure No 43/2007, File Box B(a). If an officer does not meet the provisions of this Policy they may make application to have the absence mitigated. The officer seeking the extension should submit, to their HR Manager a Form 90/1 (available from PoliceNet) along with all relevant evidence at least 3 months before the CRD.

- (b) The applicant must meet the provisions of the Management of Sickness Absence Policy before their application for an Extension of Service can proceed for recommendation. Any further appeals to the refusal of an Extension of Service will not re-consider sickness absence.
 - (c) Where there is a significant change in the attendance history between the date the absence was mitigated and the date of approving the Extension of Service the application may be subject to review.
- (9) **Vetting**
- (a) Officers applying for Extensions of Service are subject to successful outcome of appropriate vetting checks carried out by the HR Department. The HR Manager should forward details of the officer's name, rank, service number and date of birth to zPoliceAppointments for checks to be completed.
 - (b) In the event of any adverse vetting, HR Department will consult with the HR Manager or the member of the Senior Management Team responsible for recommending the Extension to advise them in their decision-making. Nil returns will be forwarded direct to HR Managers.
 - (c) Early referral for vetting is essential as it involves contact with outside agencies such as Police Ombudsman for Northern Ireland (PONI) and a period of up to 4 weeks can be expected to have returns made.

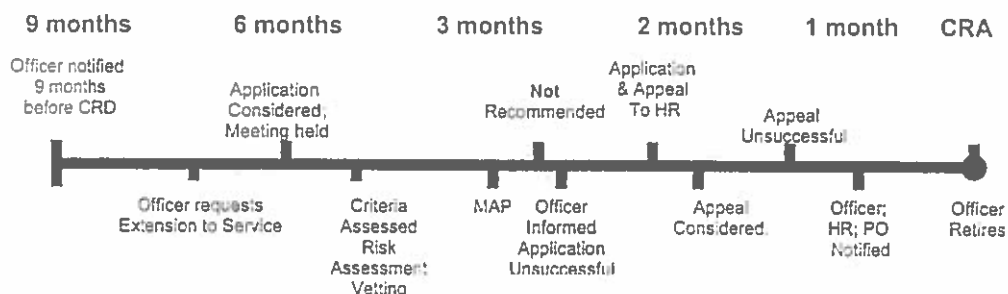
7. RECOMMENDATIONS

- (1) The HR Manager must consider all the six criteria before making a recommendation on the Extension of Service Review Form. It must then be forwarded to a member of the officer's Senior Management Team of at least the rank of Superintendent or police staff equivalent, who will be required to review the application and give their recommendation.
- (2) Where the Extension of Service is not recommended a clear explanation for the decision should be given.
- (3) The HR Manager should inform the applicant in writing of the recommendation and if unsuccessful or if requested by the officer, arrange a meeting to discuss the outcome of their application. The officer will continue in service until their CRD.
- (4) The Extension of Service Review Form should be forwarded electronically to the HR Department zPoliceAppointments at least 10 weeks prior to the CRD for final verification and update of records.
- (5) Where the application has been recommended it will be forwarded to the NIPB at least 8 weeks prior to the CRD for final approval.
- (6) An Extension of Service must have both the approval of the PSNI and/or NIPB, as applicable. Either body can refuse an application. Where it is refused, a clear explanation for the decision will be given.
- (7) The officer, HR Department and the HR Manager will be informed in writing of the decision to recommend or refuse the application by the NIPB in writing as soon as is reasonably practicable. The officer will continue in service until their CRD or date of this notification if beyond the CRD. In this instance a short Extension of Service approved by HR will be given to cover this intervening period.
- (8) While PSNI and NIPB will give applications due consideration, they are not obliged to grant them. Each application, including the duration, will be judged against the operational need of the organisation.
- (9) PSNI will ensure that they operate in accordance with the Equal Opportunities Policy when considering requests for Extension of Service.
- (10) The timeline below shows how the process should proceed in respect of a successful application.



8. APPEALS

- (1) If an officer's request to continue in service is not successful, they may appeal against the decision. The officer may appeal the decision if their request to continue in service is refused in its entirety or if accepted only for a shorter period than the default extension period.
- (2) There is however no additional MAP appeals mechanism, unless it relates specifically to a procedural matter.
- (3) A medical appeal will be allowed if an Extension of Service is refused solely on the basis of a medical assessment by the OHW Medical Advisor (MA) and the officer contests this by producing another medical practitioner's opinion directly contradicting the opinion of the OHW MA. The appeal should in the first place be in the form of a review by the OHW MA of their decision in the light of the fresh medical opinion. If the OHW MA declines to alter their opinion the case should be referred to another OHW MA not directly connected with the case for their final opinion.
- (4) Where the decision to refuse the application has been made by the PSNI, the Director of Human Resources or Deputy or their nominee will conduct the appeal.
- (5) Where the decision to refuse the application has been made by the NIPB their appeals panel will conduct it.
- (6) The officer must lodge appeal papers within 14 days of the date of the written notification that the Extension of Service has not been recommended or granted, to the relevant appellant authority.
- (7) The officer, HR Department and HR Manager will be informed in writing of the outcome of the appeal within a further 14 days.
- (8) Officers should remain in service until the application process (including any appeal) has been completed. The timeline below shows how the process should proceed; it shows an unsuccessful application by the PSNI so as to demonstrate the appeal process. If this process cannot be completed before the CRD by the PSNI or NIBP, the officer may be granted a temporary Extension of Service.



- (9) At least a month's written notice will be given of termination of services.
- (10) Only in extremely exceptional circumstances, and at the discretion of the Chief Constable, will an officer be removed from service before the application process is complete.

9. CURTAILMENT OF EXTENSION TO SERVICE

The power to remove officers from service applies equally to officers on extension as to other officers in service. The normal Service policy and procedures will be applied to officers on Extensions of Service in the same way as any other officer.

10. RESIGNATION

Officers who have a new CRA will be able to resign from the Service, following the proper procedure (ie giving at least 1 month's notice), like any other officer.

11. TRANSFERS APPOINTMENTS AND PROMOTIONS

Opportunities for transfer and promotion apply equally to officers on Extension of Service as to other serving officers. In order to provide an effective and efficient service, appointments to specialist posts will be dealt with on an individual basis. Where an officer is successful in such an application it will be necessary to conduct a review of the previous conditions of the extension in respect of that new post.

12. ASSISTANCE

- (1) Any queries or concerns relating to pension rights should be referred to Pensions Branch.
- (2) Any queries or concerns relating to Severance should be referred to Severance Unit.
- (3) In the case of Full Time Reserve officers, the Reserve Office should also be contacted.

13. CONSULTATION

- (1) PSNI Senior Management Team;
- (2) Northern Ireland Office – Police Division;
- (3) Northern Ireland Policing Board;
- (4) PSNI Human Rights Legal Adviser;
- (5) Police Federation for Northern Ireland;
- (6) Superintendents' Association of Northern Ireland;
- (7) Occupational Health and Welfare;
- (8) Health and Safety Unit;
- (9) Equality and Diversity Unit.

14. HUMAN RIGHTS/EQUALITY/INTEGRITY

This Service Procedure is deemed to be Human Rights compliant; it has been screened for Section 75 considerations and meets the PSNI Integrity standards.

15. MONITORING AND REVIEW

This Service Procedure will be reviewed 12 months from the date of publication or sooner should there be a change in legislation.

Service Procedure No 65/2007, File Box B(b)

Index Entries/

'E' - Extension of Service for Police Officers

'S' - Service Extension – for Police Officers

NOTIFICATION OF YOUR COMPULSORY RETIREMENT DATE

Date / /

Dear,

Name Rank Number

As you will now know, Service Procedure xx/2007 sets out details of new compulsory retirement ages (CRA) for police officers and the procedures to be adopted when applying for an Extension of Service beyond the CRA.

I wish to inform you that your Compulsory Retirement Date (CRD) is ___/___/____. If you wish to be considered for an Extension of Service you need to apply now.

The attached Application Form (to be completed whether you wish to retire or extend your service beyond your CRD) should be returned to this office within 1 month and certainly no later than ___/___/____ (within 3 months of date of this notification). If your form is not received within the time frame, it will be assumed that you wish to retire from the service on or before your CRD.

If it is your intention to retire you are still required to notify the PSNI at least 1 month prior to your CRD.

If you are making an application for Extension of Service, please also complete the attached Extension of Service application form. Please note that your application will be considered by the Chief Constable/ Northern Ireland Policing Board (NIPB), as applicable, using the criteria set out in Service Procedure xx/2007. The PSNI and/or the NIPB will consider any request to extend service beyond the CRA (using the set criteria), and are entitled to refuse the request.

All officers should consider seeking both pensions and independent financial advice before making an application for Extension to Service.

Pensions Rights - Regular or FTR officers

Although the CRA has been changed it is important to understand that your pension age has not been affected in any way.

You are required to notify the Pensions Branch at least 3 months in advance of your retirement date if you intend to commute part of your pension. If you require more information on pension concerns, please contact Pensions Branch.

Severance

If you made an application for Severance and now intend to apply for an Extension of Service a copy of the notification letter page 1 (Appendix 'B') should also be forwarded to the respective Severance office.

HR Manager
District Command Unit
Department



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

RESTRICTED

EXTENSION OF SERVICE APPLICATION AND REVIEW FORM

To: _____ Date _____

Please complete and return to Human Resource Manager via Email within 2 weeks, in respect of:

Name: _____ Rank: _____

Service Number: _____ Compulsory Retirement Date: _____

DCU _____

(The applicant's Line Manager must complete Sections 1-3)

- 1. Assessment of Skills and Role:** Comment on the officers specific skills, experience, competencies and financial viability for retention. State whether a suitable role(s) has been identified or if other role(s) should be considered.

- 2. Assessment of Performance:** Comment on the officers previous performance, whether a satisfactory APR has been completed in the last 12 months. Indicate if the application is/ or has been subject to Unsatisfactory Performance Regulations.

3. Recommendation of Line Manager:

I recommend consideration of this application for the following reasons:

Signed: _____ Rank: _____ Date: _____

To: _____ (Human Resource Manager) Date: _____

(The applicant's Human Resource Manager must complete this section)

- 4. Has Role Related Risk Assessment been carried out? Yes
- Copy attached? Yes
- 5. Has an OHW Assessment been carried out? Yes
- Copy attached? Yes
- 6. How long does the over wish to remain in service?
- 7. Does the officer wish to remain in their current role? Yes
- 8. Does the officer need to be considered for another role.

Questions 9-11 refer to MAP

- 9. Total number of days absent within last two years
(Please note: the measure is the two years prior to 3 months before the applicants CRD.)
- 10. Number of days related to 'disability' absence if assessed as 'disabled' under DDA by OHW.
- 11. Number of days related to a confirmed IOD, within this period.

MAP Recommendation: _____

Questions 12-13 refer to DDA

12. Has the officer been assessed by OHW as 'disabled'?

Yes

13. Comment below on any 'reasonable adjustment' under DDA.

Question 14 refers to Vetting

14. Comment on any investigation regarding discipline and/or unsatisfactory performance that might mitigate against the offer of an Extension of Service.
(Please attach reports from Professional Standards Department and PONI)

15(a). Recommendation by Human Resource Manager

I recommend consideration of this application for the following reasons:

Name: _____

Date: _____

15(b). Comments and final recommendation of officers' Superintendent or Police Staff equivalent to include specific reasons why Extension of Service should be offered or refused.

I recommend consideration of this application for the following reasons:

Name: _____

Date: _____



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

RESTRICTED

APPLICATION TO RETIRE OR EXTEND SERVICE BEYOND COMPULSORY RETIRMENT AGE

Please read the form carefully.
All officers must complete Section A.
If you wish to retire on your CRD – complete Section B only.
If you wish to extend your service beyond your CRD – complete Section C only.

SECTION A – ALL OFFICERS

Full Name: _____

Current Rank: _____

Service No: _____

DCU _____

Contact Tel No.: _____

Date of Birth: _____

SECTION B – NOTIFICATION OF RETIREMENT ON CRD

I wish to retire on or before my CRD (please enter date) _____

Name: _____

Rank: _____

Signed: _____

Date: _____

SECTION C – REQUEST FOR EXTENSION OF SERVICE BEYOND CRD

I wish to apply for extension of service beyond my CRD. I wish to continue in service for _____ . If extension of service applied for is less than the initial 2 years or 1 year thereafter please provide reason.

I understand that the Chief Constable/Northern Ireland Policing Board is not obliged to grant an extension, but that I do have the right to appeal the decision.

Name: _____

Rank: _____

Signed: _____

Date: _____

Copy of notification to Voluntary Severance Unit.

Application for Extension to Service beyond Compulsory Retirement Date

The following section must be completed by inserting YES or NO as applicable.

- 1. Are you presently absent from duty through sickness? Yes
- 2. Have you been absent from duty through sickness over the previous two years beyond that permitted by Managing Sickness Absence Police (See Policy Directive 08/07) If yes an appeal should be submitted at least 3 months before your CRD. Yes
- 3. Do you consider yourself to be physically and mentally fit to carry out the responsibilities of your current role(s). Yes
- 4. Are you currently being investigated by the Professional Standards Department or the Police Ombudsman for Northern Ireland for disciplinary or criminal allegations, (this includes any discipline or criminal allegations which are pending) or being investigated for any criminal offence? Yes
- 5. Are you currently being processed under the unsatisfactory performance regulations? Yes
- 6. Have you been the subject of disciplinary punishment, other than a caution during the past two years (calculating period two years prior to the closing date of this Notice)? Yes
- 7. Under the Disability Discrimination Act 1995 a person is considered to have a disability if he/she has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities. Do you consider that you meet this definition of disability? Yes

The following section must also be completed.

- 8. You should also indicate whether you would want to be considered for future service only if you remain in your current role or if you would wish to stay on if exceptionally required to be redeployed. Officers on extensions of service remain liable to redeployment where operational resilience dictates.

- 9. You should set out what skills and experience you can offer to the service.

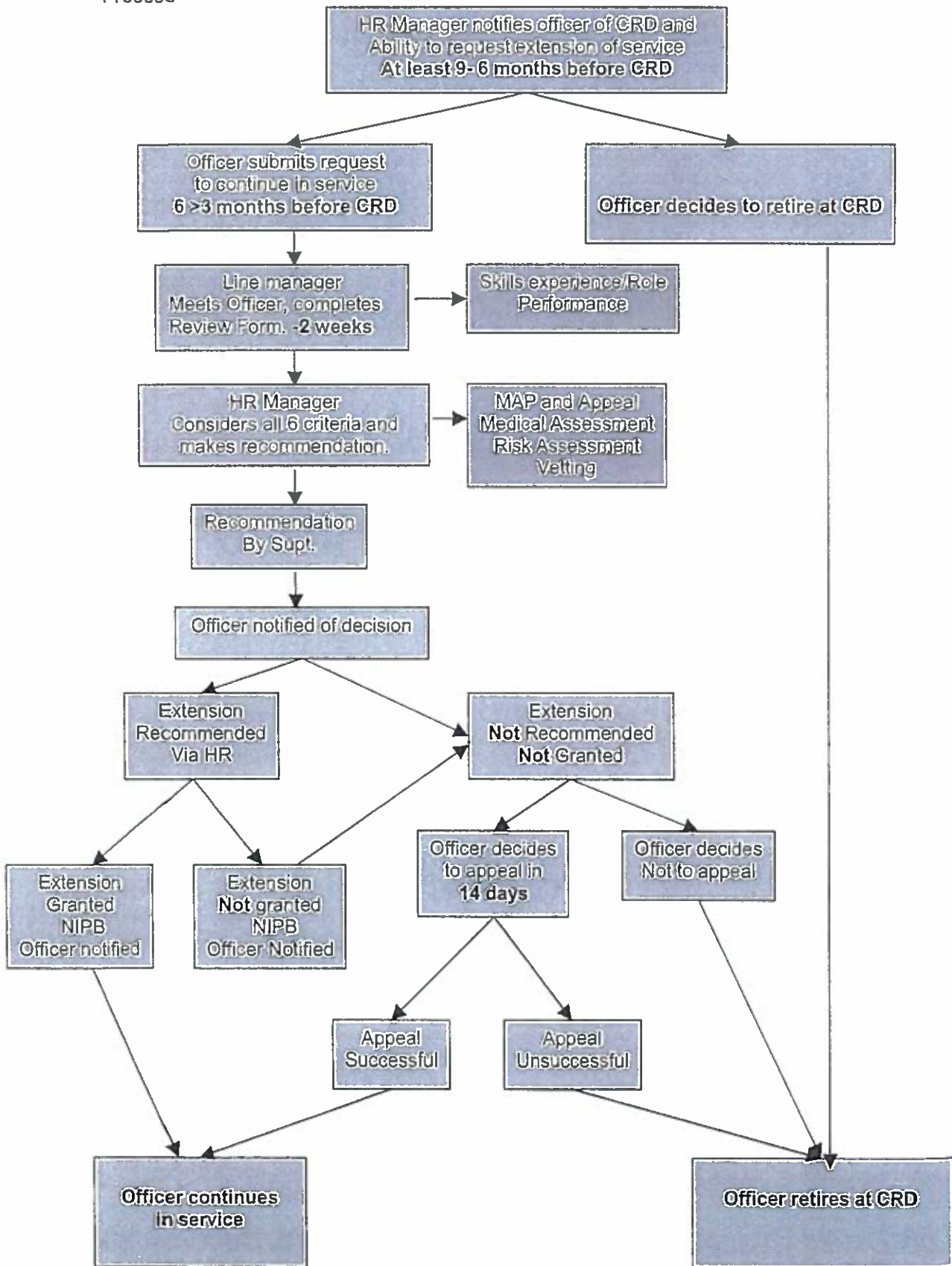
Applicant's Declaration

I certify that the information contained within this application is accurate.

Name: _____ Rank/No. _____

Date: _____

Extension of Service Process





NORTHERN IRELAND OFFICE
Policing Division
Block B, Level 4
Castle Buildings
BELFAST
BT4 3SG

POLICING DIVISION CIRCULAR 7/2007

POB 7/2007

Date of Issue: 7 June 2007

THIS CIRCULAR is about The RUC Pension Scheme - PNB/NIO joint guidance for the PSNI on New Compulsory Retirement Ages and Retirement policy for Police Officers with Effect from 1st October 2006.

FROM: Policing Policy Branch, NIO

IMPLEMENTATION DATE: 1st October 2006

EXPIRY DATE: N/A

THIS CANCELS: N/A

INFORMATION CONTACT:

[REDACTED]
Policing Division
Northern Ireland Office
Block B, Level 4
Castle Buildings
BELFAST BT4 3SG

telephone: 028 90 528614
fax: 028 90 523322
e-mail: [REDACTED]

THIS CIRCULAR IS ADDRESSED TO: Chief Constable, PSNI

COPIES ARE BEING SENT TO: Chief Executive NIPB
Association of Chief Police Officers
Superintendents' Association (NI)
Police Federation (NI)
Police Negotiating Board

Dear Chief Constable


This circular attaches the joint guidance agreed between the Police Negotiating Board and the NIO with regard to changes to compulsory retirement ages¹.


Ministerial Administrative Approval to this guidance has been given. Due to changes in the employment equality age regulations which came about on the 1 October 2006 this guidance is therefore backdated to then.

The Home Office issued similar guidance on 29 November 2006².

Since it was not possible for the regulations to be amended in time they have been given administrative approval from the 1 October 2006. The regulations will be amended as part of a larger updating task of the RUC Pension Regulations which is due to commence shortly.

For further copies of this Circular please contact:

 Policing Division
Northern Ireland Office
Block B, Level 4
Castle Buildings,
Belfast BT4 3SG

Telephone: 028 90528614


¹ A16, A17 and A18 of the RUC Pension Regulations 1988 refer

² Circular reference HOC 35/2006

**PNB / NIO Joint Guidance for the PSNI
on New Compulsory Retirement Ages &
Retirement Policy for Police Officers with Effect from 1
October 2006**

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SECTION ONE: INTRODUCTION

Background

- 1.1 The Employment Equality (Age) Regulations (NI) 2006 No 261 ("the Regulations") came into Force on 1 October 2006 (apart from the pensions provisions of the Regulations, which came into force on 1 December 2006). These Regulations make it unlawful to discriminate on the basis of age in employment. Although the Regulations do apply to police officers, there are some provisions of the Regulations which do not. However, the spirit of the Regulations will be followed in the areas in which they do not apply.
- 1.2 The Regulations set a default retirement age of 65, to be reviewed in 2011. However, this does not apply to police officers and therefore any compulsory retirement age (CRA) for police officers needs to be objectively justified. A full transcript of the Regulations can be found at:
<http://www.opsi.gov.uk/Sr/sr2006/20060261.htm>
- 1.3 The Police (Northern Ireland) Act 1998 empowers the Secretary of State to make regulations providing for pensions and gratuities in respect of service as a member of the PSNI. Previously as a result of the RUC Pension Regulations 1988 the Secretary of State determined that compulsory retirement on the grounds of age (CRA) were as set out in regulation A16. This has now changed. CRA's of 60 for the federated ranks (including the FTR³) and 65 for all other ranks have been approved, but with added flexibility to extend service for an unlimited period at the discretion of the Chief Constable/The Northern Ireland Policing Board (the Board). This followed consultation with the Police Negotiating Board which was of the view that CRAs needed to be retained for the service and that they should be no higher than 60 and 65, as set out above; indeed, some sections of the PNB argued for lower ages for some ranks.

What is the status and purpose of this guidance?

- 1.4 This guidance draws on interim guidance from the Home Office which was sent out on 22 September 2006 in HOC 30/2006 and contains information to enable PSNI and the Board to implement the changes to CRAs for police officers as a result of the Employment Equality (Age) Regulations (NI) 2006 and to introduce new procedures for retirement policy in the spirit of the new legislation.
- 1.5 The RUC Pensions Regulations 1988 will be amended to replace the previous CRAs and provisions for extensions. Since it was not possible for amendments to the regulations to come into force in time they will be given back-dated effect from 1 October 2006. However, the changes have taken effect administratively from 1 October 2006 in anticipation of the regulations being amended. Similarly, the Police Pensions Regulations 2007 will also contain these provisions.

How should the PSNI and the Board act on this guidance?

- 1.6 PSNI and the Board should act on this guidance in order to complete the necessary changes to ensure the new arrangements for CRAs are being operated with effect from 1 October 2006. PSNI should work with the Board to institute monitoring procedures to ensure that the guidance is applied fairly and consistently.

³ Members of the Part Time Reserve (police officers part time) will continue to have a compulsory retirement age of 65 as detailed in SR 2004/3

SECTION TWO: SUMMARY OF THE NEW ARRANGEMENTS

- 2.1 The new CRAs for police officers are 60 for the federated ranks (FTR and Constable–Chief Inspector) and 65 for superintending/ACPO ranks (including the PTR).
- 2.2 The new arrangements are common to all the police forces across the UK.
- 2.3 Extensions of service beyond CRA are no longer to be limited to a maximum of 5 years.
- 2.4 New arrangements for communication between officer and PSNI on retirement procedures have been introduced.
- 2.5 These new arrangements took effect on 1 October 2006.
- 2.6 The Police Pensions Regulations 1988 will be amended to reflect the new arrangements for CRAs, and the new arrangements apply equally to officers who joined or rejoined the service after 6 April 2006; this will also be set out in the Police Pensions Regulations 2006.
- 2.7 The new arrangements have no effect on the ages at which officers could retire with a pension before October 2006: these remain the same.
- 2.8 Former officers who have been compulsorily retired before 1 October 2006 will not be able to “reverse” their retirement or apply for extensions of service retrospectively.

SECTION THREE: THE NEW CRAS

- 3.1 The Employment Equality (Age) Regulations NI 2006 set a default retirement age of 65 (to be reviewed in 2011); however, this does not apply to police officers and so any compulsory retirement age requires objective justification. After consulting the Police Negotiating Board, the NIO (in consultation with the Home Office) has decided to retain the facility for management to retire officers on the grounds of age and has set new CRAs for police officers applicable from 1 October 2006 to officers in the PSNI. In reaching its decision the NIO is satisfied that these ages are necessary and objectively justified.

The new CRAs are as follows:

Federated ranks (Constable, including the FTR to Chief Inspector)	60
Superintending/ACPO ranks (including the PTR)	65

- 3.2 It is recognised that there may be certain cases where it would be desirable to retain the officer beyond the CRA for that rank. These new CRAs can therefore be extended at the discretion of the Chief Constable in the case of officers below ACPO ranks and by the Board in the case of ACPO rank officers, unless otherwise regulated. There is now no set overall limit (such as the pre-October limit of 5 years) to the period by which the CRA may be extended in this way. Detailed guidance on this can be found in Sections 5, 6 and 7.

SECTION FOUR: PENSIONS IMPLICATIONS OF THE NEW ARRANGEMENTS

- 4.1 It is important to emphasise to officers that they will not be disadvantaged by the new arrangements if they choose to retire as they expected to at their CRA as it was pre-October 2006.

Pension Age under the Police Pension Scheme 2006

- 4.2 Members of the new Police Pension Scheme (2006) already have a set pension age of 55 at, or after, which a serving officer can leave with an immediate pension irrespective of his or her length of service. Compulsory retirement on grounds of age has no bearing on pension rights under the Police Pension Scheme 2006.

Pension Ages under the RUC Pensions Scheme 1988

- 4.3 When making amendments to regulation A16 of the RUC Pensions Regulations 1988 (which sets out the pre-October CRAs) we will also be amending other parts of the regulations as necessary. Changes to the RUC Pensions Scheme 1988 enable officers to retire with the same pension and lump sum they would have received had they been compulsorily retired at their CRA under the pre-October 2006 arrangements. All of these changes will also be backdated to 1 October 2006. **You should therefore apply the new provisions, safeguarding pensions at what would have been the officer's pre-October 2006 CRA, administratively with effect from 1 October 2006 in anticipation of the amendment regulations.**

- 4.4 In the RUC Pensions Scheme 1988 officers could retire before October 2006 with an immediate pension (other than on ill-health grounds) if they:

- Had 30 years' pensionable service
- Had at least 25 years' pensionable service and are aged at least 50;
- Were required to retire on grounds of age; or
- Had reached the age of 60 and were retiring with a deferred pension. (It should be noted that despite its name a deferred pension can be paid immediately if an officer retires on or after reaching 60 with no entitlement to any other pension at that point).

- 4.5 In the RUC Pensions Scheme 1988 officers who retired before October 2006 could only commute up to a quarter of their pension for a lump sum (other than on retiring on ill-health grounds) if they:

- Had 30 years' pensionable service;
- Were required to retire on grounds of age; or
- Had reached the age of 60 and were retiring with a deferred pension (i.e. in circumstances where neither of the above applied).

In other cases the officer's lump sum was restricted to 2.25 times the pre-commutation pension.

- 4.6 Before explaining the arrangements to safeguard the pre-October pension ages in the light of the changes to the CRA it is worth reiterating that officers should be reassured that these changes do not affect their entitlement to retire with an immediate pension after 30 years' pensionable service or to retire with a pension payable from age 50 if they have at least 25 years' pensionable service but less than 30. These entitlements remain unchanged. The measures below apply to the ability of officers still to retire at their pre-October retirement age with an immediate pension if they have less than 25 years' pensionable service and also to officers to retire with a lump sum still based on a quarter of their pension if they have less than 30 years' pensionable service.

Changes to Safeguard Pre-October Pension Ages in the 1988 Scheme

4.7 The pre-October 2006 CRAs are set out below:

	PSNI	PSNI Reserve
Constable	55*	55** (FTR)
Sergeant		65#(PTR)
Inspector	60*	--
Chief Inspector		--
Superintendent		--
Chief Superintendent		--
Assistant Chief Constable	65	--
Deputy Chief Constable		--
Chief Constable		--

*Any member holding a rank not higher than Inspector who was serving on 5 July 1972 shall be required to retire at the age of 57 unless they elect to take the new CRA's.

**Any member of the Full Time Reserve who was serving on 1 July 1994 shall be required to retire at the age of 57 unless they elect to take the new CRA's.

As detailed in SR 2004/3

Pension and Lump Sum on Reaching the pre-October 2006 CRA

4.8 We are retaining the above ages, where they are below 60, to act with effect from 1 October 2006 as the point at which officers in the relevant rank will be able to opt to retire voluntarily and still be able to draw an immediate pension even though they have less than 25 years' pensionable service and will still be able to take a lump sum having commuted up to a quarter of their pension even though they have less than 30 years' service. From the age of 60 all officers with less than 25 years' pensionable service are already able to retire with an immediate pension and from the age of 60 all officers with less than 30 years' pensionable service either are already able or will become able from 1 October 2006 to take a lump sum based on a quarter of their pension.

Pension and Lump Sum After the pre-October 2006 CRA

4.9 Under the pre-October 2006 arrangements, officers with less than 30 years' service who had an extension of their CRA and who then retired before reaching that new retirement date were not entitled to a lump sum based on a quarter of their pension. We have made a further change in that officers who serve beyond the pre-October 2006 CRA for their rank will retain an entitlement while remaining in a rank to which that CRA applies to retire with an immediate pension and/or lump sum based on a quarter of the pension. In this way a pre-October 2006 CRA of below 60 becomes, within the limits of rank, an additional pension age under the RUC Pension Scheme 1988 enabling officers to opt to retire voluntarily with an immediate pension and take a

lump sum based on a quarter of the pension without having to serve to a further point determined by management.

4.10 Where officers with a pre-October 2006 CRA which is below 60 are promoted to a rank or move to another police force (including the PSNI FTR to PSNI) with a higher pre-October 2006 CRA they are no longer covered by the pre-October 2006 CRA for their former rank or Force. They are either to be covered by the pre-October 2006 CRA for their new rank or Force or by the pension age of 60 (see paragraph 4.7 above), whichever is the earlier. This is to keep their pension and lump sum entitlements in

line with those of fellow members of their new rank or Force with the same amount of pensionable service.

Deferred and Ill-Health Pensions

- 4.11 PSNI Pensions Branch to note that all the pre-October 2006 CRAs will be retained, not just those below 60, to act with effect from 1 October 2006 as the cut-off point for the hypothetical further service used in calculating the deferred pension or enhanced ill-health pension of officers who leave the service before attaining the pre-October 2006 CRA for their rank and who would not have served for 30 years before reaching that CRA. **Where officers with a pre-October 2006 CRA which is below 60 are promoted to a rank or move to another Force (or from the FTR to PSNI) with a higher pre-October 2006 CRA they are no longer covered by the pre-October 2006 CRA for their former rank or Force. They are either to be covered by the pre-October 2006 CRA for their new rank or Force or by the pension age of 60 if that is lower.**

Arrangements for Applying Commutation Factors

- 4.12 Normally officers must make their last day of service fall at least two days before their next birthday to ensure that the commutation factor used for calculating the lump sum is based on the age on that birthday and not on the birthday following that. For example, an officer aged 51 who will be 52 on March 31 must make his last day on 29 March to avoid a commutation factor for a person who will be 53 next birthday. An exception is made for officers who are being compulsorily retired on grounds of age, in which case their age next birthday is deemed to be the CRA.
- 4.13 This exception applies to the new CRAs but will also continue to apply to pre-October 2006 CRAs in two ways: one during the transitional period and one thereafter.
- 4.14 As explained in the section below a transitional period has been applied to officers who were due to be retired on grounds of age under the pre-October 2006 arrangements between 1 October 2006 and 30 April 2007 inclusive. Any officers who elect under the procedures explained below to retire during the transitional period on the date they would have been retired under the pre-October 2006 arrangements will have the factor for that CRA (as the age next birthday) applied for the purposes of their lump sum. This will also apply in the transitional period to cases where an officer elects to retire on the date he or she would have been required to retire after an extension of service to a new CRA. The factor will apply whether or not it is possible for the PSNI or PSNI FTR to retire the officer on the date in question. This is in recognition of the fact that during the transition period officers will have been expecting to be able to receive a lump sum with that factor applied and that any subsequent delay in retirement will most likely be outside their control.
- 4.15 After the transitional period officers who retire on the pre-October 2006 CRA for their rank will have the factor for that CRA (as the age next birthday) applied for the purposes of their lump sum. This enables them to remain in service until the day

before they can draw their pension without adversely affecting their rate of commutation. After the transitional period a similar provision will not apply to extended pre-October 2006 CRAs which are not also new CRAs, since the officers concerned will be able to retire at any point without detriment to their pension and/or lump sum.
- 4.16 Particular attention must be given to the HMRC requirement that officers must give due notice of commutation in advance of their retirement date.

Arrangements for Purchasing Increased Benefits

- 4.17 The RUC Pensions (Purchase of Increased Benefits) Regulations 1988 should be administered after 1 October 2006 so that references to the "retirement date", which is defined in the regulations as the date on which a police officer could be required to retire on account of age, are read as meaning the date on which the officer could have been required to retire on account of age under the pre-October 2006 arrangements. Thus a constable will still be able to purchase a maximum of two added 60ths if he or she could only have built up 38/60ths by the age of 55.
- 4.18 A further point to note is that periodical contributions will continue to be payable until the officer's pre-October CRA for their rank at the time they made an election to purchase the increased benefits concerned - unless they leave either the PSNI or the PSNI Reserve or the scheme beforehand. No further payments are required as a result of the new CRAs, but reduced payments are not allowed either. The provision in regulation 3(3) is being retained to the effect that where an officer is now able to serve beyond the pre-October CRA for their rank at the time of making their election, they remain under an obligation to complete the payment due and they shall not be entitled to any reimbursement of their lump sum or periodical contributions even though they may derive no benefit from their election as a consequence of this additional service.

SECTION FIVE: PROCEDURES & TIMESCALES

- 5.1 This section applies to cases falling outside the transition period, i.e. cases where officers reach their new CRA on or after 1 May 2007.
- 5.2 The Chief Constable has discretion to grant extensions of service to officers up to and including the rank of chief superintendent. The Board will make this decision in the case of ACPO rank officers and any references in the following guidance to Chief Constable should be construed as a reference to the Board in any such case.
- 5.3 The Chief Constable may delegate a decision on an application for postponement of a CRA (other than one on appeal – see 5.13 below) to the Head of Personnel or a member of the HR Unit providing they are in a superintending or ACPO rank or the equivalent. This individual must also be under the direction and control of the Chief Constable and the Chief Constable must be legally answerable for the individual. Legal advice should be sought on this point if in doubt.
- 5.4 Officers must be notified of their compulsory retirement date (CRD) in writing at least 6 months in advance. They should also be informed of their ability to request to continue in service beyond their CRA. If the PSNI fails to notify an officer of their CRD in suitable time, they should send notification as soon as the position is realised and (if necessary) follow the procedures for temporary extension outlined in Paragraph 5.15).
- 5.5 Officers should be reminded that the PSNI will consider any request to continue in service, but also that it is entitled to refuse the request. The PSNI should remind officers that the new CRAs do not affect pension ages. They should also remind officers that they must give notice of their intention to commute part of their pension prior to their retirement date.
- 5.6 Officers should inform the PSNI of their intentions in good time. This should ideally be within one month of notification of their CRD and certainly no later than three months after notification. This is particularly important if they wish to apply to continue in

service beyond their CRA, so that the application can be carefully considered and an appeal may take place if applicable. (Annex A)

- 5.7 If an extension to service is requested and granted, the procedure outlined above must be repeated each time an officer nears their new CRD (unless the new CRD is less than 6 months from the original retirement date).

Extensions of Service

- 5.8 PSNI (in consultation with the Board) will need to set up agreed procedures for processing officers' applications to postpone their compulsory retirement date, which set out each stage clearly and who is responsible for action at that point. However, certain key processes and considerations should form the basis of those procedures to ensure they are applied consistently across the UK.
- 5.9 Personnel Officers should notify an officer in writing of their new CRD 6 months in advance of their CRD date. If an officer requests an extension to service, they must do so in writing, within one month of notification and certainly no later than three months after notification.
- 5.10 Correct and consistent procedure must be followed when handling requests to continue in service. Each request should be judged on its individual merits and circumstances. Procedure for considering requests to continue in service is detailed in Section 6 and illustrated in Annex B).
- 5.11 While the PSNI should give such requests due consideration, they are not obliged to grant them. The duration of an extension to service must always be defined.

Appeals

- 5.12 If an officer's request to continue in service is not successful, they may appeal against the decision. The officer may appeal the decision if their request to continue in service is refused in its entirety or if accepted only for a shorter period than the initial default extension period of two years. Forces should exercise discretion when considering an officer's right of appeal in other cases.
- 5.13 The Chief Constable or the Board, depending on rank, will make the final decision on appeals. Unless the Chief Constable decides that there should be a medical appeal (see Paragraph 6.14), the next stage is an appeal meeting.
- 5.14 An appeal meeting should be held as soon as is reasonably practical. A Staff Association representative or other colleague can accompany the officer to this meeting (although not directly applicable to police officers, please see Schedule 5 Paragraph 9 of the Employment Equality (Age) Regulations (Northern Ireland) 2006 for guidance on the recommended involvement of representatives in this meeting).
- 5.15 Officers should remain in service until the application process (including any appeal) has been completed. The timeline (see attachment) below shows how the process should proceed; it shows an unsuccessful application so as to demonstrate the appeal process. If this process cannot be completed in time, the officer should be granted a temporary extension of service.
- 5.16 Only in truly exceptional circumstances, and at the discretion of the Chief Constable or the Board, depending on rank, should an officer be removed from service before the

application process is complete (the decision should be prepared to be justified). Please see Paragraph 6.19 for further information on such procedures.

SECTION SIX: CONSIDERING EXTENSIONS TO SERVICE

- 6.1 Police officers could previously (under the pre-October arrangements) request postponement of their compulsory retirement date, which is granted at the discretion of the Chief Constable (up to and including the superintending ranks) or the Board (above superintending ranks). Extensions will continue to be at the discretion of the Chief Constable or the Board as appropriate.
- 6.2 Such postponements were previously limited to a maximum of 5 years. This limitation was removed as of 1 October 2006: there is no longer an automatic restriction on retaining officers for longer than 5 years.

Requests to Continue in Service

- 6.3 Officers who wish to continue in service should be encouraged to request an extension in writing as soon as possible after receiving notification of their CRD from the PSNI. As detailed in Paragraph 5.6, this request should ideally be made within one month of notification and certainly no more than 3 months after notification. The officer should set out what skills and experience they can offer the PSNI and give the PSNI an indication of how long they would like to continue their service. The officer should also indicate whether they would want to be considered for future service only if they could remain in their current role or if they would still wish to stay on if **exceptionally** required to be redeployed. Officers on an extension of service remain liable to redeployment where operational resilience dictates.
- 6.4 Applications should be considered as soon as possible and the officer interviewed (by the Line Manager / BCU Commander) where issues raised in the application require clarification before a decision can be taken.
- 6.5 The officer should be informed of the decision in writing (by the Chief Constable / the Board as detailed in Paragraph 5.3) as soon as is reasonably practicable. Again, it is important to remind the officer of the requirement to notify the PSNI Pension Branch in advance of their retirement date if they wish to commute part of their pension.

Procedure for Considering and Granting Applications for Extensions to Service

6.6 Assessment of skills and performance

Suitability for further service on the basis of operational effectiveness - Previous performance is a key indicator of suitability for retention but it should be considered objectively. The officer's competencies and skills are relevant factors, as is information from PDRs and other relevant sources such as the officer's line manager. Discipline and attendance should also be borne in mind.

- 6.7 Consideration should also be given to the financial viability of retaining the officer, along with their skills and experience; effectively, how their retention would benefit the PSNI as a whole. An application should proceed to medical consideration only where a potentially suitable role has been identified for the officer.

6.8 Medical assessment

The officer's ability to carry out police duties is another key consideration. Part of the objective justification of the new CRAs was based on the need for the PSNI to maintain

operational resilience. The PSNI also has a duty of care to the individual, other police officers, and the public to ensure that an officer is not assigned to roles which are inappropriate for their level of mental and/or physical fitness.

6.9 It must be established that officers are mentally and physically capable for the role(s) they will perform whilst on their extension of service. It should also be borne in mind that they may exceptionally need to be redeployed in further roles and that they will continue to have a general duty to uphold the law and prevent crime. All these factors make it important that applicants should be medically assessed before a decision is made on postponement their CRA

6.10 Applicants should complete a medical questionnaire. All applicants should then be examined by the Police Service Medical Adviser (PSMA) - to determine the extent to which they are fit for the ordinary duties of a member of the PSNI. However, extension to service is not the same as recruitment, and this is important in considering an officer's suitability for extension. Applicants should not be refused an extension simply on the basis of not being able to carry out all the duties of a member of the Force. The final decision will depend on a role-related risk assessment.

6.11 Role related risk assessment

The role-related risk assessment should consider the above criteria in the context of the (potential) role the officer will be performing. When making a final decision on the suitability of an officer for an extension, consideration should be given to relevant factors including the description of proposed role, the capabilities required, reasonable adjustments that could possibly be made, the risks involved and options for the management of such risks.

6.12 You are reminded that you are required to make reasonable adjustments for officers with disabilities under the Disability Discrimination Act.

6.13 Appeal against PSMA's decision

Any possible cases of this nature should be referred to the Chief Constable as part of the normal appeal process (Paragraph 5.13). The Chief Constable should then decide whether a medical appeal is required. A medical appeal will be allowed if an extension of service is refused solely on the basis of a medical and the officer contests this by producing another medical practitioner's opinion directly contradicting the opinion of the PSMA. The appeal should in the first place be in the form of a review by the PSMA of his or her decision in the light of the fresh medical opinion. If the PSMA declines to alter his or her opinion the case should be referred to a third medical practitioner as selected by the Chief Constable.

6.14 Workforce Planning

Previously, officers could postpone their compulsory retirement date by a maximum of 5 years. Under the new arrangements, there will be no upper limit on extensions to service: officers may be granted extensions based on the above criteria. While the PSNI should not impose a rigid structure on extensions, unless the officer has requested a shorter extension we would suggest an initial term of two years, as this strikes a reasonable balance between security of tenure and workforce planning considerations. It is important to ensure that an extension would not unduly hinder

other officers' development opportunities. Similarly, this should be taken into consideration when **exceptionally** considering an officer on extension for redeployment.

6.15 Officers should give the PSNI an indication of how long they wish to extend their service by. You should note that the duration of an extension must be defined when granting the extension. Minimal adjustments to the duration of an extension can be made by mutual agreement once it has been granted. However, when proposing significant changes to the conditions of an extension, the procedure outlined in Paragraphs 5.1-5.7 should always be repeated.

6.16 PSNI should ensure that the same procedures are followed and criteria applied when considering "extensions to extensions".

6.17 Curtailment of Extension to Service

An officer can leave on notice in accordance with Regulation 14 of the Police Service of Northern Ireland Regulations 2005.

6.18 The power to remove officers from service applies equally to officers on extension as to other officers serving in the PSNI. The PSNI Regulations 2005, the RUC Pensions Regulations 1988 (including regulation A19 if applicable), the PSNI (Conduct) Regulations 2000 and the PSNI (Unsatisfactory Performance and attendance) Regulations 2007 can be applied to officers on extensions of service in the same way as any other officer. Nevertheless, the importance of a robust extension to service policy is emphasised.

6.19 Regulation A19 is applicable to officers with maximum accrued pension benefits. It is recommended that legal advice is sought internally by PSNI or the Board before invoking this regulation.

6.20 Refusal to Grant an Extension of Service

PSNI and the Board should give a clear explanation for a decision to refuse an extension of service (please see Paragraph 6.5 for procedure).

6.21 Promotion Opportunities

Opportunities for promotion should apply equally to officers on extension as to other serving officers. Where an officer is promoted, there may be a need to review the previous conditions of the extension.

SECTION SEVEN: TRANSITIONAL ARRANGEMENTS

7.1 There are transitional arrangements for officers whose CRD or postponed CRD currently falls between 1 October 2006 and 30 April 2007 inclusive.

7.2 Officers should be informed that if they wish to leave before their new CRA they will have to give notice in accordance with Regulation 14 of the Police Service of Northern Ireland Regulations 2005.

7.3 Officers whose CRA remains unchanged or who have had their current CRD postponed to its maximum extent will need to apply for an extension if they wish to continue in service. The PSNI should contact these officers as a matter of urgency (as

it will need to know their intentions as soon as possible. These officers should be given the opportunity to apply for an extension; they should be asked for a decision within one month of the date of the letter notifying them of the new arrangements, and their CRD should be set at three months from the date of the letter (unless it is three months or more into the future in any case).

- 7.4 Officers who a) have had their CRA extended to a date between October 2006 and April 2007 but whose CRA will be moved to a higher age on 1 October 2006, or b) whose CRA was due between October 2006 and April 2007 but will be moved to a higher age on 1 October 2006 will need to inform the PSNI if they still wish to retire in advance of their new CRA (even if they have previously had a CRD set) or continue in service until their new CRA.

Action to Take Where an Officer Elects to Retire

- 7.5 Arrangements should be made to retire the officer either on the day he or she was expecting to retire or as soon as possible after that. It may be necessary to defer the date of the Benefit Crystallisation Event (BCE) which would give the PSNI Pensions Branch more time to complete the necessary checks of the amount of pension and lump sum he or she is to receive. **The likelihood of this should be minimised by contacting those officers with the earliest expected retirements on a high priority basis.** If a delay is unavoidable the officer should be informed. Paragraph 4.12 explains that during the transitional period any delay to the retirement of an officer who wanted to retire on his or her pre-October 2006 CRA or extended CRA should have the commutation factor for that CRA as the age next birthday applied to his pension.

Action to Take Where an Officer Elects to Stay On

- 7.6 Provided the officer has signed the form to state that he or she intends to stay on, no further action is necessary on the part of the PSNI since it will be for the officer to give notice in the normal way if he or she wishes to retire before his or her new CRA. Where an officer does not reply and it is therefore assumed he or she wants to stay on, we recommend that the PSNI sends a letter to the officer confirming the new expected retirement date (particularly during the transitional period). It may be prudent to also remind the officer of the need to give notice of retirement if he or she wishes to retire before his or her new CRA.

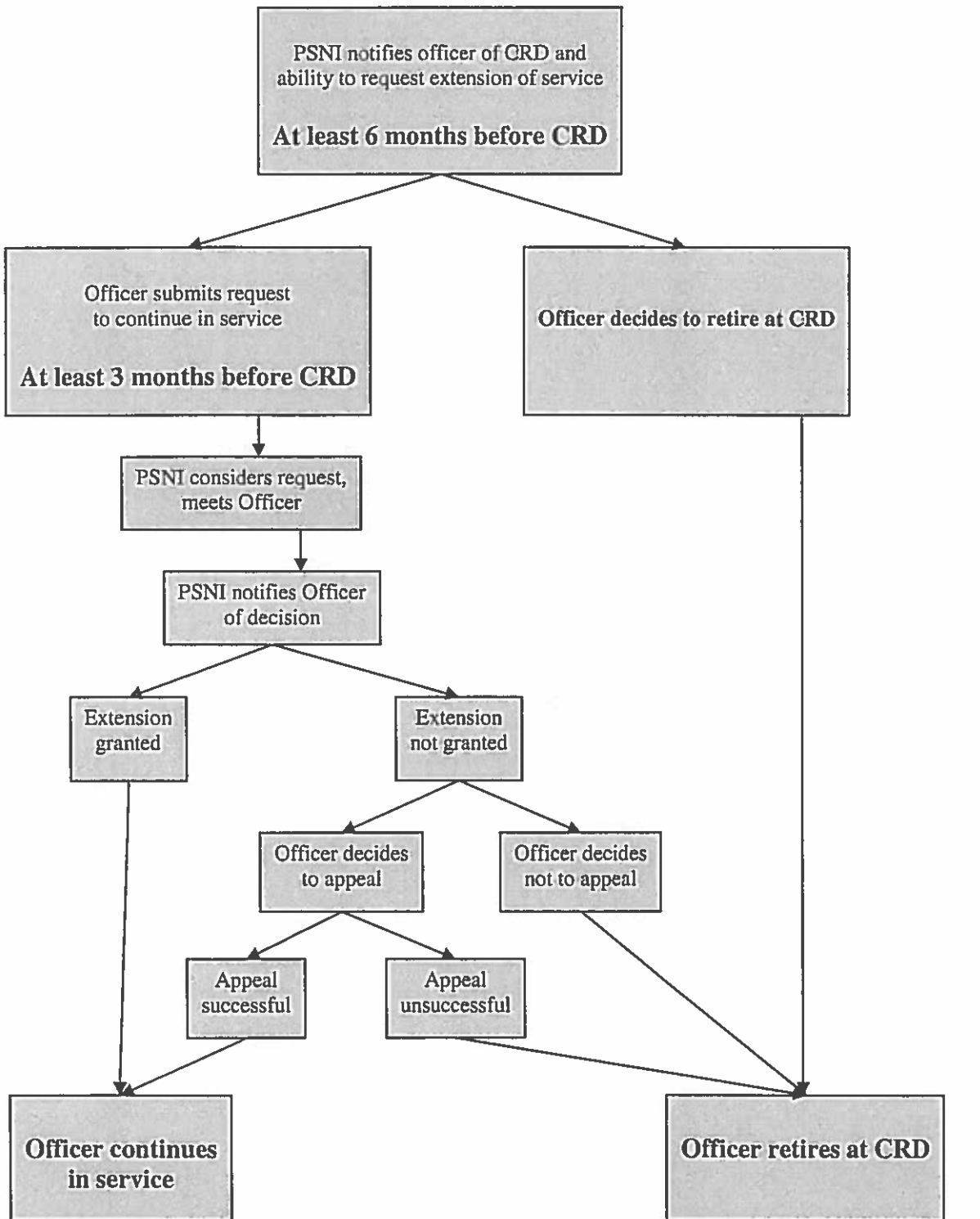
Action to Take Where an Officer Applies to Stay Beyond New CRA

- 7.7 With regard to applications for extensions beyond a new CRA the Board or Chief Constable will need to make at least an initial response to any application to stay beyond the new CRA. There should be very few such cases and it is suggested that a four-month extension of service be granted as an interim measure to enable the application to be considered in the light of the new procedures. While such requests need to be given due consideration, there will be no obligation to grant them and the suggestion of an extension as an interim measure need not be adopted where there are specific reasons for deciding against the extension,
- 7.8 A short-term extension may be necessary during the transitional period to enable the process to be completed fairly. There should be no need for such extensions after the transitional period. The timeline (see attachment) below shows how such a situation should be handled (again, an unsuccessful application is shown to demonstrate the appeal process).

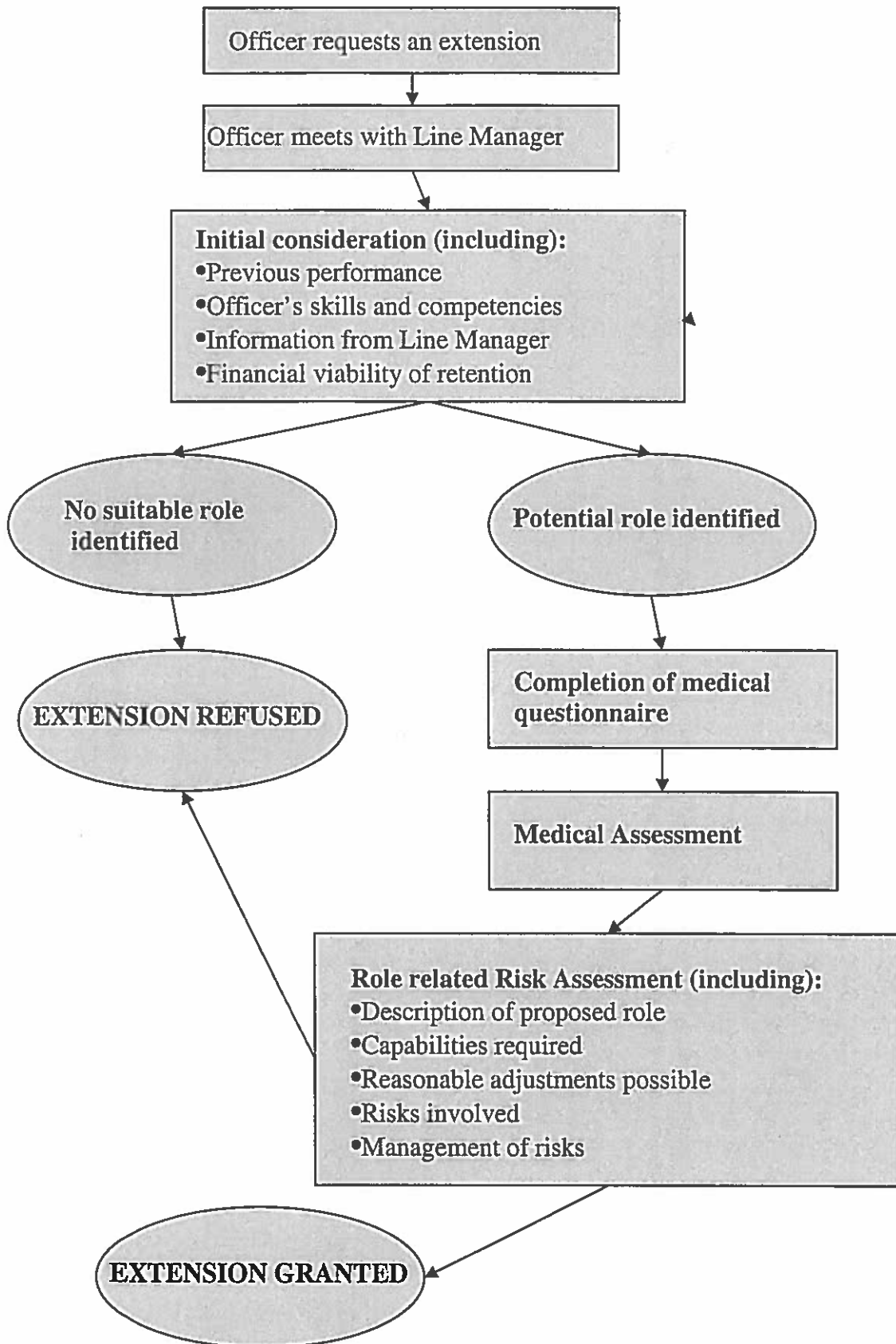
SECTION EIGHT: IMPACT OF ON REVIEW OF INJURY PENSIONS

- 8.1 The guidance on reviews of injury awards in POB 6/2007 recommends that former officers' police pay should not be used as the baseline for assessing loss of earning capacity once they reach what would have been their CRA had they not been retired but had stayed on in that force. The NIO circular advises that the figure should be applied from national average earnings (from the Annual Survey of Hours and Earnings – ASHE) instead of police salary. **From 1 October 2006, the new CRA, which would have applied, to the former officer should be used when reviewing an injury award if they would not have been old enough to have been compulsorily retired, under the pre-October 2006 arrangements for their former rank in the PSNI.** Any former officer who is old enough to be assessed under the pre-October 2006 arrangements should still be assessed on reaching their pre-October 2006 CRA.
- 8.2 While the default retirement age of 65 set in the Employment Equality (Age) Regulations (NI) 2006 No 261 ("the regulations) does not apply to police officers as office holders, it does apply to employees and that age remains one at which a former officer can be taken to be no longer economically active. However, each case needs to be considered in compliance with the RUC Pensions Regulations 1988 and the PSNI Pension Regulations 2007 taking into account individual circumstances. It is considered that the regulations add extra weight to the requirement in the PSNI and PSNI Reserve (Injury Benefit) Regulations 2006 and that when each case is reviewed it should be considered on its own merits and in the light of any points made on behalf of the former officer.

ANNEX A – SYSTEM FLOWCHART



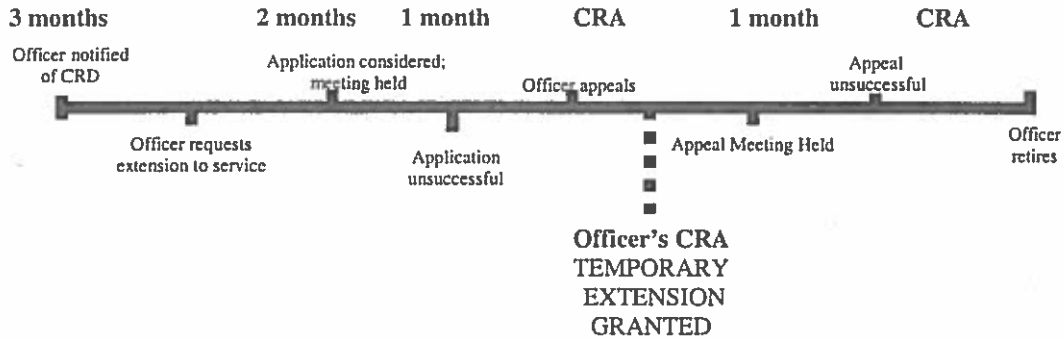
ANNEX B – FLOWCHART OF THE PROCEDURE FOR CONSIDERING EXTENSIONS



TIMELINES

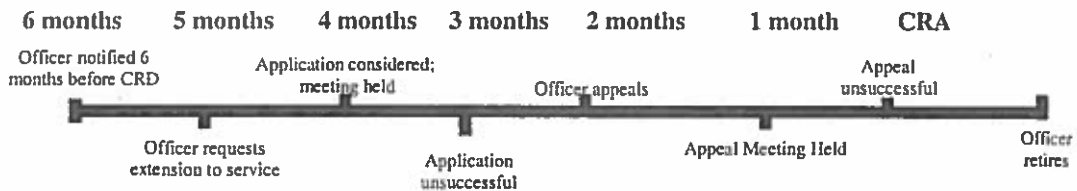
1) Timeline of application process during transitional period (Para 7.8)

A short term extension may be necessary during the transitional period to enable the application process to be completed fairly. The timeline below shows how such a situation should be handled (an unsuccessful application is shown to demonstrate the appeal process.)



2) Timeline of application process after transitional period (Para 5.15)

Officers should remain in service until the application process (including any appeal) has been completed. The timeline below shows how the process should proceed; again it shows an unsuccessful application so as to demonstrate the appeal process. If this process cannot be completed in time, the officer should be granted a temporary extension of service.



Only in truly exceptional circumstances, and at the discretion of the Chief Constable, or the Board depending on the rank, should an officer be removed from service before the application process is complete (the decision should be prepared to be justified). Please see Paragraph 6.19 for further information on such procedures.

TO: Head of Administration Branch. Date: 23/4/07
From: Steff Administration Branch. Signed 


HUMAN RESOURCES COMMITTEE: 17APRIL 2007

AGENDA NUMBER: 11. Compulsory Retirement Ages/ Extensions of Service-Policy

ACTION FOLLOWING THE MEETING:

1. Committee decision:

Members noted the draft guidance on new Compulsory Retirement Ages and Policy which is currently being consulted upon. Members approved the draft Extensions of Service Policy at Appendix 2 to the Report and the delegated authority taken by officials. The Committee agreed that firstly the NIO should be asked for their view on the Board giving final approval to all extensions of service before further discussion and consideration by the Committee.



2. Any Queries raised at the Meeting?



3. Any Policy/ Procedural Issues to be considered?
Precedent set etc

No.

4. Could we have done it better?

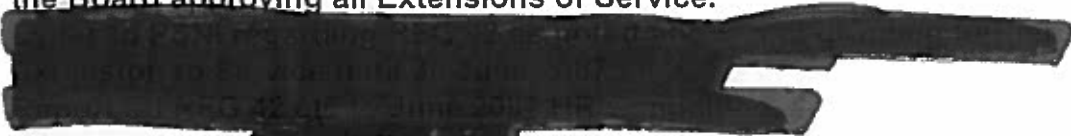
No.


5. Action Required:

New Policy requires Screening Section 75.

Letter to PSNI advising of new Policy applying to all future Extensions of Service.

Letter to NIO Police Division advising of new Policy and asking for views on the Board approving all Extensions of Service.



Signed: 

Date: 23 April 2007.

Name: 

Head of Administration Branch.

Forwarded to:  on 23 April 2007.

Our ref: ADM 11/05

Date: 23 April 2007

[REDACTED]
NIO Policing Division
Block 'B' Castle Buildings
Stormont
BELFAST BT4

Dear [REDACTED]

COMPULSORY RETIREMENT AGES – EXTENSION TO SERVICE POLICY

The Board's Human Resources Committee at its meeting on 17 April 2007 received a paper in relation to the above topic. A copy of the report and appendices are enclosed for your information.

You will see from the report that a new draft Extensions of Service Policy was proposed. This has now been agreed and is to be implemented forthwith. Included in the report was a request for the Committee to determine a view as to whether they wished to give final approval to all extensions of service for serving PSNI officers? In addressing the officer's suggestion, Members agreed that they wished to have the view of the Northern Ireland Office as to whether the Board should give final approval to all extensions of service for serving PSNI officers. Following this, the Board will consider the matter further at a later date.

To take this and other such matters forward, you may consider it advantageous to arrange a meeting. In this regard please contact [REDACTED] (028) 90 408575 as I will away from the office for the next few days.

Yours sincerely

[REDACTED]
[REDACTED]
Senior Officer
Police Service Regulations
Direct Line: (028) 90 408573

Enc

NORTHERN IRELAND POLICING BOARD

HUMAN RESOURCES COMMITTEE MEETING – 17 APRIL 2007

PSNI COMPULSORY RETIREMENT AGES – EXTENSION OF SERVICE POLICY,
CONSIDERATION OF AN APPLICATION AND RATIFICATION OF DELEGATED
AUTHORITY UNDERTAKEN BY BOARD OFFICIALS

1. Aim of Paper

- 1.1. The aim of this report is to advise on the draft guidance for Police Authorities on new compulsory retirement ages and retirement policy for police officers which is currently being consulted upon by the Northern Ireland Office (NIO). This is as a result of a discussion at the Police Negotiating Board (PNB).
- 1.2. In addition, the report provides information regarding work being undertaken within PSNI and the development of policy and procedure.
- 1.3. The report acknowledges that the Board's current policy on extensions of service will require revision following agreement on the guidance under consultation.

1.4



2. Background

- 2.1. The Employment and Equality (Age) Regulations (NI) 2006 came into force on 1 October 2006, except the Pensions Provision which came into force on 1 December 2006. These regulations make it unlawful to discriminate on the basis of age in employment. Although the regulations do apply to police officers, there are some provisions of the regulations which do not.
- 2.2. The Police (NI) Act 1998 empowers the Secretary of State to make regulations providing for pensions and gratuities in respect of service as a member of PSNI.

- 2.3 As previously advised to this Committee, the Secretary of State had determined compulsory retirement on the grounds of age. This was set out in the 1998 RUC Pension Regulations at Section A16. New compulsory retirement ages now exist as from 1 October 2006 – age 60 for all federated ranks including the Full Time Reserve apart from Part Time Reservists who retire at 65, Superintendent and Chief Officer ranks retire at age 65. In relation to this there is the added flexibility to extend services for an unlimited period at the discretion of the Chief Constable and / or the Board.
- 2.4 Members should be aware that the RUC Pension Regulations 1988 will be amended to replace the previous compulsory ages (CRA's) and provisions for extensions of service. They will be given backdated effect to 1 October 2006 and the new Police Pension Regulations 2007 will also contain these provisions.
- 2.5 Proposed guidance advises that the Board should act on the guidance and that working together, the Board and PSNI, should institute monitoring procedures to ensure that the guidance is applied fairly and consistently.
- 2.6 PSNI has been working with the Board and the NIO to develop a PSNI Service Procedure which outlines the specific procedural arrangements which are to be put in place to ensure consistency and fairness. Members will be advised when the Service Procedure (the newly agreed designation within PSNI for a General Order) is published.
- 2.7 Whereas in the past the Board could approve extensions of service for a maximum of 5 x 1 year extensions, now there is no overall set limit. Further detailed procedures will have to be devised. Guidance also exists for those officers who reach their new CRA on or after 1 May 2007.
- 2.8 There are transitional arrangements for officers whose CRA or postponed CRA falls between 1 October 2006 and 30 April 2007 inclusive.
- 2.9 Discussion on the particular aspects of the guidance is still under discussion, especially as it relates to the discretion to grant extensions of service to officers up to and including the rank of Chief Superintendent. Currently, the Pension

Regulations allow for the Chief Constable to make a determination and then seek the approval of the Board. The guidance would seem to suggest that referral to the Board may not be necessary for extensions up to the rank of Chief Superintendent. It is suggested that an ACPO rank extensions authority comes to the Board for consideration and approval.

- 2.10 New agreed procedures are required to be put in place which set out each stage clearly and who is responsible for action at that point. It is noted that certain key procedures and considerations will form the basis of these procedures to ensure consistent application in the United Kingdom.
- 2.11 Each request for an extension of service should be justified on its own individual merit and circumstances. The PSNI are not obliged to grant extensions to service and the duration of an extension to service must be defined.
- 2.12 Guidance is set out in relation to circumstances for an officer's request to continue in service is not successful, an appeal process will exist. Officers should remain in service while the application process, including any appeal is being conducted. Both PSNI and the Board should give a clear explanation for a decision to refuse an extension of service.

3. Current Position

- 3.1 As discussions are ongoing, the Board will be required to approve all extensions of service under the new CRAs. Such cases are currently relatively few in number and have been determined under delegated authority in accordance with approved procedure which is listed in Appendix 1.
- 3.2 Officials in exercising this delegated authority are mindful of applying the new suggested criteria in this guidance much of which has been encapsulated in Appendix 2.
- 3.3 Members have been concerned in the past about the officer's attendance at work and have applied criteria which determine a closer examination of the officer's sickness record. This is being reviewed by Board officials in conjunction

with PSNI due to changes in the PSNI Managing Attendance Policy and the introduction of Unsatisfactory Attendance Regulations.

3.4 At present the Board's applied criteria is different to that of PSNI in that they examine an officer's attendance over a 2 year period.

4. 

4.1 

4.2 

4.3 

4.4 

[REDACTED]

4.5

[REDACTED]

4.6

[REDACTED]

4.7

[REDACTED]

4.8

[REDACTED]

4.9



5. Ratification of Delegated authority

5.1 Members are asked to note the delegated authority taken by Board officials in accordance with agreed Policy in approving Extensions of Service as listed in Appendix 3. (Appendix 3 to be tabled at the meeting.)

6. Recommendations

6.1 Members are asked to note the draft Guidance on new Compulsory Retirement Ages and Policy which is currently being consulted upon.

6.2 Furthermore members are asked to determine a view as to whether they wish to give final approval to all Extensions of Service for serving PSNI officers.

6.3 Members are asked to resolve to approve the interim Extensions of Service Policy as detailed in Appendix 2 pending further agreement with PSNI and the NIO.


6.4



6.5 Members are asked to approve the delegated undertaken by officials as listed in Appendix 3.

Police Administration Branch

April 2007.

ADM 11/05; 

Record No: 66477

NORTHERN IRELAND POLICING BOARD

DRAFT EXTENSION OF SERVICE POLICY - APRIL 2007

- (a) Each application from the officer should provide the following:-
1. Details of the officer's competencies, skills and experiences against service requirements
 2. Advise of length of period they would wish the extension of service to cover
 3. Is this application dependent on deployment in the current role?
 4. If redeployment to another role, identification of the role or roles to be considered
- (b) Each application shall be assessed by PSNI on the following Assessment of Skills and Performance:-
1. Operational effectiveness on the current or proposed role or roles
 2. The officer's current competencies and skills
 3. Information from PDR's and line management assessment
 4. Any outstanding discipline information
 5. Current and previous attendance records
 6. The financial viability of retaining the officer
 7. Against the basis of role related risk assessment
- (c) Following the assessment of skills and performance by PSNI an application should proceed to medical consideration only where a potentially suitable role has been identified for the officer.

If the process at (a) and (b) has been completed, then the information should be made available for medical assessment by PSNI Occupational Health and Welfare (OHW) and they will ensure that the PSNI exercises a duty of care to the individual, other police officers and the public to ensure that an officer is not assigned to a role or roles which are inappropriate for their level of mental and or physical fitness.

In addition, OHW must establish that officers are mentally and physically capable for the role or roles they will perform whilst on an extension of service. Applicants going for assessment should complete a medical questionnaire following which the Police Service Medical Advisor will conduct an assessment to determine the extent to which they are fit for the ordinary duties of a member of the PSNI.

The final decision will depend on the role related risk assessment; OHW should consider all criteria and the context of the potential role the officer will be performing. Consideration should be given to relevant factors including the description of the proposed role, the capabilities required, reasonable adjustments that could possibly have to be made, the risks involved and options for the management of such risks. Any reasonable adjustments for officers with disabilities under the Disability Discrimination Act should also be identified.

(d) When the Board is considering whether an Extension of Service is to be approved it shall ensure that the information available from PSNI is comprehensive and includes agreed criteria on attendance, adequate information on any internal PSNI appeal and medical information relied upon by the officer to indicate mitigating circumstances.

If considered necessary the Board may seek legal and other medical advice as appropriate.

Police Administration Branch

April 2007

Our ref: ADM 11/05

Date: 23 April 2007

[REDACTED]
Human Resources Department
PSNI Lisnasharragh
42 Montgomery Road
BELFAST



Dear [REDACTED]

EXTENSIONS OF SERVICE POLICY

As you are aware, the Board's Human Resources Committee discussed a paper on compulsory retirement ages and the effect on Extensions of Service. At its meeting on 17 April 2007, having noted the current consultation issued by the Northern Ireland Office and the ongoing work into the PSNI Service Procedure, the Board agreed a new interim policy in terms of extensions of service.

I enclose a copy of the new policy which the Board is applying forthwith. You will observe that at section (d) of the policy, that reference is made to "*agreed criteria on attendance*". The Committee noted that work is in progress to bring the Board and PSNI's criteria into line. In addition, as part of the information identified earlier in the policy, the Board would wish to have sight of medical information relied upon by the officer to indicate mitigating circumstances.

Could I suggest therefore, that consideration be given by PSNI to create a new form which will provide the information that the Board now requires to ensure compliance with the new policy.

I trust the information is of assistance to you at this time and should you have any queries please make contact. However, as I will be away from the office during the next week, it may be appropriate to contact Ronnie Hillen (028) 90 408575).

Yours sincerely

[REDACTED]
Senior Officer
Police Service Regulations
Direct Line: (028) 90 408573

Enc

FILE NOTE: - EXTENSION OF SERVICE

HAD MEETING WITH [REDACTED], PSNI, ACCOMPANIED BY [REDACTED] ADVISED OF [REDACTED] FURTHER CONSIDERATION TEMP. PROMOTION AND THAT HE WAS TAKING RESPONSIBILITY FOR EXTENSION OF SERVICE.

ITEMS DISCUSSED:

(- RECENT HR COMMITTEE REPORT REVIEW EXT. OF SERVICE POLICY AS DETAILED IN MY LETTER OF 23 APRIL 2007.

(i) PSNI HAS NOW INTRODUCED 'BROADBAND FACIAL' AS MEASURE OF ATTENDANCE. AGREED THAT REPORT WOULD BE PRESENTED TO 13-6-07 HR COMMITTEE ADVISING OF THIS AND SEEKING BOARD APPROVAL FOR THIS TO BE THE MEASURE APPLIED BY THE BOARD IN FUTURE.

(ii) PSNI CONSIDERED THAT THEIR NEW SERVICE FORM CAPTURED ALL THE INFORMATION AS REQUIRED BY THE NIO/PNB GUIDANCE. AGREED THAT PSNI WOULD NOTIFY BOARD OF THIS AND THAT WHILST NOT AS THE FORM PSNI GATHERED PDR INFO ETC WHICH WAS USED IN ORDER FOR CHIEF CUSTODIAN TO MAKE A RECOMMENDATION TO THE BOARD ON EXT. OF SERVICE.

(iii) DISCUSSED SPECIFIC OF [REDACTED] AND THE INFORMATION REQUESTED BY THE BOARD WHICH WOULD BE FURTHER CONSIDERED. NOTED THAT PSNI APPROVAL WOULD COME FROM SUPT. AND NOT DIVISION COMMANDER WHOSE ROLE WAS STRATEGIC NOT OPERATIONAL.

FOLLOWING DISCUSSION IT WAS NOTED THAT A REPORT WOULD

product code 917-0004

EXT. of Sewell File with cards.

reference ADM 11105

Be TABLED AT 13.6.57 He committed: returned back at

[REDACTED] and updating new policy to reflect Bradford factor etc

[REDACTED]

15/5/57

product code 917-0004



NIO

Policing Division

Appendix 3

[REDACTED]
Northern Ireland Office
Policing Division
Block B
Castle Buildings
Belfast BT4 3SG
Telephone 028 9052 8614
Facsimile 028 9052 3322
[REDACTED]

[REDACTED]
Police Service Regulations
Northern Ireland Policing Board
Waterside Tower
31 Clarendon Road
Clarendon Dock
Belfast
BT1 3BG

16th May 2007

Dear [REDACTED]

COMPULSORY RETIREMENT AGE (CRA) – EXTENSIONS TO SERVICE

Thank you for your letter of 23 April and accompanying copy of the Board's Human Resources Committee report and appendices.

I understand that the Board have essentially approved the draft policy though have one query regarding the amendment which now facilitates the Chief Constable approving extensions of service for ranks other than senior ranks, rather than the current position where the Board gives final approval to all extensions of service for serving PSNI officers.

This draft policy is an amendment to the RUC Pension Regulations 1988, though it will be in line with the NPPS (NI) 2007 Regulations which will be made in the near future. This amendment has been for two main reasons which I have detailed below:-

- Northern Ireland closely follow GB with regard to pensions rules and regulations and this policy will ensure standardisation and consistency between the PSNI and other GB forces. It follows current Home Office policy, the Police Pension Regulations 1987 and the GB NPPS Regulations 2006; and
- As you are aware the pension regulations in GB, Scotland and NI are to be unified by 2009. The purpose of the unification is again to aid consistency of approach for all officers regarding pension rules and regulations. This change will ensure consistency within the regulations and help ease an already complex unification process. The new unified legislation will, in line with the CRA policy, detail the extension process and be made retrospective to October 2006.

The Board can view and record the decisions reached by the Chief Constable on officers below ACPO ranks but this would be an internal policy between the PSNI and the Board.

You may wish to note that in regard to all cases involving inefficiency or disablement the Board will continue to make the ultimate decision, regardless of an officer's rank.

I hope this answers the Board's query, but please feel free to come back to me if you have anything further.

Yours sincerely

[REDACTED]

[REDACTED]

Policing Policy Branch

Date: 26 September 2008

Our Ref: ADM 38/08

[REDACTED]
Command Secretariat
PSNI Brooklyn
Knock Road
BELFAST

Dear [REDACTED]

PSNI EXTENSION OF SERVICE POLICY

I write in relation to the above to advise that the Human Resources Committee of the Board at its meeting on 11 September 2008 discussed this matter.

The Committee noted that in the initial PSNI Service Procedure it was the responsibility of the Board to approve extensions of service for all police officers of superintendent rank and below.

Following discussion, the Committee agreed that PSNI be advised that authority was now being granted to the Chief Constable to approve extensions of service in all cases involving superintendent ranks and below, apart from where inefficiency or disablement are involved.

In addition, Members agreed that PSNI should provide the Board when reporting on the HR Strategic Monitoring Framework on the number of extensions approved by the Chief Constable during that reporting period.

It is noted that the PSNI extension of service Service Procedure is currently being reviewed and in this regard if you consider it useful, Board officials could meet with [REDACTED] to further discuss this topic.

Yours sincerely

[REDACTED]

[REDACTED]
Police Administration Branch

cc: [REDACTED] Lisnasharagh

Northern Ireland Policing Board

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Record No: 97074

Extracts of Minutes of Human Resources Committee Meetings held on

17 April 2007, 13 June 2007 and 11 September 2008

17 April 2007

11. PSNI COMPULSORY RETIREMENT AGES – EXTENSION OF SERVICE POLICY

The Committee noted the content of a paper regarding:-

- The draft guidance for Police Authorities on new compulsory retirement ages and retirement policy for police officers which was currently being consulted upon by the NIO. This is as a result of a discussion at the Police Negotiating Board (PNB).
- Information regarding work being undertaken within PSNI and the development of policy and procedure.
- The Board's current policy on extensions of service which would require revision following agreement on the guidance under consultation.

Members noted details of a list of Extensions of Services for Police Officers which had been approved by Officials in accordance with the agreed policy.

It was:-

RESOLVED:

- That the NIO should be asked for their views on the Board giving final approval to all extensions of service for serving PSNI officers.
- To approve the interim extensions of service policy which was detailed at Appendix 2 of the paper pending further agreement with PSNI and the NIO.

13 June 2007

8.4 PSNI Compulsory Retirement Ages – Extension of Service Policy (Item 11 Of Minutes Refers)

The Committee considered the content of a paper which provided:-

- a response from the Northern Ireland Office which outlined their views in relation to the Board giving final approval to all extensions of service before further discussion and approval by the Committee.

It was:-

AGREED:

That when the NIO introduces new legislation which enables the Chief Constable to grant extensions of service (excluding Chief Officers), the PSNI should be requested to provide the Board, on a monthly basis, details of extensions of service which have been granted to Police Officers.

11 September 2008

10. PSNI EXTENSION OF SERVICE POLICY

The Committee considered the content of a paper regarding the PSNI Extension of Service policy.

It was:-

RESOLVED:

- that authority be devolved to the Chief Constable to approve extensions of service in all cases involving Superintendent ranks and below, apart from those applications where inefficiency or disablement were involved;
- to ratify the delegated authority decisions approved by Officials and request PSNI to provide the Board, when reporting on the Human

Resources Strategic Monitoring Framework with details of extensions to service which had been granted to Police Officers.