



## FREEDOM OF INFORMATION REQUEST

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

**FOI Reference number: FOI 67/2025**

**Date: 21 January 2026**

**Request:**

Your publication site states that if I require access to any of the previously published/answered FOI responses from 2016 - 2018 then I should ask for them by this means.

On your publication site under the heading “Subject” there is a list of FOIs as described above.

Could you please provide me with all FOIs that are contained within the following headings.

1. Meetings 2017

**Answer** Please see copy of FOI 02/2018

2. Selected Medical Practitioner's Decisions

**Answer** Please see copy of FOI 11/2018

3. Injury on Duty Awards

**Answer** Please see copy of FOI 13/2018

4. Arrangements for Selected Medical Practitioners

**Answer** Please see copy of FOI 17/2018

5. Injury On Duty Awards - date of awards

**Answer** Please see copy of FOI 25/2018

6. Injury on Duty statistics

**Answer** Please see copy of FOI 32/2018

7. Selected Medical Practitioners training

**Answer** Please see copy of FOI 36/2018

8. Judicial Review - injury on duty

**Answer** Please see copy of FOI 37/2018

9. Injury on duty assessments .

**Answer** Please see copy of FOI 03/2017

10 Nation attendance Management Forum.

**Answer** Please see copy of FOI 06/2017

11 Attendance at the National Attendance Management Forum

**Answer** Please see copy of FOI 07/2017

12. Retrospective injury on duty information.

**Answer** Please see copy of FOI 11/2017

13. Payments to Selected Medical Practitioners.

**Answer** Please see copy of FOI 14/2017

14. Selected Medical Practitioners.

**Answer** Please see copy of FOI 22/2017 and FOI 24/2017

15. Injury on Duty Statistics.

**Answer** Please see copy of FOI 47/2017

16. Selected Medical Practitioners

**Answer** Please see copy of FOI 54/2017

17. Minutes of the meetings held between the NIPB and the Selected Medical Practitioner.

**Answer** Please see copy of FOI 01/2016

18. Copy of paper presented to the Audit And Risk Committee 8 October 2015 at item 5.3

**Answer** Please see copy of FOI 02/2016

19. Gratuities approved under Regulation 11 of the PSNI/PSNI Reserve Injury Benefit Regulations 2006.

**Answer** Please see copy of FOI 10/2016

20. Injury on Duty Medical Retirements.

**Answer** Please see copy of FOI 27/2016

21. Injury on Duty Statistics.

**Answer** Please see copy of FOI 31/2018

22. Injury on Duty Statistics.

**Answer** Please see answer to question No.21

23. Hearing loss Claims.

**Answer** Please see copy of FOI 39/2016

24. Police Federation for Northern Ireland.

**Answer** Please see copy of FOI 57/2016

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](mailto: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. You should make complaints to the ICO within six weeks of receiving the outcome of an internal review.

The Information Commissioner can be contacted at the following web link –

[www.ico.org.uk/foicomplaints](http://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](mailto:ni@ico.org.uk)

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



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number: 02/2018**

**Date: 1 February 2018**

**Request:**

To the Board-

“The Board has a statutory duty to hold eight meetings in public each year so that members of the public and media can attend and see how the Boards holds the Chief Constable to account” (NI DIRECT)

Please can you provide me with the minutes of board meetings since June 2017 and also the date for next meeting and if persons need to book to attend and observe?

**Answer:**

The NI Policing Board has not met since 27 February 2017 due to the political impasse which followed the suspension of the NI Assembly. Following the appointment of political Members to the Board, which is necessary to constitute a fully functioning Policing Board, Board meetings will recommence and the public will be advised of the arrangements in advance.

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Northern Ireland Policing Board  
Waterside Tower  
31 Clarendon Road  
Clarendon Dock  
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## FREEDOM OF INFORMATION REQUEST

**FOI Reference number: 11/2018**

**Date: 6 June 2018**

**Request:**

You requested that the Board supply the following information:

The purpose of this Freedom of Information request is to establish the situation regarding appeals against Selected Medical Practitioner's Regulation 10 and Regulation 11 decisions. Please specify the numbers / details in relation to both types re the questions below.

1. Please advise how many appeal applications have been received by NIPB since 1st April 2017.
2. How many of these appeal applications have been completed and sent to DoJNI & how many are still being processed by NIPB for onward progression?
3. How long does it take NIPB to process an appeal on average i.e. from receipt to progression onto the DoJNI?

**Answer:**

1. The Northern Ireland Policing Board received 47 new appeal applications between 1 April 2017 and 31 May 2018.
2. The Northern Ireland Policing Board are currently processing 6 appeals. The Department of Justice are currently processing 193 appeals.
3. There is no average timeframe for the process of an appeal from receipt by the Northern Ireland Policing Board to submission to the Department of Justice. As each case is unique, the information supplied to the Board varies from case to case. In each instance, information is supplied over varying lengths of time.

In respect of the request to specify numbers/ details in respect of Regulation 10/ Regulation 11 decisions re the questions above, it is not possible to provide a breakdown.

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## FREEDOM OF INFORMATION REQUEST

FOI Reference number: 13/2018

Date: 10 July 2018

### Request:

You referred to page 2 paragraph 2 of our correspondence to you, dated 29 May 2018, and requested that the Board supply the following information for the period February 2017 to February 2018:

1. The number of male retired officers who have received an injury on duty award for tinnitus alone without having a successful claim against the Chief Constable for hearing loss. In particular Band 3.
2. The number of female retired officers who have received an injury on duty award for tinnitus alone without having a successful claim against the Chief Constable for hearing loss. In particular Band 3.

### Answer:

There are no male and no female retired officers, according to the Board's records, who have received an injury on duty award for tinnitus alone without having a successful claim against the Chief Constable for hearing loss.

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## FREEDOM OF INFORMATION REQUEST

**FOI Reference number: FOI 17/2018**

**Date: 3 August 2018**

**Request:**

1. Please confirm that upon completion of a medical examination/assessment by a S.M.P, III Health pension application, the applicant is advised by the S.M.P of the arrangements for preparation and completion of any reports.
2. Are medical reports drafted/ transcribed by the S.M.P in their entirety immediately upon completion of the medical examination prepared for the information of N.I.P.B?
3. If an interim report is submitted by the S.M.P is a secondary report prepared to confirm the diagnosis and prognostication re the applicant?
4. Upon receipt of any report(s) by the S.M.P what is the period that must elapse before any such reports are forwarded to applicant or their legal representative?
5. Would it be deemed reasonable to withhold the report of the S.M.P for over thirty five days by N.I.P.B without good reason or justification?
6. What are the current "in house" arrangements in accordance with the Data Protection Act re preparation and submission of any medical report(s) to ensure these are deemed to be confidential documents?
7. Does N.I.P.B afford provision for the S.M.P to complete their reports on any of their "in house" computers or are outside electronic computer systems used for preparation, completion and onward transmission to N.I.P.B?
8. Under what (if any) circumstances would N.I.P.B employees be assigned the task of typing up reports from audio tapes or draft documents on behalf of the S.M.P for the information of N.I.P.B?
9. Please confirm the policy of N.I.P.B re deployment of staff to prepare III Health Pensions reports, on behalf of any S.M.P any response should afford confirmation of the procedures deployed since your decision to introduce new S.M.P arrangements from the 1st October 2016.

Please confirm that the policies and procedures deployed by the N.I.P.B in respect of reports, notwithstanding consent not having been sought or obtained whether or not your actions have/have not/may have contravened the Data Protection Act 1988 and if this found to have been occasioned please confirm what if any proposed action/investigation/remedial action will be taken by N.I.P.B.

**Answer:**

1. In line with General Medical Council good medical practice guidelines SMP's will give a broad overview of next steps depending on the individual circumstances of each applicant. This may include discussion regarding preparation and completion of their medical reports and certificates.
2. Usual practice is for reports to be completed by the SMP on the day of appointment.
3. An interim report is completed in instances where the SMP is unable to make a determination on the available information at the time of the appointment. On receipt of requested additional information a final report and certificate will be completed.
4. There is no stipulated period that must elapse before NIPB issue the SMP report and certificate to the applicant or their legal representative.
5. Whilst every effort is made to process results as soon as possible following appointments, processing of completed reports and certificates are subject to workloads in Police Administration Branch at any given time.
6. The Board is resolute in its commitment to the principles of the Data Protection legislation and always acts in accordance with this legislation and other statutory provisions in relation to storage, retention and disposal of documents and the transfer of sensitive information including medical reports.
7. The NIPB makes provision for all reports to be completed electronically on NIPB premises by the SMP.
8. NIPB staff do not type up reports from audio tapes or draft documents on behalf of the SMP.
9. No staff are deployed to prepare III Health Pensions reports on behalf of the SMP.

Whilst it is not immediately clear what question is being asked in the final point, as outlined above, the Board at all times is resolute in its commitment to the principles of the Data Protection legislation and always acts in accordance with this legislation and other statutory provisions in relation to storage, retention and disposal of documents and the transfer of sensitive information.

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## FREEDOM OF INFORMATION REQUEST

FOI Reference number: 25/2018

Date: 24 October 2018

### Request:

[REDACTED] understands that **Selected Medical Practitioners (SMP)** have in the past been advised by **Northern Ireland Policing Board (NIPB)**, to approve successful **Injury on Duty (IOD)** pension applications from the date of application, by the claimant and not from the date of retirement.

Please provide any relevant documentation in possession of **NIPB**, which confirms:

1. the operative date when the policy was introduced
2. confirm if the policy was ever terminated.
3. copy of the current **NIPB** policy regarding payment of interest retrospectively to **IOD** awards.
4. how was the paying of interest approved or rejected.
5. If rejected, by whom the payment was rejected?

### Answer:

#### 1. Approval Date

The Northern Ireland Policing Board (the **Board**) is bound by specific responsibilities, enshrined by legislation. This legislation determines how the Injury on Duty Award scheme is managed. The Injury on Duty Award scheme is governed by the *PSNI and PSNI Reserve (Injury Benefit) Regulations 2006* (the **2006 Regulations**).

In administering the scheme the Board retains a panel of Selected Medical Practitioners (**SMPs**). The SMPs enable the Board to discharge its responsibilities under the 2006 Regulations. When a claimant makes an application under the 2006 Regulations, the Board will request that the SMP makes an independent evaluation to determine the date on which the officer became disabled.

This process was upheld by Justice Treacy in the case of *DB's Application [2013] NIQB 13*. In this case, the court determined that the date of disablement is “essentially a medical question.” The Court also determined that if, upon receipt of all medical evidence and following consideration of all the issues a date of disablement cannot be ascertained, then the Board can rely upon Regulation 6(7) of the 2006 Regulations which states;

*“Where a person has retired before becoming disabled and the date on which he becomes disabled cannot be ascertained, it shall be taken to be the date on which the claim that he is disabled is first made known to the Board.”*

## 2. Retrospective interest payments

With regards to your query in respect of the “*payment of interest retrospectively to IOD awards*” please be advised that the Board does not have a policy in respect of 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 write to the Board’s Chief Executive at the following address:

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## FREEDOM OF INFORMATION REQUEST

FOI Reference number: 32/2018

Date: 30 November 2018

**Request:**

**Subject: Retired Officers – Injury on Duty Awards (this request represents a reformulated request)**

Please limit all responses to only electronic files held by the Policing Board.

- 1) Please supply copies of any Policing Board policy documents, press statements or minutes focusing on the issue of PTSD.
- 2) How many applications have there been in recent years for compensation ref PTSD?
- 3) What qualifications does the Selected Medical Practitioner have, who acts on behalf of the NIPB to make a professional assessment of PTSD?

**Answer:**

**Question 1**

An extract from the Board meeting minute of 5 July 2007 is attached.

**Question 2**

Regrettably it is still not possible to respond to this question.

The Board does not have an overarching electronic database from which we could generate the information required to respond to your request. In order to comply a manual search of the Board's records would be required which would exceed the statutory cost limit. The appropriate limit has been specified in regulations and for the Board is set at £450. This represents the estimated cost of one person spending 18 hours in determining whether the Board holds the information and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act the board is not obliged to comply with this part of your request further.

To remain within the cost limit for this request, it is estimated that a total of 36 cases could be interrogated. This could be completed as a random 'dip' sample or you may wish to specify a particular time frame over which these records should be selected.

### Question 3

The professional qualifications required for the appointment of an SMP are as follows:

- Occupational Health Practitioner qualification for a minimum of 2 years (i.e. an Associate, Member or Fellow of the Faculty of Occupational Medicine (AFOM, MFOM or FFOM or EEA equivalent)
- Registered with the General Medical Council (GMC)
- Hold appropriate medical indemnity and insurance cover.
- Evidence/date of GMC revalidation.
- The successful SMPs will be required to be security cleared to CTC level for the role and appointment will be conditional upon achieving this.

Whilst the SMP is the decision maker in relation to an injury on duty award he/she has the discretion to request and consider other specialist medical reports to inform his/her decision.

Any reformulated request the Board receives from you will be treated as a fresh FOI request.

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:

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## **EXTRACT**

### **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF A MEETING OF THE NORTHERN IRELAND POLICING BOARD HELD ON THURSDAY, 5 JULY 2007 AT 9:30AM IN WATERSIDE TOWER, BELFAST**

#### **14.2 Post Traumatic Stress Disorder Group Action**

The Board considered a paper which briefly summarised the content of the generic judgement handed down by Mr Justice Coughlin, on 29 June 2007, concerning group litigation by former and serving members of the RUC and PSNI claiming psychological/psychiatric disorder following exposure to trauma experienced during the course of the terrorist campaign in Northern Ireland. NOTED.



## FREEDOM OF INFORMATION REQUEST

FOI Reference number: 36/2018

Date: 17 January 2019

**Request:**

When introducing your training to **Selected Medical Practitioners (SMP) and Independent Medical Referees (IMR)** does the **Northern Ireland Policing Board (NIPB)** provide examples to them, where it is possible for a Doctor, (general practice), to overrule Specialist evidence, a Specialist Practitioner or Consultant in their findings?

In many cases we feel that the SMP/IMR does not take cognisance of the Specialist's report or directly overrules them.

I personally, would equate the above actions to a Constable overruling a Superintendent, can you see any time that the **NIPB** would allow this to occur in the Police Service?

Do you have any examples of the situations mentioned above?

**Answer:**

The Northern Ireland Policing Board (the **Board**) engages duly qualified medical practitioners to act as Selected Medical Practitioners (**SMP**). SMPs provide their independent medical opinion based on the information supplied to them during the course of an Injury on Duty and/or Ill Health Retirement application.

The Board understands that the Department of Justice (the **DoJ**) engages Independent Medical Referees (**IMR**) on the same basis. However, responsibility for procurement and the contracting of IMRs is the responsibility of the DoJ and further information in respect of same can be requested directly from the DoJ.

The right to engage a suitably qualified medical expert is stipulated within the *PSNI & PSNI Reserve (Injury Benefit) Regulations 2006* (the **Regulations**). The Regulations enable both the Board and the DoJ, as non-medical organisations, to requisition and rely on the expert medical opinion of qualified practitioners. Neither the Board nor the DoJ retain the requisite medical knowledge to question or challenge a medical determination by an SMP or IMR. Accordingly, the Board does not direct an SMP on how they should consider specialist evidence and/or any of the medical evidence supplied to them during the course of an Injury on Duty and/or Ill Health Retirement application. However, as stipulated in Regulations the Board is the ultimate decision maker in these applications and accordingly the Board must be satisfied that it is correct and proper for an award to issue in each case.

Please also be advised that SMPs and IMRs are Occupational Health practitioners and not General Practice practitioners as is suggested in your letter.

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:

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## FREEDOM OF INFORMATION REQUEST

FOI Reference number: 37/2018

Date: 17 January 2019

**Request:**

We recently read an article in the Newsletter in relation to a Judicial Review that NIPB is pursuing against 9 ex police IOD recipients.

Could you explain to us what exactly this Judicial Review is about and why you have instigated the process.

**Answer:**

Nine individual officers have applied for Retrospective Injury on Duty awards relating to hearing loss.

In each of the nine cases the Selected Medical Practitioner (**SMP**) found that the individual officers did not satisfy the criteria for an award pursuant to the *PSNI & PSNI Reserve (Injury Benefit) Regulations 2006* (the **Regulations**).

In line with the Regulations, the nine individual officers appealed their cases to the Independent Medical Referee (**IMR**). The IMR disagreed with the determination of the SMP in each of the nine cases and made an award in respect of these officers.

On review of the report and certificate provided by the IMR in each case, the Northern Ireland Policing Board (the **Board**) identified serious and material issues with the IMR's decision. As stipulated within the Regulations, the Board is the ultimate decision maker in these applications and accordingly, the Board must be satisfied that it is correct and proper for an award to issue in each case.

The serious and material issues pursuant to this case contains sensitive personal information further to the General Data Protection Regulation 2016/679 (**GDPR**) and as such no further information can be provided.

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## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** 03/2017

**Date:** 14 February 2017

**Request:**

1. Why are the NIPB insisting that a process that has already been scrutinised independently and deemed fit for purpose be changed?
2. Is the NIPB aware that it has no authority to instruct or ask the SMP to alter process or procedure and can you confirm this is your understanding also?
3. What training has the SMP and the Independent Medical Referee (IMR) received and who provided this?
4. What information have you received from the Home Office regarding Injury on Duty (IOD) assessment process?
5. Have you benchmarked/spoken with other UK policing boards about this process?
6. If so, how do other UK policing boards and SMP's assess disablement?
7. Can you explain the new process of disablement calculation?
8. Can you confirm that this new process is fit for purpose?
9. Can you confirm that this new process is compliant with the statutory pension regulations. That is that disablement equates to loss of earnings capacity?
10. Can you confirm the using the Annual Survey for Hours and Earnings (ASHE) is both legal and fit for purpose?
11. Did Blackwell Associates meet with all of the required criteria in the initial tender proposal when the NIPB awarded the contract to them?
12. Why was a representative from Edwards and co solicitors involved in the process to review the assessment method?

that loss of earning capacity should not be confused with loss of earnings i.e. wages.

10. The use of ASHE has not been challenged in the courts and the Policing Board is therefore not able to confirm whether or not it is legal. In relation to whether it is fit for purpose I would refer you to Mr Scoffield QC's comments in Chapter 4 (page 65 onwards) and in particular paragraph 4.55 where he concludes the ASHE assessment method was highly artificial and a broad judgment on banding is probably a fairer approach for cases within the margin of two bandings.

11. Yes

12. Edwards & Co. Solicitors were not involved in the process to review the Policing Board's draft assessment method policy.

13. See point 12.

14. Injury pensions are paid from the Police Service of Northern Ireland's budget. As at 23 November 2016 there were 2625 IOD awards in payment. The Policing Board holds the following information on the costs of IOD payments up to 30 November 2014:

	PENSION <sup>1</sup>	GRATUITY <sup>2</sup>	TOTAL SPEND	NEW AWARDS <sup>3</sup>
2007/08	14,408,371	709,254	15,117,626	N/K
2008/09	17,039,525	627,331	17,666,855	N/K
2009/10	16,209,273	349,869	16,559,142	56
2010/11	17,744,164	420,092	18,164,256	75
2011/12	20,152,920	447,430	20,600,350	64
2012/13	22,061,613	765,287	22,826,900	123
2013/14	24,431,862	673,318	25,105,180	108
2014/15 (to 30/11/14)	16,712,943	352,321	17,065,263	58
<b>TOTAL</b>	<b>148,760,670</b>	<b>4,344,902</b>	<b>153,105,572</b>	

<sup>1</sup> Referred to as an IOD award this comprises an annual injury pension paid on a monthly basis.

<sup>2</sup> This is a one-off lump sum payment made to the claimant and is in addition to the injury pension.

<sup>3</sup> These were new awards granted during the time period and would have accounted for total spend along with previous awards in payment.

13. Does the policing board consider that Edwards and co are an independent stakeholder?
14. What has been the over all cost of IOD payments paid out in the last ten years?
15. What is the projected cost of maintaining current IOD payments for the next ten years?
16. Is there a budget for these payments or is the process financially open ended?

#### **Answer**

1. In July 2013, due to concerns around the efficacy of the legislation supporting the Injury on Duty (IOD) process, the Policing Board agreed to engage Senior Counsel to review the administrative process within the current statutory and policy framework. Mr David Scoffield QC was appointed to carry out the review. Mr Scoffield QC completed the review in November 2014 and his report was considered at the Board meeting on 4 December 2014. Members agreed to adopt the report's recommendations, including Recommendation 8 – to abandon the method of calculating percentage disablement using the ASHE survey in favour of a more basic approach based on the medical practitioner's best judgement of the impact of the duty injury on earning capacity. A copy of the full (redacted) report is available on the Board's website at <https://www.nipolicingboard.org.uk/sites/nipb/files/media-files/redacted-version-of-scoffield-report.pdf>
2. The Policing Board's Selected Medical Practitioner (SMP) must determine an individual's entitlement to an award in response to the questions referred to them, in line with the PSNI and PSNI Reserve (Injury Benefit) Regulations 2006 (the 2006 Regulations). The 2006 Regulations are silent on the method of determining degree of disablement and therefore as the administrator of the scheme the Policing Board has consulted on and produced an assessment method policy and guidance for medical practitioners acting on its behalf to use. Both documents are based on case law and Pensions Ombudsman rulings.
3. Training was provided to the Board's current SMPs on 27 September 2016 by a Board Official responsible for the administration of the scheme. The training comprised a half-day session providing guidance on the PSNI III Health Retirement process, the role and responsibilities of the Board's SMP and associated policies. Each SMP must be an Occupational Health Practitioner with a minimum of 2 years qualification (i.e. an Associate, Members or Fellow of the Faculty of Occupational Medicine (AFOM, MFOM or FFOM or EEA equivalent)). Training for Independent Medical Referees (IMR) is a matter for the Department of Justice, who is responsible for the appointment of IMRs.
4. The Policing Board has receives copies of Home Office circulars, guidance and correspondence issued to police services in England and Wales in

relation to the Injury on Duty (IOD) assessment process. However the Department of Justice is responsible for issuing circulars, guidance and correspondence specific to the Northern Ireland IOD assessment process.

5. Yes. Policing Board Officials working in this area keep informed of developments in this field.
6. The Policing Board received responses from 4 police services in England. A copy of the documents is attached at Appendix 1. Where redactions have been made this is to remove third party data in line with the Data Protection Act.
7. When assessing the effect of the duty/qualifying injury on the officer/former officer's earning capacity the Medical Practitioner is not being asked to measure how disabled the officer/former officer is i.e. the extent to which they can partially perform the ordinary duties of an officer.

The Medical Practitioner is instead to make a judgment on the extent to which the officer/former officer's disablement affects their earning capacity i.e. the consequences of the duty/qualifying injury for the officer/former officer's capacity to earn money. In order to do so, the Medical Practitioner should compare the situation with the injury present to a notional situation where it has not occurred i.e. a hypothetical person of the same age and sex without any injuries. The loss of earning capacity will then be the difference between these two situations.

As part of the assessment the Medical Practitioner should take into account the officer/former officer's medical condition and the level of their skill/experience. The Medical Practitioner should then determine which of the bandings best describes the officer/former officer's ability to work.

The Medical Practitioner should set out in the report and certificate whether the officer/former officer's loss of earning capacity is:

- **slight disablement;**
- **minor disablement;**
- **major disablement; or**
- **very severe disablement.**

8. Yes, the new assessment method is fit for purpose. Following completion of the Scoffield Review the Policing Board progressed a consultation exercise regarding the new arrangements and their effectiveness. In essence this returns the Policing Board to the pre 2006 position (when the use of ASHE was introduced) of seeking the medical practitioner's judgement on the most appropriate banding.
9. Yes, the new assessment method complies with the 2006 Regulations. The degree of disablement is defined in the 2006 Regulations as the impact of the injury on duty on the individual's earning capacity. Mr Scoffield QC clarified

15. The Policing Board does not hold this information. However we identified that the PSNI may hold this type of information. You can contact the PSNI Freedom of Information Team by post at the address below;

Freedom of Information Team  
Corporate Development  
Brooklyn  
65 Knock Road  
Belfast, BT56 6LE

Or by e-mail;

[foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk)

If you would like to speak directly to someone in the PSNI FOI Team you can also call them on 028 9070 0164.

16. The Chief Constable is responsible for determining the policing budget and submitting the bid to the Policing Board for approval. There is a legislative responsibility to meet IOD award entitlements determined under the PSNI and PSNI Reserve (Injury Benefit) Regulations 2006.

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](mailto:foi@nipolicingboard.org.uk)

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3rd Floor  
14 Cromac Place  
Ormeau Road  
Belfast  
BT7 2JB.

Telephone: - 0303 1231114  
Email: - [ni@ico.org.uk](mailto:ni@ico.org.uk)

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

From: [REDACTED]@cambs.pnn.police.uk>

Sent: 04 November 2015 16:52

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: URGENT QUERY: Assessment of injury benefits ~[NOT PROTECTIVELY MARKED]~

Our policy is very specific that it is down to the SMP to determine this, however he so chooses. However, the normal practice is for him to provide details of any limitations on functionality and we then provide various local jobs that the person could do with those limitations. He then does do a calculation based on the salaried provided compared to the earnings they would have had if they had remained in Force at whatever rank (no assumption of promotion in this comparator). The percentage loss then drives the banding.

In relation to the other query, given that in theory you could continue reviews until a person dies, I cannot see that your OH team can do other than keep the medical records they have at least until that point (and possibly later).

Like Dr [REDACTED] our SMP requires a full medical history before he will make any decision – initial or review, and this seems to be because it is normal practice to have the full picture before making a decision.

**From:** [REDACTED]@humberse.pnn.police.uk>  
**Sent:** 05 November 2015 09:03  
**To:** [REDACTED]  
**Subject:** RE: URGENT QUERY: Assessment of injury benefits  
**Attachments:** Sample Potential Earnings Report.doc; Recent Case Law - (Ill Health Injury Sickness Mgt) August 2015.doc

HMPS (For NI Policing Board use only)

I have been dealing with injury awards for many years and have seen systems come and go. The system that has stood the test of time in our force is as follows:

The Selected Medical Practitioner will assess the retired officer to determine if their condition as claimed is the result of an IOD.

If this is the case they will write to HR with details of their medical restrictions relating only to the qualifying injury and request potentially suitable employment possibilities and their earning to be supplied. This may be quite brief dependant upon the injury concerned.

Attached is a recent response given to the SMP with the calculations done for them and the job descriptions attached. (We often speak with colleagues in other forces re any recent jobs that they have found) As can be seen we use jobs internal and external to the service as many officers who leave go back to previous trades or elsewhere in the private sector.

The SMP then considers the jobs and either selects one or asks for further examples. He will indicate on the JDs why he thinks any jobs are not suitable bearing in mind the effects of the qualifying injury and the expectation that a potential employer must make reasonable adjustments.

The NAE figures can be used as shown in the attached update that I put to the NAMF in September. Police cases no 2. I would only use the NAE figures as supporting evidence as a general rule.

Hope that helps.

Kind Regards

SA Manager of Health, Injury & Pensions

## *Operations Delivery Team*

## **HR Services**

Tel:

*Tel (Direct Line)*

Mobile

**From:** [REDACTED]@nipolicingboard.gsi.gov.uk  
**Sent:** 04 November 2015 16:22

**From:** [REDACTED]@northumbria.pnn.police.uk>  
**Sent:** 05 November 2015 09:18  
**To:** [REDACTED]

**Subject:** RE: URGENT QUERY: Assessment of injury benefits

Hello [REDACTED]

To reach the figure for degree of disablement we use a calculation and use a comparison of roles from the open job market. This will cover a sample of police staff roles from Forces across England and Wales as well as roles in the public/private sector.

We ask the SMP to detail in their interim report the effect of any qualifying injury on the functional capabilities of the pensioner, and also the effect of any other medical conditions which are not linked to an injury on duty so the difference can be compared, we ask the SMP if they think there is no difference then it is appropriate to assess degree of disablement as 0% and an earnings comparison is not necessary. If they do think there is a difference then we will look at civilian roles compatible with injured earnings and civilian roles compatible with uninjured earnings and compare whether there is any difference. We then put it to the SMP to consider whether the sample roles are appropriate and to calculate the degree of disablement using the following calculation:

Uninjured Earnings Capacity - Injured Earnings Capacity  $\times 100$  = % Degree of Disablement

### **Uninjured Earnings Capacity**

**Uninjured Earning Capacity:** taking into consideration the effects of medical conditions but *ignoring* the qualifying injury.

**Injured Earning Capacity:** taking into consideration the effects all of medical conditions have on functional capability and earning potential *including* the qualifying injury.

Hope this helps

Thank you

-----  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Human Resources Department, 2nd Floor, Forth Banks  
[REDACTED]

<http://www.northumbria.police.uk>

**From:** [REDACTED]@gmp.police.uk  
**Sent:** 09 November 2015 08:51  
**To:** [REDACTED]  
**Subject:** RE: URGENT QUERY: Assessment of injury benefits  
**Attachments:** POLICE PENSIONS REGULATIONS Earnings assessment -blank template.doc

Hello

We look at Police Staff roles within the Force and in the open Marketplace and provide an earnings assessment for the SMP to consider.

The earnings assessment is sent to the ex officer for comments prior to going to the SMP so that the SMP can take their comments in to consideration when making a decision on whether they could medically undertake the roles provided.

We do ask the SMP to review the roles together with the ex officers comments and if they feel that medically they would be unable to do the role to advise on why and what kind of role we should be looking at. If the SMP does not feel that they could do the role they provide advice and we look at different roles and provide these via the ex officer for comments.

The SMP then takes an average of the roles and then calculates the loss of earnings.

Please find a copy of the Earnings Assessment Form attached.

Hope the above is of assistance.

Kind regards

**Greater Manchester Police**  
**HR Branch**  
**5th Floor, Force Headquarters,**  
**c/o Openshaw Complex, Lawton Street, Openshaw, Manchester M11 2NS**  
**Mobile: [REDACTED]**  
**Follow us on Twitter @gmpo**



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** 06/2017

**Date:** 17 February 2017

### **Request:**

1. Current NIPB policy relating to NIPB representation/attendance at past and future NAMF meetings.
2. Provide details of NIPB attendance at NAMF meetings during the past three years.

### **Answer**

1. The NIPB do not have a policy in relation to representation/attendance at National Wellbeing & Engagement Forum (formerly NAMF) meetings.
2. In the past three years a Board Official has attended two NAMF meetings – 7 March 2014 and 6 June 2014.

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](mailto:foi@nipolicingboard.org.uk)

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:-

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

Telephone: - 0303 1231114  
Email: - [ni@ico.org.uk](mailto:ni@ico.org.uk)

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



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** 27/2016

**Date:** 2 August 2016

**Request:**

I seek information under the Freedom of Information as follows:

1. How many officers have been medically retired since 01/01/14
2. How many of those have been medically retired with Injury on Duty awards during Doctor [REDACTED] tenure.
3. How many officers are on high rate DLA in the last five years.

**Answer**

1. There have been 104 officers medically retired since 01/01/14.
2. Since 01/01/14 there have been 44 officers medically retired with Injury on Duty Awards. During this period a number of Senior Medical Practitioners will have been practicing, therefore all cases cannot be attributed to Doctor [REDACTED]
3. The Board does not hold the information requested.

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@nopolicingboard.org.uk](mailto:foi@nopolicingboard.org.uk)

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BT7 2JB.

Telephone: - 0303 1231114  
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## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** 31/2016

**Date:** 9 August 2016

**Request:**

I wish you to treat the following request for information under the Freedom of Information Act 2000:

1. How many Requested Reassessment Application Forms were submitted by Ex-Reserve RUC/PSNI officers (all ranks) in 2013, 2014 and 2015 and 2016 (up to 30 June 2016)? Please itemise each year separately.
2. How many Requested Reassessment Application Forms were submitted by Ex-Full Time RUC/PSNI officers (all ranks) in 2013, 2014 and 2015 and 2016 (up to 30 June 2016)? Please itemise each year separately.
3. How many of the officers in No.1 above, last had a previous Reassessment carried out 3 or more years previously regardless of the reason – not requested, delayed etc?
4. How many of the officers in No.2 above, last had a previous Reassessment carried out 3 or more years previously regardless of the reason – not requested, delayed etc?
5. How many of the officers in No.1 above, were medically discharged by the RUC/PSNI?
6. How many of the officers in No.2 above, were medically discharged by the RUC/PSNI?
7. How many of the officers in No.1 above, were classified as "*disabled*," as I was, by the Medical Advisers from the Health Services Department?
8. How many of the officers in No.2 above, were classified as "*disabled*," as I was, by the Medical Advisers from the Health Services Department?
9. How many of the officers in No.1 above, **were originally** awarded a percentage disablement of 27% (Band 2)?
10. How many of the officers in No.2 above, **were originally** awarded a percentage disablement of 27% (Band 2)?

11. How many of the officers in No.9 above, had their percentage disablement reduced from 27% (Band 2) to 24% (Band 1) post a Reassessment?
12. How many of the officers in No.10 above, had their percentage disablement reduced from 27% (Band 2) to 24% (Band 1) post a Reassessment?
13. How many of the officers in No.11 above, subsequently had their percentage disablement increased from 24% (Band 1) to 27% (Band 2) post a Reassessment?
14. How many of the officers in No.12 above, subsequently had their percentage disablement increased from 24% (Band 1) to 27% (Band 2) post a Reassessment?

### **Answer**

1. Ex-Reserve RUC/PSNI officers (all ranks) submitted Requested Reassessment Application Forms for the years in question as follows:
  - 2013 – seven
  - 2014 – four
  - 2015 – two
  - 2016 (up to 30 June 2016) – one
2. Ex-Regular RUC/PSNI officers (all ranks) submitted Requested Reassessment Application Forms for the years in question as follows:
  - 2013 – twelve
  - 2014 – three
  - 2015 – six
  - 2016 (up to 30 June 2016) – zero
3. There were eight officers in No.1 above who last had a previous Reassessment carried out 3 or more years previously regardless of the reason.
4. There were eight officers in No.2 above who last had a previous Reassessment carried out 3 or more years previously regardless of the reason.
5. Nine of the officers in No.1 above, were medically discharged by the RUC/PSNI.
6. Ten of the officers in No.2 above, were medically discharged by the RUC/PSNI.
7. In order to provide a full response I would be grateful if you would clarify the term 'Health Services Department'. I can however confirm that all ex RUC/PSNI Reserve officers in receipt of an injury on duty award have been determined to be disabled by the Board's Selected Medical Practitioner.
8. In order to provide a full response I would be grateful if you would clarify the term 'Health Services Department'. I can confirm that all ex Regular RUC/PSNI officers in receipt of an injury on duty award have been determined to be disabled by the Board's Selected Medical Practitioner.

9. Two of the officers in No.1 above, were originally awarded an injury on duty award based on Band 2.
10. Five of the officers in No.2 above, were originally awarded an injury on duty award based on Band 2.
11. Two of the officers in No.9 above, had their percentage disablement reduced from Band 2 to Band 1 post a Reassessment.
12. One of the officers in No.10 above, had their percentage disablement reduced from Band 2 to Band 1 post a Reassessment.
13. It is not possible to answer this question at this juncture as the Reassessments of the officers in No.11 above have not been completed.
14. This revised response to question 14 was issued on 24.08.16.

One of the officer's in No 12 subsequently had their percentage disablement increased from Band 1 to Band 2 on the basis they fell within the over-65 category. The previous Chief Executive decided that in line with recommendations made in the Scoffield Review – where a completed review has resulted in an officer having his banding reduced by virtue of his attainment of a particular age, the officer should have his original banding restored.

With respect to the zero you refer to in your question this covers ex-regular RUC/ PSNI officers for 2016 only. There have been reassessments requested in previous years as per our answer to your original question 2.

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

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Clarendon Dock  
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email: [foi@nipolicingboard.org.uk](mailto:foi@nipolicingboard.org.uk)

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## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** 39/2016

**Date:** 29 September 2016

**Request:**

Please advise:

1. How many hearing loss claims were submitted to Blackwell Associates during years August 2014/15 and August 15/16.
2. How many of those claims were initially rejected.
3. How many of those claims after reconsideration by Blackwell Associates were subsequently forwarded to the DOJ for a decision by an IMR.
4. How much do Blackwell Associates charge PBNI for each hearing loss examination.
5. How much do Blackwell Associates charge PBNI for each reconsideration of initial SMP hearing loss decision.

**Answer**

1. In August 2014/15 there were 270 and in August 2015/16 there were 201 hearing loss claims submitted to Blackwell Associates Ltd.
2. Of those above 224 and 136 respectively were initially refused.
3. Of the claims in point 1 above, 49 and 1 respectively have been forwarded to the DOJ for a decision by the IMR. In 26 and 1 case(s) respectively this followed reconsideration of new evidence provided as part of the appeal.

With regard to the points 4 and 5 of your request I can confirm the Board holds this information. The Board has determined that the exemption at section 43 – likely to prejudice commercial interests - of the Freedom of Information Act (Commercial Interests) applies to these questions.

Section 43 is a qualified exemption and, as such, is subject to a Public Interest Test. The Board has completed a Public Interest and has decided that the public interest in maintaining the exemption outweighs the public interest in disclosure.

A copy of the Public Interest Test is attached for your 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:

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Clarendon Dock  
Belfast BT1 3BG

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## **FOI 39/2016 – Section 43 exemption “Commercial Interests”**

### **Public Interest Test**

The exemption at section 43 of the Freedom of Information Act (FOIA) 2000 is a qualified exemption and, as such, a Public Interest Test must be carried out by the public authority before information could be withheld using the exemption.

### **Information requested by the applicant**

- How much do Blackwell Associates charge PBNI for each hearing loss examination; and
- How much do Blackwell Associates charge PBNI for each reconsideration of initial SMP hearing loss decision.

### **Arguments in favour of disclosure**

1. Disclosure of the requested information could help the Board to show it is open and transparent in how it makes its decisions regarding the SMP arrangements
2. Disclosure of the requested information could help the Board to be seen to be open, accountable and transparent in relation to how public money is spent.
3. Disclosure would be in line with the overall aim of openness and transparency enshrined within the FOI Act.

### **Arguments in favour of refusal**

1. The contract with Blackwell Associates Ltd is a live document and the Board would not wish to disclose information which may prejudice both organisation's commercial interests and the Board's future bargaining position.
2. If the call-off list arrangements, which will take effect on 1 October 2016, are unsuccessful the Board may have to go out to tender for the SMP services, and if details of the current contract were made public at this point in time this could adversely impact upon any future procurement process.
3. Publishing financial details relating to the current SMP contract could also adversely impact upon the need to ensure that public money is spent in the most cost effective way as possible – i.e. if it became public knowledge how much the current contractor is charging for individual services, then it is

possible that competition for any future contract could be undermined by interested companies tendering on a similar pricing structure rather than competing on cost.

4. The views of the SMP Blackwell Associates (BA) are very strongly that the information requested is commercially sensitive to their business and should not be released at this time. BA added that during the tendering process for the contract they had specifically requested that financial and personnel information remain confidential, and that they still believe that pricing structures and product terms etc. associated with the SMP contract should remain confidential. BA also stated that Clause E4 of the Conditions of Contract affirms that no part of the contract can be publicised without their written consent, which they will not give on this occasion.
5. A requestor's private interest in receiving particular information held by a public authority is not necessarily the same as the interest of the general public, and what may serve an individual requestor's private interests may not necessarily serve the wider public interest (ref: ICO guidance note on the Public Interest Test). Whilst there is no doubt that the requestor is keen to receive this financial information, it does not necessarily follow that members of the public who have no association with the work BA carry out for the Board would be as interested.

### **Decision**

Taking into account all of the circumstances stated above, it is felt that the public interest in engaging the exemption and not disclosing the information requested outweighs the arguments in favour of disclosure.

As such, the information should be withheld and the requestor advised accordingly.



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number: 57/2016**

**Date:** 5 January 2017

### REQUEST FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACT (FOIA)

#### **Request:**

The following are asked under the freedom of information.

- 1/ When did the Northern Ireland Policing Board last approve an agreement in respect of the pay allowances and pension of the officials of the Police Federation for Northern Ireland under the regulations.
- 2/ What changes if any did this bring to the pay allowances and pension of the officials.
- 3/ If changes were made what factors were considered and evidence produced for these changes.
- 4/ On what date was the agreement brought before the Northern Ireland Policing Board for approval.

#### **Response:**

1. NIPB approves the Pay, Allowances and Pensions Grant for the Police Federation for NI as part of the approval process for the overall PSNI Budget Allocation. The 2016/17 PSNI Budget Allocation was approved by the Board on 3<sup>rd</sup> March 2016. Police Federation for NI Pay, Allowances and Pensions are made in line with a Service Level Agreement, which was last reviewed and agreed in December 2015.
2. Response to Q1 addresses this further query.
3. Response to Q1 addresses this further query.
4. Response to Q1 addresses this further query.

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:

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Waterside Tower  
31 Clarendon Road  
Clarendon Dock  
Belfast BT1 3BG

Email: [foi@nipolicingboard.org.uk](mailto:foi@nipolicingboard.org.uk)

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:-

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

Telephone: - 0303 1231114  
Email: - [ni@ico.org.uk](mailto: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](http://www.nipolicingboard.org.uk).

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