

**FOI 72/2015 - Appendix A**  
**NORTHERN IRELAND POLICING BOARD**  
**RESOURCES COMMITTEE – 26 NOVEMBER 2015**  
**POLICE PENSIONS – ACTIONS TAKEN BY OFFICIALS UNDER DELEGATED**  
**AUTHORITY FROM THE COMMITTEE**

**Purpose**

The purpose of this paper is to note a decision by officials under delegated authority relating to the administration of police pensions. The decision gave effect to recommendation 19 of the Scofield report for reinstatement of injury benefits for former officers whose banding had been reduced by virtue of attainment of a particular age.

**Background**

Members will be aware of the background to the issues relating to over 65's that was considered as part of the Scofield review of the Board's processes for payment of ill health pensions and injury awards. Scofield concluded that the approach of the Board (and the Department) to reviews of former officers in receipt of injury on duty (IOD) awards at age 65 was unlawful, and that any former officer who was reduced on review at 65 by virtue of his attainment of a particular age should be returned to their pre-review banding.

**Detail**

The Board committed to rectifying this position for the former officers concerned and Identified 47 cases that need to be corrected and dated from April 2008 to February 2013. Under delegated authority officials have begun to process re-instatement in the 47 cases to the former banding to rectify this matter and pay interest on arrears and a compensation payment of £500 per case in line with the Pensions Ombudsman's normal convention. The rationale for that decision is outlined in the points below:

- The initial referrals in these cases were unlawful;
- There is case precedent for this and it has been confirmed by David Scofield;
- The Board must find a way to rectify matters;
- The Pension Ombudsman has found against the Board in a number of cases, and will continue to do so for every case referred to his office;
- SMP has indicated that all the cases referred to his office in October were previously reduced purely because of age (which is what has been found to be unlawful);
- Continuing to pursue this matter procedurally will incur significant cost to the Board in terms of money, processing time and adverse publicity; and
- The Board's continuing failure to satisfactorily resolve this matter in a timely manner continues to cause great stress and hardship to the former officers involved.

**General Considerations**

- i. **Resources** – the Board is responsible for interest and compensation payments which will be in the region of £30k which can be met from the budget. PSNI will meet the full cost of arrears.
- ii. **Equality and Human Rights** –None.
- iii. **Freedom of Information** - This paper may be disclosable under Freedom of Information and there are no immediate media issues.

**Recommendation**

Members are asked to note the decision in relation to reinstatement of former officers whose injury benefit was reduced at age 65.

**Police Administration**

**Date: November 2015**