

Staffordshire Police Pension Board Meeting 1000hrs Wednesday 6/12/2017 Weston Road Stafford.

Staffordshire NARPO wish to make the following submission to this Pension Board, and the Police Pension Authority [Chief Constable Gareth Morgan] to look again at how the review of IOD pensioners are being conducted.

NARPO bases this on the following points.

1. In a letter dated 7/7/2017 that the Chief Constable Gareth Morgan, sent to both Staffordshire NARPO and the Staffordshire Police Federation he stated that “the process would be fair, balanced and proportionate and done in a timely way”

NARPO does not believe these principles are being adhered to.

2. A recent legal opinion by David Lock Q.C. and subsequently reinforced by the ICO [Information Commissioners Office re a Northumbria Police case], confirms that IOD’s do not have to submit full medical records or provide other personal information if they do not wish to do so.

3. It follows from this fact that certain IOD’s are presenting themselves at a review with the SMP without providing this information. The SMP is either not conducting the review or conducting the review without undertaking any physical medical examination of the persons and then making decisions on their bandings, in nearly all cases reducing them. Although the Regulations are silent on physical medical examinations it seems beyond belief that the SMP can make medical decisions without an in-depth examination of the IOD person.

4. Evidence has come forward via a NARPO representative who accompanied an IOD person to a SMP review, that despite compliance with answering questions and providing medical information. The SMP is not carrying out a medical examination, but simply reducing the banding of the IOD person using the term “age accelerator” without giving a coherent explanation of what this actually means and how the term dovetails into IOD reviews. If reviews are to be carried out in this blanket fashion using the term “age accelerator” this in itself may amount to age discrimination.

5. The waters have been further muddied as the result of a letter the former Chief Constable of Staffordshire John Giffard forwarded to Chief Constable Sara Thornton the chair of the NPCC [National Police Chiefs’ Council on 6/11/2017.] When in her reply to the IODPA she states “ Forces are no longer conducting reviews of IOD Awards pending the issue of new guidance from the Home Office”. It is accepted by NARPO that this may be incorrect information, but it does not help the situation.

6. The questionnaire that Staffordshire Police has formulated particularly the last paragraph which refers to potential action being taken in respect of none compliance under the guise of the Fraud Act 2006 is seen as unnecessary and heavy handed. [Is this paragraph bespoke to Staffordshire or is it used by other Forces undertaking IOD reviews?]

7. NARPO has been working closely with the Staffordshire Police Federation over the issue of IOD reviews. NARPO will let Glyn Pattinson the Secretary update the Pension Board. Save to say that a number of legal advices are being progressed on behalf of NARPO members.

Mark Judson. [Chairman Staffordshire NARPO]