

NATIONAL ATTENDANCE MANAGEMENT FORUM

Friday, 5th December 2014 from 10.30 AM

To be held at Tally Ho! Pershore Road, Birmingham. B5 7RN

AGENDA

1. Welcome and Introductions
2. Minutes of the meeting held on 5th September 2014
3. Matters arising
 - 3.1 Update from the Home Office (Harriet Mackinlay et al)
 - The 2014 Injury Benefit Regulations
 - The 2015 Police Pension Scheme
 - 3.2 Update on fitness testing - operational experiences & anecdotes (Around the Room)
4. Interactive Group Session on 'Managing Occupational Health Demand'
5. POLKA Presentation & Future Usage by NAMF (Ace Williams)
6. Restricted Duties
 - 6.1 Home Office Update (Harriet Mackinlay)
 - 6.2 Update from the 'Winsor' Working Group (Lorraine Busby-McVey)
 - 6.3 Discussion / agreement of the way forward (Around the Room)
7. Injury Awards
 - 7.1 Update on College of Policing Commission on Ill Health Retirements & Injury Awards (Matt Johnston)
 - 7.2 Legal Case Update (Caroline Neadley / Paul Barker)
 - 7.3 Update on proposed Injury Award Working Policy (Adrian Henson on behalf of Ainsley Mitchell)
 - 7.4 Update on contact with the Pensions Ombudsman (Chris Rowson / Ashley Judd)
 - 7.5 Reviews - the National Picture & a 'Best Practice' process (Trevor Forbes / Liz Eades)
8. Delegate Items (Around the Room)
 - 8.1 Police Pension Scheme 2015 - Governance Arrangements (Around the Room)

Refreshments will be available on arrival, with lunch being served at approximately 12.30

2015 Meeting Dates at Tally Ho! for your diaries

Friday 27th March, 5th June, 4th September & 4th December

NATIONAL ATTENDANCE MANAGEMENT FORUM

QUARTERLY MEETING

HOSTED BY WEST MIDLANDS POLICE AT TALLY HO! BIRMINGHAM

FRIDAY 5th DECEMBER 2014

1) Welcome

Chris Rowson opened by welcoming everyone to the meeting, and particularly colleagues from Scotland and Thames Valley, who are attending for the first time.

Chris went on to advise of two imminent departures, Ashley Judd from Lancashire at the end of the year and Adrian Henson from Northants in March. Chris thanked both for their support of NAMF and Adrian was presented with a tankard in recognition of his work as Secretary to the Forum in recent years, which was received with very grateful thanks.

With the departures of Ashley and Adrian, nominations were sought for the posts of Assistant Chair and Assistant Secretary to support Chris and Kath Thomas respectively moving forward. Paul Barker (Humberside) and Jan Wainwright (South Wales) kindly agreed to take on these roles.

2) Minutes of the Meeting held on 5th September 2014

Were confirmed to be a true and correct record.

3) Matters Arising

3.1 Update from the Home Office

Harriet Mackinlay introduced her colleague, Sara Soleymani, who has taken over from Joe Whittle and is working on the new 2015 Police Pension Scheme. Sara will attend future meetings to advise on developments in the lead up to implementation in April. Sara advised that consultation is about to conclude and that it is hoped that guidance to both employers and employees will be published at the end of Jan / early Feb. Sara has also issued several e-mails in recent weeks about changes to payroll systems necessary to accommodate the provisions of the new scheme and Forces were reminded to ensure that their respective payroll departments / administrators are aware and taking appropriate action. Finally mention was again made of the requirement for the establishment of a Pension Board under the new scheme to assist each chief officer as the designated 'Scheme Manager' and a brief conversation followed around this.

Those present were also advised that work on the new Injury Benefit regulations was continuing and these are expected to come into effect at broadly the same time as the new PPS.

3.2 Update on Fitness Testing

An around the room discussion took place, with the broad picture emerging of relatively low failure rates and longer serving female officers being the highest group. Differences in approach as to how failures are addressed are apparent and it was agreed that members be requested to supply statistical data to aide future discussions by the completion and return of the form contained in Appendix 1. **These should be completed and returned to Chris Rowson in the first instance.** The results and implications thereof will be discussed at the next meeting.

4) **Interactive Group Session on ‘Managing Occupational Health Demand’**

Chris Rowson introduced this session by asking members to consider ideas /examples of situations where OH demand has been managed down through the provision of better information, data / analysis, changes in the criteria for assessing services etc.

A summary of the thoughts and views expressed has been kindly collated by Ashley Judd and are attached as Appendix 2 to the minutes.

5) **POLKA Presentation & Future Usage by NAMF**

Ace Williams advised that the NAMF community has now been created and **members are requested to respond to invitations that will be issued by Ace following this meeting, to join by the end of the year. Adrian** will supply a list of the current members to Ace in this respect. It is intended that future communications between meetings will be via POLKA rather than through the Secretary from the year end **onwards so prompt action in this regard is essential.**

Following discussion, it was confirmed that access to the community plus the information contained thereon should be restricted to members, though it is appreciated that this is still subject to Freedom of Information requests. It was also agreed that historic minutes plus also relevant NAMF documents (e.g. Guidance on Injury Awards) will also be uploaded as a permanent place of reference.

It is appreciated that access will be an issue for those members with a **non pnn e-mail address**, and **those affected are requested to contact Ace** in the first instance. It is appreciated that this issue will be resolved when POLKA may be accessed via the internet in circa 18 months’ time, but consideration needs to be given to an interim solution.

Ace will supply an update to members on these matters at the next meeting.

6) **Restricted Duties**

A verbal update was kindly supplied by Harriet Mackinlay (Home Office) and a written summary will follow.

7) **Injury Awards**

7.1 **Update on College of Policing Review of Ill Health Retirements, Injury Awards & PMAB Appeals**

Matt Johnston (College of Policing) thanked members for their individual and collective contributions, and is still receptive to receiving any further thoughts that occur. Work is now in hand on draft findings for circulation to the steering group and then the PAB on 22 January.

7.2 **Legal Case Update**

Paul Barker (Humberside) kindly supplied members with an update on two cases that are to be found on the Pensions Ombudsman’s website as follows:

1) An LGPS case, Gartland v Durham County Council (DCC)

Mr Gartland had made an appeal against DCC after their refusal to agree to the early payment of his deferred pension on grounds of ill health. The PO directed that a new IRMP must be appointed after DCC had ‘blindly’ followed the opinion of original the IRMP (rather than using this as part of their decision making) and that the IRMP had stated that the

claimant had not exhausted all treatment options but had not elucidated on what those options might be.

2) A PPS case, Hughes v West Yorkshire Police Authority (WYPA)

Mr Hughes' injury award was reviewed, initially, by WYPA applying the erroneous Home Office guidance regarding the downgrading of awards at the age of 65. As case law developed they then reverted to the correct regulatory procedure. Whilst the PO criticised WYPA for not informing the claimant that his award would be subject to periodic review, he found that this had been in fact to his advantage. However WYPA should not have informed the claimant that he could not appeal against the decision of the PMAB, when they should have told him that a reconsideration of his case could transpire under regulation 32(2), if both parties agreed. He emphasised, however, that there was no obligation to agree.

Readers should refer to PO website for full details.

7.3 Update on NIPB Senior Counsel Review of Administrative Processes

Adrian Henson advised, in the absence of Ainsley Mitchell, that the report that is marked 'legal privilege', is still being discussed at local level and as such he cannot release its content to NAMF yet. Ainsley will advise us when this is the case. Ainsley also advised that it is unlikely he will be able to attend NAMF in the immediate future and Peter Owens agreed to take on the role of Chair of the proposed Injury Awards working group should the need arise.

7.4 Update on contact with the Pensions Ombudsman

Ashley Judd has now attended two meetings with the Ombudsman, a summary of which is given in Appendix 3. Following discussion, an invitation will be extended to the Relationship Manager covering the Police Service, Ken Buckley, to attend a future meeting – perhaps June 2015. Volunteers are sought for a small group representing NAMF to liaise with Ken on any specific issues (but not case specific) moving forward. **Expressions of interest to Chris Rowson please.**

7.5 Reviews – The National Picture and a 'Best Practice' Process

Trevor Forbes spoke around the results of his recent survey of the (previously circulated) NAMF membership. Most Forces have not recommenced and are awaiting the new regulations and / or clarification of the legal position around both the scope and process. It is hoped that an ongoing case involving Derbyshire may provide some clarity here.

Liz Eades (Surrey) then advised of their proposed process in fulfilment of a commitment given to review those award recipients who had been previously subject to review under Home Office Circular 46/2004. This is a several stage process including a pre assessment to determine whether a full review is warranted. This will commence shortly and Liz will update members on progress at future meetings.

8) Delegate Items

8.1 FOI Request re the NAMF SMP List

Lesley-Anne Knowles advised of this request and it was agreed that the release thereof under FOI should be resisted given that it is exempt in that it contains the personal addresses of those concerned.

Dates of remaining 2015 Meetings at Tally Ho!

Friday 27th March, 5th June, 4th September & 4th December