

FOI 31/2015

In November 2015 the Information Commissioner's Office commenced an investigation into the Board's handling of this request for information.

During the course of this investigation the Board withdrew its reliance on the exemption at Section 36 (2) (c) of the Freedom of Information Act (Prejudice to the Effective Conduct of Public Affairs).

The Board issued a revised response to the applicant on 15 January 2016 – please see attached.



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** FOI 31/2015

**Date:** 15 January 2015

**Request:**

I seek the following information/documentation under the Freedom of Information Act to cover the period 30 March 2015 to the present date 27 May 2015:-

1. Details of all internal meetings held by and restricted to NIPB Officials in NIPB relating to Injury Benefit Awards following the SCOFFIELD review/report. Please identify specific dates and provide full copies of agendas and minutes for each meeting. Also copy of all contemporaneous notes made by all Officials in attendance at the meetings.
2. Copy of all correspondence/documents exchanged between the Interim CEO NIPB and the Director of Policy NIPB relating to the Scoffield review and in particular intended reconsiderations of those IOD retirees unlawfully reviewed at 65 years. Nothing should be withheld.
3. Identify the total number of IOD retirees who had their benefit unlawfully reviewed when they reached 65 years since year 2007 to date.
4. Confirm NIPB Officials responsible for issuing recent letters to IOD retirees inviting applications for reconsideration under Regulation 31(2), have acted under delegated authority from the Policing Board. Please attach a copy of the document giving such authority or advise from whom and when any verbal authorisation was received by Board Officials to so act.
5. Please confirm which stakeholders, if any, were consulted before the recent letters were sent out to IOD retirees inviting consent for reconsideration under Regulation 31(2) of the Injury Benefit Regulations 2006. Please also confirm total number of such letters sent out to IOD retirees to date, and how many further letters will be sent when NIPB has confirmed correct addresses.
6. Please confirm if any meeting(s) has been arranged between the CEO NIPB and NIRPOA to discuss the Scoffield review and in particular the intended reconsiderations of IOD retirees unlawfully reviewed at 65 years, and date(s) for any such meeting(s).

**Answer:**

1. Meetings were held by Board (NIPB) officials in relation to Injury Benefit Awards on the following dates within the specified period:

1 April 2015; 16 April 2015; 23 April 2015; 24 April 2015; and 14 May 2015.

An agenda and minutes were not prepared for the meetings and are therefore not available. A copy of notes taken by a Board official for two of the meetings are attached. No other notes were recorded for these meetings. Please be aware that these notes were made solely for personal use. They were not intended to be used as a wider record that other people may refer to.

2. A copy of all documents exchanged between the Interim CEO and Director of Policy, during the specified period, are attached.
3. From the Board's records 85 IOD retirees were reviewed when they reached 65 years of age, since 2007 to date.
4. Police Administration Branch officials were granted delegated authority to make decisions on reconsideration cases by the Human Resources Committee on 14 June 2012. An extract of the minutes of this meeting is attached. With respect to the reconsiderations proposed for all reviews carried out where the former officer was over 65 years of age, the Interim Chief Executive approved this specific course of action. A copy of the consultation letter on the assessment method policy, which communicated this decision, is attached.
5. The Board consulted with the Police Federation NI, NI Retired Police Officers Association, Disabled Police Officers Association NI, National Association of Retired Police Officers, PSNI, DOJ and Commission for Older People on the new assessment method policy. The consultation letter advised that the Board intended to use the new assessment method for reconsideration of all cases where a former officer was reduced on review at age 65.

A total of 51 letters were issued to IOD retirees seeking their agreement to reconsideration, including those whose address had to first be confirmed.

6. Within the request period, one meeting was arranged between the Board's Interim Chief Executive and NIRPOA to discuss the Scofield review. This meeting took place on the 2 June 2015.

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  
14 Cromac Place  
Gasworks  
Ormeau Road  
Belfast  
BT7 2JB.

Telephone: - 02890 269 380  
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.

# Meeting with PG re Policies 1/4/2015

---

Spell out more what we mean by seeing capacity i.e. distinction from policy intent!

## Opt A consequences

- Removing ASHE.
- Need detailed report from SMP to explain rationale behind dec

## Meeting with Bamayne & Scofield - 24/04/15

- BMFG 1-5 for DOT. Re 6 even if CC agreed can't do until change in leg<sup>s</sup>.
- ██████ Re 7 what do we do?
- BMFG Guidance drafted & being revised to take a/c of SC
- PG Consult with DOT then if agreed consult s'holders.
- BMFG. Re 8 need DOT agreement to it
- Re 9 incorporate w/in guidance?
- PG Need common definition 3 diff. def<sup>s</sup> used in past.
- BMFG. Def<sup>s</sup> in 2015 Pension Regs may apply to 2015 Inv. Regs.
- Re 10 covered in new guidance?
- PG Yes. Last cases @ P.O. stage quite often relates to IMR revisiting causation. Flags up issue re IMR process & how appointed.
- BMFG. Re 11 lets move away from policy. Need some policy.
- ██████ Move back to prev. position
- BMFG. Open to challenge if stick to 5 years historically?
- PG. Prev. w/in SMP contract for internal date review by SMP.

PC Assign junior staff look @ cases + spreadsheet

SC rec - GP - will mean <sup>in reality</sup> less reviews despite RSN/DOJ concerns re cost implications

BMRG Re 16 agreed, Q of how many

PC Re 19 - agree policy with DOJ, consult with interested parties, prepare referrals + write out to offices affected.

Sols correspondence recd. challenging delays in process. particularly re appeals. Double costs of IMK if 2 people working on appeals - impacts on SMP budget.

Even if extra staff w/in Board need to increase SMP + IMK budget. Re SMP moving to 5 doctors but may be limited on referrals.

Issue re IMK appeal process.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**MEMORANDUM**

**FROM:** Peter Gilleece  
**TO:** Barney McGahan, Interim Chief Executive  
**Cc:**  
**DATE:** 23 April 2015  
**SUBJECT:** Correspondence with the Department on the Board's calculation policy

---

Barney

I enclose a draft letter to Anthony Harbinson to seek the Department's views on a draft policy for the calculation of 'degree of disablement' by the medical practitioners.

The policy will cover all assessments, however, it will be used in the first instance for reconsideration of the reviews carried out of former officers over 65 years of age who were subsequently reduced in banding.

The Department's endorsement of the policy will be paramount as the last medical practitioner who carried out an assessment in a number of the affected cases will have been the Independent Medical Referee. Therefore in the interests of consistency and fairness it would be beneficial if the Selected Medical Practitioner and Independent Medical Referee were following the same policy in carrying out assessments.

The policy has been drafted on the understanding that the Department do not intend to address this specific issue, either in guidance or by legislative amendment. I have not raised this point in the letter however you should be aware of the following:

- With respect to the over 65 reviews Scoffield stated any "*referral back to the medical practitioners for reconsideration should not occur until some legislative amendment is made, or further policy guidance issued, to simplify and speed up the review process going forward*". (paragraph 1.29 (iii) refers); and
- Scoffield also highlighted in his report the limitations of policy, namely that it is amenable to testing in the Courts and is not authoritative. In particular, Scoffield referenced the issue of age 65 reviews and stated "*a better approach is for the matter to be dealt with clearly and explicitly in the legislation itself, after appropriate consultation, rather than by the adoption of policy which is likely to be the subject of legal challenge. Such a challenge will focus on the correct meaning and interpretation of the Regulations, which ought to be unnecessary if the legislation itself was clear as to how it should be applied...For these reasons, I would generally favour clarification and simplification of the statutory scheme itself, rather than an attempt to cure any potential shortcomings in the Regulations by means of the issue of further policy guidance.*" (paragraphs 3.20 and 3.21 refer). Scoffield further states any challenge to the Regulations, if raised, would be generally on more limited grounds.

You will note the advice provided by [REDACTED], Crown Solicitors Office, that [REDACTED]  
[REDACTED]  
[REDACTED]

Peter

MEMORANDUM

FROM: Peter Gilleece  
TO: Barney McGahan, Interim Chief Executive  
Cc:  
DATE: 20 May 2015  
SUBJECT: Requests for payment of interest on back payment of arrears

---

Barney

I have received a request from a former officer's representatives (Mr [REDACTED] is deceased) to pay interest at 8% on any arrears paid to their client following implementation of the Scofield recommendations.

In this case the former officer made a retrospective application for an Injury on Duty Award and was successful in [REDACTED]. The former officer's award was implemented from [REDACTED] (when he retired), however, as he had passed his 65<sup>th</sup> birthday in [REDACTED] his award of Band 2 was reduced to Band 1 by the SMP from this date.

In line with Recommendation 19 of the Scofield report Mr [REDACTED] representatives are seeking Band 2 from [REDACTED] to the present date with interest. [REDACTED]

The payment of arrears comes from the PSNI budget, however, if interest were paid it would fall to the Board (estimated at £300). The interest rate is 0.5% rather than 8% as requested, in line with Pensions Ombudsman past rulings ([REDACTED] and [REDACTED] refer).

In a similar case, [REDACTED]

[REDACTED] Following the aforementioned Pensions Ombudsman cases [REDACTED] sought interest on the payment. Under Internal Dispute Resolution Procedure I agreed to pay the interest as I believed it would be highly likely that the Pensions Ombudsman would direct the Board to pay the interest along with a sum for distress and inconvenience (usually between £300-£500) if [REDACTED] pursued with his complaint to their office.

A number of letters have also been received from those officer affected by the reviews at age 65, who whilst agreeing to reconsideration are similarly seeking interest on any arrears awarded. It is estimated if the 47 officers were restored to their pre-review banding the cost of arrears will be approximately [REDACTED] If the Board were to agree to payment of interest in these cases it would be in the region of [REDACTED]

I would be grateful for your views as to how we should proceed.

Peter

[REDACTED]

---

**From:** Peter Giliece  
**Sent:** 22 May 2015 17:35  
**To:** [REDACTED]  
**Cc:** [REDACTED] Barney McGahan  
**Subject:** FW: Letter for Barney's approval to issue  
**Attachments:** B McGahan Stakeholders - consultation on assessment policy.tr5; B McGahan Stakeholders - consultation on assessment policy.DOCX; Board policy on the assessment of degree of disablement (2006 Regulations).tr5; Board policy on the assessment of degree of disablement (2006 Regulations).DOCX

[REDACTED]

I'm happy to approve but Barney should have sight of this letter in advance.

Peter

**From:** [REDACTED]  
**Sent:** 21 May 2015 14:30  
**To:** [REDACTED]  
**Subject:** FW: Letter for Barney's approval to issue

[REDACTED]

**From:** [REDACTED]  
**Sent:** 21 May 2015 14:29  
**To:** [REDACTED]  
**Subject:** FW: Letter for Barney's approval to issue

[REDACTED]

**From:** [Redacted]  
**Sent:** 21 May 2015 14:18  
**To:** [Redacted]  
**Subject:** Letter for Barney's approval to issue

Could you pass the attached letter to Barney for approval please?

It is intended the letter will be issued to the organisations who were consulted as part of the Scofield review and it will be published on the Board's website along with the draft policy for wider consultation.

Many thanks

[REDACTED]

---

**From:** Peter Gilleece  
**Sent:** 28 April 2015 15:48  
**To:** Barney McGahan; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Scofield recommendations - action plan  
**Attachments:** Scofield recommendations - action plan.DOCX.DOCX

Barney – please see attached comments

**From:** Barney McGahan  
**Sent:** 27 April 2015 17:04  
**To:** Peter Gilleece; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Scofield recommendations - action plan

Folks, please see my first attempt at updating the Action Plan in light of our discussions on Friday. Happy to receive any and all comments and suggested changes.

Thanks.  
Barney

## **NORTHERN IRELAND POLICING BOARD**

**MINUTES OF THE HUMAN RESOURCES COMMITTEE MEETING HELD ON  
THURSDAY 14 JUNE 2012 AT 2.00PM IN WATERSIDE TOWER, BELFAST**

### **PRESENT:**

#### **MEMBERS**

Mr Trevor Lunn (Chairperson)  
Mrs Joan O'Hagan (Vice Chairperson)  
Mrs Anne Connolly  
Mr Ross Hussey  
(1) Mr Ian McCrea  
Ms Caitriona Ruane

#### **PSNI IN ATTENDANCE:**

(2) Mr Michael Cox, (Deputy Director of Human Resources)

#### **CRIMINAL JUSTICE INSPECTION NORTHERN**

(2) Mr Brendan McGuigan, (Deputy Chief Inspector)

#### **IRELAND IN ATTENDANCE:**

(2) Mr James Corrigan

#### **OFFICIALS IN ATTENDANCE:**

(3) Mr Edgar Jardine (Interim Chief Executive)  
(4) Mr David Jackson, (Director of Planning,  
Performance & Partnerships)  
Three Board Officials

- (1) Item numbers 1 – part item 7
- (2) Part item number 6
- (3) Part item number 2 to close
- (4) Item number 1 – part item 6

### **1. APOLOGIES, ETC**

Apologies were received on behalf of Mr Stuart MacDonnell, who was representing the Board at a Modernising Justice Conference in London. NOTED.

The Chairperson asked Members to declare any conflicts of interests arising from the agenda. No conflicts of interests were declared.

### **2. DRAFT MINUTES OF THE MEETING OF THE HUMAN RESOURCES**

## **7. POLICE PENSIONS – ACTIONS TAKEN BY OFFICIALS UNDER DELEGATED AUTHORITY FROM THE COMMITTEE**

The Committee noted the content of a paper which:-

- Advised Members of recent actions which had been taken by officials under delegated authority to carry out the Selected Medical Practitioner's (SMP) decisions;
- Made Members aware of the decisions on appeals reached by Independent Medical Referees (IMRs) appointed by the Department of Justice (DOJ).

It was:-

### **RESOLVED:**

- To ratify all actions taken by officials in accordance with delegated authority;
- To approve a policy that a former officer must request a possible referral back to the Independent Medical Referee (IMR) within 3 months of being advised in writing of the IMR's decision. This time limit may however not be imposed in special circumstances such as a SMP/IMR decision which is deemed to be unlawful.
- To delegate authority to Officials to manage such requests.

Members noted the summary of SMP Patient Satisfaction Forms completed from 1 April to 30 September 2011 and that there has been extremely positive feedback in the first six months of the new contract. NOTED

It was:-

### **AGREED:**

That the Committee should be provided with details of the number of cases submitted for ill health pensions in addition to the number approved.

**Barney McGahan**  
Interim Chief Executive

Date: 26 May 2015

Mr XXX

Dear Stakeholder

I write seeking your views on the Board's draft revised policy for the assessment of 'degree of disablement'. A copy is enclosed for your consideration.

In line with the recommendation made by Mr David Scoffield QC in his report, the Board has amended its policy on the assessment method to be adopted in order to make the process simpler for medical practitioners.

The medical practitioner will now be asked to provide their best judgement on the impact of an officer/former officer's disablement on their earning capacity, which will be reflected in the determination of which banding (slight, minor, major or very severe) is most appropriate.

The revised policy will be applied to all assessments by the medical practitioners, including new applications and reviews. It is also the Board's intention that the new policy should be used by the medical practitioners as part of the reconsideration of former officers' cases, where they were assessed on reaching 65 years of age and reduced in banding.

A copy of the draft assessment policy has been published on our website for public consultation over a 4 week period and will be issued to other stakeholders who participated in the Scoffield review.

Following receipt and consideration of all responses it is hoped the Board will be in a position to make referrals within 10 weeks. However, this will be subject to a screening of the final policy for equality impact assessment, in line with Section 75 of the Northern Ireland Act 1998.

I look forward to receiving your comments, to be provided no later than 12:00pm on 22 June 2015.

Yours sincerely



**BARNEY MCGAHAN**  
Interim Chief Executive

267697



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number:** FOI 31/2015

**Date:** 26 June 2015

**Request:**

### FOI 31/2015

1. Details of all internal meetings held by and restricted to NIPB Officials in NIPB relating to Injury Benefit Awards following the SCOFFIELD review/report. Please identify specific dates and provide full copies of agendas and minutes for each meeting. Also copy of all contemporaneous notes made by all Officials in attendance at the meetings.
2. Copy of all correspondence/documents exchanged between the Interim CEO NIPB and the Director of Policy NIPB relating to the Scoffield review and in particular intended reconsiderations of those IOD retirees unlawfully reviewed at 65 years. Nothing should be withheld.
3. Identify the total number of IOD retirees who had their benefit unlawfully reviewed when they reached 65 years since year 2007 to date.
4. Confirm NIPB Officials responsible for issuing recent letters to IOD retirees inviting applications for reconsideration under Regulation 31(2), have acted under delegated authority from the Policing Board. Please attach a copy of the document giving such authority or advise from whom and when any verbal authorisation was received by Board Officials to so act.
5. Please confirm which stakeholders, if any, were consulted before the recent letters were sent out to IOD retirees inviting consent for reconsideration under Regulation 31(2) of the Injury Benefit Regulations 2006. Please also confirm total number of such letters sent out to IOD retirees to date, and how many further letters will be sent when NIPB has confirmed correct addresses.
6. Please confirm if any meeting(s) has been arranged between the CEO NIPB and NIRPOA to discuss the Scoffield review and in particular the intended reconsiderations of IOD retirees unlawfully reviewed at 65 years, and date(s) for any such meeting(s).

**Answer:** On 29 May 2015 in our initial response to you the Board advised that the exemption at section 36 (2) (c) of the Freedom of Information Act (Prejudice to the Effective Conduct of Public Affairs) applied to the requested information.

Section 36 requires that, other than for statistical information, the qualified person for the public authority must give their reasonable opinion that the exemption is

engaged. The qualified person for the Board is the Chief Executive. A submission using the ICO document entitled 'Record of the qualified person's opinion' was made to the Interim Chief Executive on 29 May 2015 and he provided an opinion that the exemption at Section 36 (2) (c) was engaged.

In our correspondence to you dated 29 May 2015 we also advised that Section 36 is a qualified exemption and, as such, is subject to a Public Interest Test. We further explained that we needed additional time to fully consider a Public Interest Test in relation to the information requested.

The Board has now completed its deliberations to determine if, in all the circumstances of the case, the public interest in maintaining the Section 36 exemption outweighs the public interest in disclosing the information

In the circumstances of these requests the Board has determined that at this time the public interest in maintaining the exemption outweighs the public interest in disclosure, and therefore the requested information is not being released.

A copy of our public interest test document is enclosed for your 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 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: - 02890 269 380  
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.

## **FOI 31/2015 – Section 36 Exemption “Effective Conduct of Public Affairs”**

### **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 requested by the applicant**

#### **FOI 31/2015**

1. Details of all internal meetings held by and restricted to NIPB Officials in NIPB relating to Injury Benefit Awards following the SCOFFIELD review/report. Please identify specific dates and provide full copies of agendas and minutes for each meeting. Also copy of all contemporaneous notes made by all Officials in attendance at the meetings.
2. Copy of all correspondence/documents exchanged between the Interim CEO NIPB and the Director of Policy NIPB relating to the Scoffield review and in particular intended reconsiderations of those IOD retirees unlawfully reviewed at 65 years. Nothing should be withheld.
3. Identify the total number of IOD retirees who had their benefit unlawfully reviewed when they reached 65 years since year 2007 to date.
4. Confirm NIPB Officials responsible for issuing recent letters to IOD retirees inviting applications for reconsideration under Regulation 31(2), have acted under delegated authority from the Policing Board. Please attach a copy of the document giving such authority or advise from whom and when any verbal authorisation was received by Board Officials to so act.
5. Please confirm which stakeholders, if any, were consulted before the recent letters were sent out to IOD retirees inviting consent for reconsideration under Regulation 31(2) of the Injury Benefit Regulations 2006. Please also confirm total number of such letters sent out to IOD retirees to date, and how many further letters will be sent when NIPB has confirmed correct addresses.
6. Please confirm if any meeting(s) has been arranged between the CEO NIPB and NIRPOA to discuss the Scoffield review and in particular the intended reconsiderations of IOD retirees unlawfully reviewed at 65 years, and date(s) for any such meeting(s).

### **Arguments in favour of disclosure of the requested information**

1. Release of the requested information would be in keeping with the overall spirit of the FOIA, and by doing so may also help inform the requestor about the procedures and practices currently operating within the Board regarding the operation of the Injury on Duty Award scheme and the ongoing work to seek to implement the recommendations arising out of the Scoffield report.
2. The issues surrounding the Board's operation of the Injury on Duty Award scheme and the Scoffield report recommendations are very much live and current and are generating significant debate amongst interested parties. The increased level of communication

received by the Board from individuals, political representatives and stakeholder organisations also highlights that the topic is of interest to certain sections of the general public.

### **Arguments in favour of engaging the exemption and withholding the requested information**

1. It is believed that if the requested information was placed into the public domain at this time it would result in a significant number of follow up enquiries being submitted by this requestor. This would place an additional burden on Board officials who would be tasked to handle this correspondence and as a result would also have a detrimental effect on the Board's ability to progress the Scofield report and also offer an effective service around its core objectives not only in terms of managing the Police Pension and Injury on Duty functions but other key work areas within the Board.
2. It is also believed, based on the level of correspondence the Board has received on this issue to date from individuals, political representatives and various stakeholder organisations, that the release of the requested information at this point in time would be likely to generate a significant and unsustainable increase in the volume of requests for information received by the Board. It is felt that this would place a significant additional burden on the Board and impact upon its ability to carry out its statutory functions.
3. Although the Board has agreed to implement the Scofield report recommendations, this is only one element of a wider review currently being undertaken by the Board into the administration of the IOD Award scheme. Therefore, it does not naturally follow that simply because of the adoption of the Scofield report that the time is also right to release the requested information into the public domain.
4. The volume of correspondence received by the Board from individuals, political representatives and various stakeholder organisations has significantly increased the work pressures placed upon the Board's Police Administration Branch. As has been previously stated, it is also believed that release of the requested information at this time would generate an unsustainable increase in the volume of requests for information received by the Board relating to IODs and the Scofield recommendations, which would only serve to exacerbate an already extremely difficult situation being faced by Police Administration Branch.
5. Release of the requested information at this time could impede and restrict the ability of officials to have the necessary 'free thinking space' to fully consider the issues surrounding the administration of the Injury on Duty Award process and the on-going discussions around the implementation of the Scofield recommendations.
6. Release of the requested information into the wider public arena at this time could also lead to interested parties amongst the general public and amongst elected representatives 'lobbying' the Board on certain IOD related issues and even perhaps on individual cases. This could in turn impede discussions currently on-going in relation to Scofield and could lead to the misrepresentation of key issues and raise the possibility of poor decision making in a critical area of the Board's business.
7. The release of this information is clearly of interest to this particular requestor, and may also be of interest to other individuals who have a direct involvement with the Injury on Duty process. However this is not the same as it being of interest to the wider general public which is what releasing this information under the FOIA is intended to be.

8. In order to be as open and transparent as possible in relation to the ongoing review of how Injury on Duty Awards are administered, a full copy of the Scofield report has already been published on the Board's website for all interested parties to view. In addition, the Board has also updated stakeholders on this process by way of a formal presentation from the Board's previous Chief Executive and through update letters, each of which can be accessed via the web link below;

[http://www.nipolicingboard.org.uk/index/our-work/pensions-and-administration/senior\\_counsel\\_review\\_of\\_injury\\_on\\_duty\\_awards.htm](http://www.nipolicingboard.org.uk/index/our-work/pensions-and-administration/senior_counsel_review_of_injury_on_duty_awards.htm)

This demonstrates that the Board is already fully committed to engaging with stakeholders and interested parties regarding the ongoing review process and its consideration of the Scofield recommendations.

## **Result**

Taking into account all of the deliberations above, it is felt that the public interest in engaging the exemption to withhold the information outweighs the arguments towards disclosure at this point in time.

As a result, the requested information should be withheld.