



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** FOI 22/2014

**Date:** 20 June 2014

**Request:** 1. Number of initial and final determinations issued by the Office of the Pensions Ombudsman relating to the processing of Injury Duty Awards by NIPB, where NIPB was found to have practised maladministration (Both initial and final determinations to be shown separately ) Figures should be shown on a year by year basis

2. Number of initial and final determinations issued by the Office of the Pensions Ombudsman relating to the processing of Injury Duty Awards by NIPB, where NIPB has been adjudged not to have conducted the process in accordance with the PSNI Injury Duty Regulations of 2006.(Both initial and final determinations to be shown separately). Figures should be shown on a year to year basis

3). Total amount of arrears NIPB has had to pay back as a result of the Pensions Ombudsman directives during the period specified above

4). Total amount of money NIPB has been directed to pay for stress and inconvenience by the Pensions Ombudsman directives during the period specified above.

5). What specific actions NIPB has implemented to ensure further cases to the Pensions Ombudsman can be avoided by processing Injury Duty reviews and applications purely in accordance with the PSNI INJURY REGULATIONS 2006, as is its statutory duty. Where internal instruction has been issued within NIPB to so counteract ,all should be provided to the applicant in the response.

6), Please confirm or otherwise, where NIPB has been held to account by the Pensions Ombudsman as per Nos 1 and 2 above, have written letters of apology been issued to those Officers and Ex Officers so affected.

**Answer 1.** There were five interim decisions notified to the Board from the Pensions Ombudsman where the Ombudsman advised he was minded to find against the Board in respect of a complaint concerning an Injury on Duty (IoD) award; 2012/13 – 1, 2013/14 – 3, 2014/15 – 1

The Pensions Ombudsman publishes final decisions in relation to complaints on its website. In accordance with the provisions of Section 21 of the Freedom of Information Act (FOIA) 2000, if the requested information is reasonably accessible to the applicant by other means, then a public authority is not obliged to provide the information via the FOIA. The Section 21 exemption is an absolute exemption, which means that it is not subject to a public interest test prior to being engaged.

Pensions Ombudsman decisions may be accessed by following the internet link provided below;

<http://www.pensions-ombudsman.org.uk/Decisions/index.aspx>

**Answer 2.** I would refer you to the answer given at 1.

**Answer 3.** The Board does not hold the information requested. All such arrears are calculated and processed by PSNI Pensions Branch.

**Answer 4.** As directed by the Pensions Ombudsman, a total of £1350.00 has been paid by the Board.

**Answer 5.** In March 2013 the Board suspended IoD reviews. A Working Group comprised of representatives from the Northern Ireland Retired Police Officers Association, the Northern Ireland Disabled Police Officers Association, the Police Federation for Northern Ireland, the PSNI, the Department of Justice and the Board was been set up to consider the policy and procedure followed in relation to reviews of IOD awards and to make recommendations for consideration. Revision of the guidance provided by the Board to Injury on Duty Award applicants and recipients is also part of this review.

In addition, the Board has also instructed senior counsel to provide advice concerning the *administration of the Injury on Duty award scheme*.

Any recommendations arising from this review will be considered by the Board and changes made to policy or practice where it is deemed appropriate.

**Answer 6.** I can confirm that the Board has complied with all aspects of any determination made by the Pensions Ombudsman in respect of complaints made concerning Injury on Duty awards or reviews.

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:-

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

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

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