



FREEDOM OF INFORMATION REQUEST

FOI Reference number: 24/2016

Date: 28 June 2016

Request:

Discharge form Milne v GAD

Accountability

- 1 a..What is the purpose of the discharge letter?
b..What is NIPB attempting to achieve with the wording of the discharge letter?
2. Who in the NIPB either drew up this policy or recommended this policy?
3. Who within the NIPB implemented/ratified this policy?
4. What criteria was used that resulted in the conclusion that a discharge form is a necessity?
5. What information was resourced when deciding a discharge form is required?
6. Considering that there was consultation with the Department of Justice before the original policy was adapted did the NIPB or PAM contact the DoJ upon receipt of my formal request dated 23/5/16.
- 7 a.If yes, Who was contacted within the Do J?
b..If no, why was no-one contacted within the Do J? Was my query considered too frivolous?
- 8.How many additional work hours were PSNI Pensions Branch burdened with by having to implement this policy compared to if Pensions Branch were able to release the monies without discharge form?
- 9.What was the cost from the public purse for the implementation of this policy by the NIPB?

Ruling/Legislation

10. Under what legislation is the discharge form required?
11. Does the ruling of the Pensions Ombudsman stipulate the necessity of a discharge form? If so could you please forward a copy of same.

12. What directive resulting from the ruling in the Milne v GAD case allows individual Pensions Scheme Managers to set their own conditions before the monies are *released*?

13. Which government department issued this directive?

14. Are you (PAM) aware which government department initially proposed the idea of a discharge letter?

15. Are you aware that subsequently the initial proposal concerning the necessity for a discharge form was set aside for the majority of UK pensioners affected by this case?

Release of monies

16. Why am I being treated differently to other pensioners in the UK who were not required to sign a discharge form?

17. Why is NIPB knowingly and deliberately refusing to release monies owed

Answer:

Accountability

- 1
 - a. The purpose of the discharge form is to obtain assurance from the individual that no further claims will be made against the NIPB, PSNI and DOJ (and subsidiaries of those bodies) in relation to police pension commutation.
 - b. The answer at 1a refers.
- 2 The Interim Chief Executive of the NIPB in consultation with the Department of Justice (DOJ) and the Police Service of Northern Ireland (PSNI) agreed on this approach.
- 3 The Interim Chief Executive of the NIPB ratified the approach which was implemented by PSNI Pensions Branch.
- 4 No criteria was used. As outlined above after consultation with DOJ and PSNI the Interim Chief Executive of the NIPB concluded that a discharge form was required.
- 5 No information was resourced.
- 6 No. The final decision was that of the NIPB.
- 7
 - a. Not applicable
 - b. As outlined at 6 above the final decision was that of the NIPB. Any allegation that your query was considered too frivolous is refuted.
- 8 As the discharge forms were posted along with the original letters it is the Board's understanding that there were no additional work hours accrued by PSNI Pensions Branch. Payment was made after completed discharge forms were received.

- 9 There was no additional cost to the public purse to implement the decision to issue discharge forms.

Ruling/Legislation

- 10 There is no legislation, the reasons for doing so are outlined at 1a above.
- 11 There was no stipulation in the Pensions Ombudsman determination to issue discharge forms.
- 12 There is no directive in the Milne v GAD ruling that prevents Pension Scheme Manager from setting specific conditions prior to the release of monies.
- 13 Not Applicable.
- 14 The NIPB is aware that the Home Office initially proposed the issuing of a discharge letter.
- 15 The NIPB is aware that the initial proposal was set aside by a number of other police forces.

Release of Monies

- 16 This decision is not unique to you as an individual, it relates to over 3000 former RUC/PSNI officers.
- 17 PSNI Pensions Branch, under the direction of the NIPB are willing to release all monies owed upon receipt of a signed discharge form.

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

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 Information Commissioner's Office – Northern Ireland
3rd Floor
14 Cromac Place
Ormeau Road
Belfast
BT7 2JB.

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

Please be advised that all Policing Board replies under Freedom of Information will 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.