# FREEDOM OF INFORMATION REQUEST

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

**FOI Reference number: 54/2026**

**Date: 6 November 2026**

**Request:**

I am seeking the recorded governance and authority surrounding the change in the Injury on Duty assessment process whereby SMPs/IMRs ceased determining or recording an injured officer's percentage degree of disablement/loss of earning capacity.

Please provide:

1. The decision, approval, instruction, policy or other recorded authority which authorised or approved the cessation of percentage disablement/loss of earning capacity calculations by SMPs and/or IMRs.

2. The recorded date on which that change was authorised or approved, together with the identity of the person, Committee, Department or other body which authorised or approved it.

3. The instruction, guidance or other recorded communication by which that change was implemented and/or communicated to SMPs and IMRs.

4. Any recorded legal advice, legal assessment or other consideration of whether the proposed removal of percentage disablement/loss of earning capacity calculations was compatible with the requirements of the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006.

**Northern Ireland Policing Board**
James House, Block D, 2-4 Cromac Avenue
Gasworks, Belfast BT7 2JA
028 9040 8500 www.nipolicingboard.org.uk

INVESTORS IN PEOPLE

For clarity, I am aware of the recommendation made by David Scoffield QC concerning the assessment methodology. I am not requesting a copy or explanation of that recommendation. A recommendation does not itself identify the subsequent governance decision or authority by which a change was approved and implemented.

I am specifically seeking the recorded governance trail showing whether, when, by whom and under what authority the cessation of percentage disablement/loss of earning capacity calculations was approved and implemented, together with any recorded consideration of its compatibility with the 2006 Regulations.
I am also not adopting the expression “Schedule 3 band” for the purposes of this request. Schedule 3 of the 2006 Regulations specifies four categories of degree of disablement but does not itself use the term “band”.

If no recorded decision, approval, instruction, policy, legal consideration or other authority of the type described above is held, please confirm this.

**Answer**:

1. Please find attached at Annex A an extract from the Board Meeting Minutes dated 4 June 2015

2. See response to Question 1 above.

3. Please see attached at Annex B e-mail to SMPs with an attachment to the Joint Guidance for Medical Practitioners Version 2 – September 2016.

4. This information is considered to be exempt from release as the exemption at Section 42 (1) Legal Professional Privilege of the Freedom of Information Act 2000 is engaged. 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 Annex C. In all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the 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 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 Commission's Office (ICO). Generally, the ICO 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 Commission's Office can be contacted at the following web link –

Contact us | ICO

or in writing at:

Information Commission's Office

4th Floor, No.3 Circle Square

5 Hawkshaw Street

Manchester

M1 7BL

Helpline number: 0303 123 1113

Please be advised that our 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.

**Annex A**

## 11 IMPLEMENTATION OF THE SCOFFIELD REPORT

The Interim Chief Executive presented a paper which provided Members with an action plan for the implementation of the Scoffield report and the draft assessment policy, subject to amendment following receipt of consultation responses.

Members complimented Officials on the work that had been carried out regarding the Scoffield report.

During discussion Members asked questions relating to injury on duty awards and the Interim Chief Executive undertook to provide responses in writing.

Members noted that an analysis of existing Injury on Duty cases which were on hold since March 2013 was being undertaken and on completion, it is proposed the Board's suspension on reviews would be lifted. In order for this work to commence, additional resources are required to be identified. The Interim Chief Executive committed to prioritise resources in Police Administration Branch. NOTED

The Board:-

**AGREED:**

- The action plan for implementation of the Scoffield report and the draft assessment policy, subject to amendment following receipt of consultation responses.
- That the Board should be provided with a six-monthly report on the implementation of the recommendations in the Scoffield Report, and the progression of cases within Police Administration Branch.

**Annex B**

[redacted]

**From:** [redacted]
**Sent:** 18 October 2016 08:54
**To:** [redacted]
**Subject:** Electronic Copies/Links of Documents on the SMP Training Manual
**Attachments:** Joint NIPB DOJ Guidance for Medical Practitioners on IOD Awards (version 2 - September 2016).DOC; SMP Chaperone Policy.DOCX; SMP Complaints Policy.DOCX; SMP Conflict of Interest Policy.DOCX

Dear Doctor's

Further to the Training Day on 21 September 2016 please see electronic copies and links of each of the documents on the Training Manual.

http://www.legislation.gov.uk/nisr/2006/268/contents/made (Regulations 2006)

http://www.legislation.gov.uk/nisr/2009/79/contents/made (Regulations 2009)

http://www.legislation.gov.uk/nisr/2015/113/contents/made (Regulations 2015)

https://www.nipolicingboard.org.uk/sites/nipb/files/media-files/Guidance-on-IOD%20Awards-for-Police-Officers-and-Former-Police-Officers-October%202016.pdf (NIPB Guidance on IOD Awards for Police Officers and Former Police Officers)

Due to the size of the 1988 Regulations I will send a separate email.

If you have any queries please do not hesitate to contact me.

Best Regards

[redacted]

**Annex C**

## FOI 54/2026 – 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

Legal advice of whether the proposed removal of percentage disablement/loss of earning capacity calculations was compatible with the requirements of the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006.

### 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.