

Management of Ill Health Protocol

1. Derbyshire Constabulary and the Police Authority recognise the need to retain skilled and experienced officers who are still able to make a valuable contribution to the Police Service. Consideration of medical retirement will continue to be an option only once all other alternatives have been explored.
2. A major consideration will continue to be the operational resilience of the Derbyshire Constabulary which will form an important part of any decisions taken in relation to retention of police officers.
3. The management of ill health cases will continue to rest with individual line managers in liaison with local HR Managers. Divisional and Force Case Conferences will assist in the management of these cases and provide specialist advice where appropriate.
4. The following delegation levels under Police Pension Regulations will apply:-
 - Police Authority Authorities under Regulation H1 to H7
(Appeals & Medical Questions)
Delegated to Head of HR (or their nominated deputy)
 - Police Authority Authorities under Regulation K1 – K5
(Revision & Withdrawal & Forfeiture of Awards)
Delegated to Head of HR (or their nominated deputy)
 - Chief Constables' Authority to produce a report on the retention of officers under Regulation A20
(Compulsory retirement on the grounds of disablement)
Delegated to Deputy Chief Constable
 - Police Authority Authorities under Regulation A20
(Compulsory retirement on the grounds of disablement)
Delegated to the Chief Constable.

5. The decision to refer a case to the Selected Medical Practitioner (SMP) under Police Pension Regulations rests with the Head of HR (or his nominated deputy). Where the decision is taken to refer, the views of the HR Manager, previous management action in relation to the case and the views of the Force Medical Advisor (FMA) will be included in the referral. The FMA will be asked to include whether he is satisfied that there is a medical issue to consider, if this has not already been provided.

Where an individual asks for referral under Regulation H1 this will be actioned in accordance with Police Pension Regulations, Home Office Guidance & PNB Circular 10/4. However, prior to referral the Head of HR will ask the Head of Manager Services to undertake a file review as outlined above.

6. The local HR Manager will have responsibility for ensuring that the progress of their H1 cases are monitored and dealt with expeditiously. They will have responsibility for ensuring that line managers and officers are kept informed of the progress of their cases.
7. The SMP for the purpose of Police Pension Regulations will be Dr Sampson, Fellow of Australasia Occupational Medicine. (It may be necessary to refer to another SMP in exceptional cases, where this necessary discussion will take place with EMCHR – Occupational Health Unit who will be able to provide advice on suitably qualified and experienced Occupational Health Physicians.)
8. The Force Medical Advisor (FMA) for the purposes of managing ill health will be Dr Booth, AFOM
9. Where a case has previously been referred to the SMP under Regulation H1 a further referral will only be made if the FMA considers

that there is fresh medical evidence which could lead to a substantive revision of the previous decision under Regulation H1 or H2.

10. The Head of HR (or his nominated deputy) will take advice from the FMA on cases that due to the number or complexity of medical issues, it is considered advisable to refer to a board of two or more doctors, rather than the Selected Medical Practitioner.
11. The Head of HR (or his nominated deputy) will have responsibility for ensuring that appeals are considered in accordance with Police Pension Regulations, Home Office Guidance and PNB Circular 10/4
12. Where action is being taken under Regulation A20 of the Police Pension Regulations, the following procedures will apply:-
 - Where an officer is assessed as being permanently disabled the Deputy Chief Constable will prepare a report to the Chief Constable with details of the officer's case and a recommendation of whether the officer should be retained under Regulation A20.
 - A copy of this report will be sent to the officer who will be provided with 28 days to comment on its content.
 - Once the officer's comments are received or after 28 days if the officer choose not to comment, the file will be submitted to the Chief Constable for consideration.
13. Where the Chief Constable agrees to medical retirement, the officer will be informed of this decision as soon as possible and the reasons for medical retirement provided to the officer. If the decision is taken to retain the officer, they will be informed as soon as possible and if a risk assessment has not already been undertaken this will be progressed to ensure any reasonable adjustments are provided in relation to the officer's deployment.

14. Where an officer who is to be medically retired applies for an injury award under Regulation H1 a request will be made for the officer to submit statement of case. This will not be necessary where there is sufficient evidence held on file to provide relevant information to the SMP to verify the circumstances of the application.
15. The injury award application will be forwarded to the FMA in the first instance to ensure that relevant medical records are forwarded to the SMP.
16. The assessment of earnings information will be considered by a member of the HR team and the views of the Police Federation and NARPO will be taken into consideration in relation to the sourcing of potential jobs as part of this process.
17. The assessment of earnings will then be submitted to the SMP for consideration of the relevant banding if an injury on duty award is found to have occurred.

Appeal Process

18. The Head of HR (or his nominated deputy) will have responsibility for ensuring that appeals to the H1 process are considered in accordance with Police Pension Regulations, Home Office Guidance and PNB Circular 10/4

Monitoring Information

19. Information on the number of referrals under H1 and the number of officers retained under Regulation A20 will form part of the HR Well Being Report provided to the Police Authority.