



FREEDOM OF INFORMATION REQUEST

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

FOI Reference number: FOI 15/2026

Date: 9 April 2026

Request:

Please provide a copy of the below papers presented on 16 December 2021.

- (i) Police Administration Directorate - Cases for Committee Decision and
- (ii) Update on progress of Implementation NIAO recommendations in relation to the PSNI Injury on Duty Scheme

Answer:

Please find enclosed the following papers

- (i) Police Administration Directorate - Cases for Committee Decision

Where redactions have been made, this pertains to personal information of third parties. Annex A Tab 1 & 2 and Annex B have also been withheld in full on the same basis, as they contain personal information relating to third parties. This personal information is exempt from disclosure to you under section 40(2) by virtue of section 40(3)(a)(i) of the FOIA. Section 40(2) allows a public authority to withhold information from a response to a request for information under the FOIA when the information requested is personal information relating to someone other than the requester and its disclosure would contravene one of the data protection principles. The first data protection principle requires personal data to be processed fairly and lawfully.

This personal data is exempt from disclosure under section 40(2) of the FOIA as, in our view, it would be unfair to provide it to you, and therefore disclosure would be in contravention of the first principle of the UK General Data Protection Regulation. This is an absolute exemption and there is no requirement to conduct a public interest test.

Please note under 5.3, reference is made to “a paper-based review of each of the cases was conducted by two doctors who had no previous involvement in any of the 8 cases”. This is an administrative error, two doctors conducted a paper-based review on one case only.

- (ii) Update on progress of Implementation NIAO recommendations in relation to the PSNI Injury on Duty Scheme

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. 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

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.

NORTHERN IRELAND POLICING BOARD	
RESOURCES COMMITTEE	
16 December 2021	
Paper Title:	Progress report on the implementation of recommendations within Northern Ireland Audit Office report entitled “ <i>Injury on duty schemes for officers in the Police Service of Northern Ireland and the Northern Ireland Prison Service</i> ”
Agenda Ref No:	6.6
Lead Official:	██████████, T/Director of Police Administration
Purpose of Paper:	For Members to note the progress made by key stakeholders since the publication of the Northern Ireland Audit Office report entitled “ <i>Injury on duty schemes for officers in the Police Service of Northern Ireland and the Northern Ireland Prison Service</i> ”
Considerations:	<p>(i) Resources: None.</p> <p>(ii) Equality: None.</p> <p>(iii) Publication Status of paper: This paper is likely to be disclosable under Freedom of Information.</p> <p>(iv) Related Corporate Plan/Business Plan measure: <u>Corporate Plan, Objective D:</u> To deliver independent, fair and transparent processes for former and serving officers in line with Police Pension, Injury Benefit and Appeal legislation.</p>
Action Required by the Board / Committee:	For Members to note the progress made by key stakeholders since the publication of the Northern Ireland Audit Office report entitled “ <i>Injury on duty schemes for officers in the Police Service of Northern Ireland and the Northern Ireland Prison Service</i> ”

1. BACKGROUND

- 1.1 The Northern Ireland Policing Board (the **Board**) is responsible for managing and administering the PSNI Injury on Duty (**IOD**) scheme pursuant to the *PSNI & PSNI Reserve (Injury Benefit) Regulations 2006* (the **Regulations**).
- 1.2 In respect of IOD awards, the ultimate decision in terms of eligibility of any award rests with the Board and Members will further note that responsibility for any final decision on an application under the Regulations is delegated to the Resources Committee by virtue of the Committee's Terms of Reference.
- 1.3 IOD awards are made to police officers for injuries sustained on duty and the PSNI scheme is one of the largest injury schemes within central government in Northern Ireland. As liabilities for the PSNI scheme (as well as the Northern Ireland Prison Service scheme) increased rapidly over a number of years the Northern Ireland Audit Office (**NIAO**) undertook a review of both schemes and produced a report in early 2020 to consider the key issues facing the schemes and to explore what action is being taken to mitigate them.
- 1.4 The purpose of this paper is to provide a refresher to Members as to the recommendations made by the NIAO and provide an update on the status of any recommendations for which the Board plays a whole or partial role.

2. NIAO REPORT

- 2.1 On 10 March 2020 the Northern Ireland Audit Office (**NIAO**) published its report entitled "*Injury on duty schemes for officers in the Police Service of Northern Ireland and the Northern Ireland Prison Service*" (the **NIAO Report**).
- 2.2 A full copy of the report was shared with the Board on publication and a copy can be accessed on NIAO's website for review by Members.¹
- 2.3 In terms of the main findings of the NIAO these can be broadly summarised as follows:
 - The schemes are challenging to administer and fund;
 - The nature of injuries has changed;
 - The payment of awards is not always equitable;

¹ [Injury on duty schemes for officers in the Police Service of Northern Ireland and the Northern Ireland Prison Service | Northern Ireland Audit Office \(niauditoffice.gov.uk\)](#)

- The number of claims is substantial and rising;
- The cost of IOD obligations is increasing;
- Backdated awards are having a significant impact on the spend;
- There are no time limits for applying for an award;
- Administrative processes are complicated and inefficient;
- Offset arrangements are not working effectively;
- Management information within the PSNI scheme is not fit for purpose;
- Changes to legislation is necessary

3. NIAO RECOMMENDATIONS

3.1 Following engagement from key stakeholders and on production of the NIAO report, 4 recommendations were identified. These are outlined below:

RECOMMENDATION 1	A fundamental review of the PSNI Scheme should be undertaken, similar to the ongoing review of the NICS IOD scheme by the Department of Finance. These reviews should provide greater clarity on the aims of the scheme, how they will be achieved and what checks and balances are required to ensure the appropriate use of public money. The reviews should seek greater consistency between the schemes and research the approaches taken by the other similar schemes.
RECOMMENDATION 2	The review of the PSNI scheme should simplify and streamline the end-to-end process. This should include reconsideration of the respective roles of the PSNI, the Policing Board and the Department.
RECOMMENDATION 3	A new case management system for the PSNI scheme would provide better reporting and analysis of management information. This should be taken forward once the fundamental review identifies any changes needed to the scheme, to ensure that the new system can effectively support the processing of IOD claims under any revised scheme.

RECOMMENDATION 4	<p>The Department of Justice, Department of Finance and the Northern Ireland Policing Board should take action in the short term to mitigate the issues arising within the current schemes to include:</p> <ul style="list-style-type: none"> • Timely amendments to legislation to resolve offset issues; • Ensuring any further legislation to facilitate payments to individuals who also receive IOD awards includes offset provisions (for example the impending Victims Payment Scheme); • Providing clearer guidance to medical practitioners until the reviews of the schemes are complete; and • In their role as final decision makers considering whether further reviews of cases are appropriate.
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4. PROGRESS REPORT ON IMPLEMENTING RECOMMENDATIONS

- 4.1 Taking each of the recommendations in turn, Board Officials have outlined below a narrative on the progress in relation to the each of the recommendations made by the NIAO.
- 4.2 This information below is a synopsis of the work undertaken so far by key stakeholders.
- 4.3 **RECOMMENDATION 1:** The Department of Justice facilitated the establishment of Steering and Sub Groups to take forward the work involved in implementing the NIAO recommendations. Terms of Reference for each group were developed and agreed and membership from all key stakeholders was agreed. Representatives on each of the groups include, inter alia, the Board, Department of Justice, Department of Finance and PSNI. These groups met and worked in conjunction with colleagues in Northern Ireland Civil Service Pensions in order that consistency of approach (insofar as possible) could be agreed between the two consultations. In relation to the PSNI consultation, the Steering Group first convened on 25 June 2020, with the Sub Group convening on 1 July 2020. Since this date the groups have met again on 5 and 11 times respectively. Both groups, and in particular the

Sub Group have undertaken a significant amount of work outside of the meeting themselves in pursuance of the NIAO's recommendations. This work has culminated in the drafting of a consultation document, the purpose of which is to address the issues identified by the NIAO. This document is currently being finalised by Sub Group members. The current projected timeframe is that Ministerial approval for the consultation will be sought by the end of January 2022 with the consultation itself launching in February 2022. This timeline is dependent on the continued collaboration within the Sub Group against the background of competing priorities. In addition, the PSNI Sub Group representative left the role in November 2021 and a permanent replacement has not yet been nominated by PSNI. The Sub Group has already commenced work on a Communications Strategy for the consultation. This will be advertised widely by all stakeholders and will be published on the Board's social media channels and website. In addition, PSNI will notify former and serving officers through various means to include via 'PoliceNet' and other correspondence and payslips and pension slips.

- 4.4 **RECOMMENDATION 2**: Members of the Sub and Steering Groups worked initially on the preparation of process maps for their own individual work areas, thereafter discussing these within the Groups and merging these into a composite end-to-end process map in order to map out problematic areas and/or issues in the existing process. The groups also investigated and explored approaches taken by other similar IOD schemes in order to ascertain relevant good practice. Ultimately, it has been determined that streamlining of the system will be rectified by legislative change which will be proposed further to the outcome of the consultation referred to at Section 4.3 (above).
- 4.5 **RECOMMENDATION 3**: As indicated by NIAO the case management system will not be procured until the aforementioned review is brought forward and until the legislation is amended. This is owing to the fact that the review will deal with the roles and responsibilities of each of the stakeholders and only once same has been completed will PSNI be able to procure a case management system with accuracy and certainty in its revised role.
- 4.6 **RECOMMENDATION 4 (BULLET POINT 1)**: On 24 February 2021, the *PSNI and PSNI Reserve (Injury Benefit) (Amendment) Regulations 2021* were laid.

The Regulations came into effect on 1 April 2021 and they resolve the offset issue identified at Recommendation 4, Bullet Point 1 of the NIAO Report. These amended regulations also ensure the IOD scheme continues to work effectively for officers who join the 2015 Police Pensions Scheme as it allows for the calculation of an IOD award by reference to the 2015 Police Pension Scheme. These amended regulations also made a number of amendments to the 2015 Police Pension Scheme.

- 4.2 **RECOMMENDATION 4 (BULLET POINT 2):** On foot of discussions at both the Steering and Sub Groups, the Department of Justice are aware that on drafting new legislation the sub-section for off-setting of awards needs to be robust and expanded further than is outlined within the current Regulations. They have reviewed other sets of legislation to include the recently launched Victims Payment Scheme to understand how other schemes set out how awards will be off-set. This will be incorporated into the new legislation on completion of the consultation period.
- 4.3 **RECOMMENDATION 4 (BULLET POINT 3):** Board Officials have commenced a project to review the existing medical guidance provided to Selected Medical Practitioners and Independent Medical Referees. This has involved various meetings with the doctors and Peer Review sessions to ascertain the doctor's needs from this document. The most fundamental piece of work has been a page turn review which has commenced with the Crown Solicitors Office as well as Senior and Junior Counsel. Counsel have returned a completely revised "legal section" of the guidance which have been an overhaul of the case law section of the old guidance, reviewing this and translating this into more user friendly language. This more user friendly portion of the guidance has already been circulated to the doctors and discussed at subsequent medical information forums. The remaining part of the guidance is being finalised by Counsel and Board Officials and will be rolled out to all doctors when complete.
- 4.4 **RECOMMENDATION 4 (BULLET POINT 4):** The Board will have an opportunity to consider this position on submission of its response to the consultation document.

5. CONCLUSION

- 5.1 Work remains ongoing in relation to all recommendations made by the NIAO Report.
- 5.2 The next key piece of work will be a response to the consultation, with a response required from the Board (as the Scheme Manager). Board Officials will keep the Committee apprised in this respect with a view to seeking Members' views on the consultation and the end objective of drafting a response to the consultation.

**POLICE ADMINISTRATION DIRECTORATE
DECEMBER 2021**

NORTHERN IRELAND POLICING BOARD	
RESOURCES COMMITTEE	
16 December 2021	
Paper Title:	Police Administration Directorate - Cases for Committee Decision
Agenda Ref No:	6.7
Lead Official:	██████████, T/Director of Police Administration
Purpose of Paper:	For Members to review and make decisions on the eligibility of awards further to the opinions provided by Selected Medical Practitioners and Independent Medical Referees since the last Resources Committee.
Considerations:	<p>(i) Resources: within existing staffing complement and skills. Financial implications to PSNI budget for payment of all IHR & IOD awards.</p> <p>(ii) Equality: None.</p> <p>(iii) Publication Status of paper: This paper is likely to be disclosable under Freedom of Information.</p> <p>(iv) Related Corporate Plan/Business Plan measure: <u>Corporate Plan, Objective D</u>: To deliver independent, fair and transparent processes for former and serving officers in line with Police Pension, Injury Benefit and Appeal legislation.</p>
Action Required by the Board / Committee:	<ul style="list-style-type: none"> The Committee should consider and provide a final decision in relation to all issues as requested at Section 6 of the paper.

1. BACKGROUND

- 1.1 The Northern Ireland Policing Board (the **Board**) has various statutory responsibilities and obligations in light of a specific suite of police pension and injury on duty regulations (the **Regulations**).¹
- 1.2 In respect of Injury on Duty (**IOD**) and Ill Health Retirement (**IHR**) applications Selected Medical Practitioners (**SMP**) and Independent Medical Referees (**IMR**) provide an opinion on the medical questions referred to them under the various Regulations, however, the ultimate decision in terms of eligibility of any award rests with the Board.
- 1.3 Members will further note that responsibility for any final decision on an application under the Regulations is delegated to the Resources Committee by virtue of the Committee's Terms of Reference.

2. SMP INITIAL ASSESSMENTS

- 2.1 Members are advised that between 13 November 2021 and 8 December 2021 SMPs considered and provided opinions on the medical questions referred to them in 16 cases. These cases are detailed at **TAB 1** of **ANNEX A**.
- 2.2 Members are asked to consider the information provided at Tab 1 and provide a final decision in respect of each of these applicants' eligibility for award.

3. IMR INITIAL ASSESSMENTS

- 3.1 Members are advised that between 13 November 2021 and 8 December 2021, the Department of Justice (**DOJ**) provided to the Board confirmation of decisions made by its IMRs in 3 cases. These cases are detailed at **TAB 2** of **ANNEX A**.
- 3.2 Members are asked to consider the information provided at Tab 2 and provide a final decision on this applicants' eligibility for award.

4. RECONSIDERATIONS FOR COMMITTEE DECISION

¹ *Royal Ulster Constabulary Pensions Regulations 1988, the Police Pension (Northern Ireland) Regulations 2007, Police Pension Regulations (Northern Ireland) 2015 and PSNI and PSNI Reserve (Injury Benefit) Regulations 2006.*

4.1 Members have been provided with 2 submissions, issued via CJSM, in respect of reconsideration applications to the IMR.

4.2 Members are asked to consider the following cases:

- [REDACTED]
- [REDACTED]

4.3 Members should be aware that Board Officials have nothing further to report in respect of these two cases and, as such, Members are asked to consider this information and agree, on the basis of the further information provided, whether the case should be forwarded to the IMR for reconsideration.

5. CASE AUDIT

5.1 Briefly by way of background, Board Officials undertake a quality assurance exercise in respect of all medical reports and certificates produced by both the SMPs and IMRs. From the outset it is important to note that, as Board Officials are not medically qualified, this is not a review of the medical determinations and rationale provided by the doctors. Rather the quality assurance process is to ensure, inter alia, the correct statutory questions have been asked of the doctors, that a response to each of the questions has been provided and a clear rationale has been given by the SMP or IMR in support of the decision made. Board Officials will also undertake a sense check of spelling and grammar and will ensure that the correct names, force numbers and other personal data is correct and consistent throughout the reports.

5.2 Board Officials have, in the usual manner, undertaken a review of the first 8 cases undertaken by a recently appointed IMR (IMRs being the doctors procured and appointed by the DOJ).

5.3 In undertaking this quality assurance exercise Board Officials identified some inconsistencies in the reports prepared by the IMR and the process followed. As a result of same, and to facilitate the Board's final decision making functions under the Regulations, a paper-based review of each of the cases was conducted by two doctors who had no previous involvement in any of the 8 cases.

- 5.4 These doctors are existing SMPs & IMRs are therefore experienced with the IHR & IOD process. They have prepared full reports, undertaking each case in an identical manner to cases which would ordinarily be forwarded to them by either the Board and/or DOJ.
- 5.5 Ultimately, on conducting this review, there is appears to be a marked disparity between the decisions reached by the newly appointed IMR and the existing SMPs & IMRs. In order to evidence same, and to inform the Committee in reaching its decision, key information has been **shared via CJSM** to include the IMR's reports as well as the reports prepared by the doctors undertaking the reviews. As always all this information has been anonymised and personal information redacted. By way of further assistance, Board Officials have provided a synopsis of these cases, to include the opinions presented and decisions reached, in spreadsheet attached at **ANNEX B**.
- 5.6 Members are reminded that as neither they, nor Board Officials are medically qualified, and the decision at hand is therefore not to look behind the decisions reached by the doctors. Rather, Members are asked to consider the overall entitlement of awards further to Regulation 29 of the 2006 Regulations which states:
- “Subject to the provisions of this part, the question whether a person is entitled to any, and if so what, award under these Regulations shall be determined in the first instance by the Board.”*
- 5.7 Members are therefore asked to consider the information provided at ANNEX B and provide a final decision on each of the 8 cases outlined therein.

6. SUMMARY OF COMMITTEE DECISIONS

- 6.1 Members are being asked to consider the anonymised information provided at **TAB 1 of ANNEX A** and **provide a final decision** on the eligibility for awards following initial **16** assessment by the SMPs.
- 6.2 Members are being asked to consider the anonymised information provided at **TAB 2 of ANNEX A** and **provide a final decision** on the eligibility for awards following initial **3** assessment by the IMRs.

- 6.3 Members should **consider the 2 anonymised submissions** forwarded via CJSM, and **agree** on the basis for the information provided if these cases should be forwarded to the SMP/ IMR for reconsideration.
- 6.4 Members should consider the anonymised information provided at **ANNEX B** and **provide a final decision** on the eligibility for awards following **8** assessment by the IMRs which have been audited further to the circumstances presented at Section 5, above.

POLICE ADMINISTRATION DIRECTORATE
DECEMBER 2021