



FREEDOM OF INFORMATION REQUEST

FOI Reference number: 24/2017

Date: 29 June 2017

Request:

- 1) Why are you allowing former FMO's to work as SMP's when it is clear they are very likely to be conflicted in a large percentage of cases?
- 2) Why have you not mentioned the very relevant fact that two doctors were FMO's in your online literature?
- 3) Can you please explain how the SMP calculates disablement?

Answer:

1. A copy of the Board's Selected Medical Practitioner Conflict of Interest policy is published on the Board's website and can be accessed via the following website link:

<https://www.nipolicingboard.org.uk/sites/nipb/files/media-files/SMP-Conflict-of-Interest-Policy.pdf>

As such the exemption at Section 21 of the Freedom of Information Act (Information accessible by other means) is engaged.

2. Each SMP was asked to provide a short paragraph detailing their experience for publication on the Board's website.
3. The information on how degree of disablement should be determined is set out in section 4 of the NIPB Policy on the Assessment of 'Degree of Disablement' (2006 Regulations). A relevant extract is attached.

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:-

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.

4. ASSESSMENT METHOD TO BE USED BY MEDICAL PRACTITIONERS

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 work in any employment. 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.**

As set out at Sections 3.6 above if the officer/former officer is being treated as an in-patient at a hospital at time of the assessment, as a result of a duty/qualifying injury, they must be recorded as **very severe disablement** or **severe loss**, as applicable, on the report and certificate. This will only apply where the Medical Practitioner determines the officer/former officer is totally disabled, i.e. incapable as a result of the disablement of earning any money in any employment, and the total disablement is likely to be permanent.