



How does the Pension Process work?

IT IS IMPORTANT THAT THIS FAQ IS READ IN CONJUNCTION WITH SEC CIRCULAR 07/2007

Since 2002 Guidance has been offered to the application of the Police Pension Regulations. New procedures have been introduced which ensure the independence of the scheme.

The Force *must* refer you to an Independent Selected Medical Practitioner if they are considering whether you are permanently disabled from the “ordinary duties of a constable”. The referral to the Selected Medical Practitioner can be either requested by the Force, or by the officer provided it is supported by suitable medical evidence. The Federation can assist you to get this if you feel that you should be referred.

The test on the Ordinary duties of a Police Officer is intended to be a robust one that includes physical activities such as arrest and restraint, running and walking reasonable distances, as well as physiological tests, such as understanding and managing information. The inability to do any one of the activities identified would render an officer permanently disabled from “ordinary duties”.

If after referral you disagree with the decision of the Selected Medical Practitioner you can appeal to a Police Medical appeal Board. You can get further advice on how to do this from the Federation Office. There are strict timescales to do this so it is essential that you contact the office as soon as you receive the report.

However, the fact that you may be permanently disabled does not automatically mean you will be retired. In fact quite the opposite is the case. The Pension Guidance, reinforced by the Disability Discrimination Act, places a presumption that officers unable to perform front-line duties should be retained in the service in other roles. This is a managerial decision based on the report of the Selected Medical Practitioner on an officer’s capability, the identification of a suitable post, and the completion of a suitable risk assessment. You are able to provide comments on your own wishes but ultimately it is a decision for management whether you are retained or retired. There is no appeal against this decision and the only challenge would be by Judicial Review if the decision to retain an officer were irrational.

If the decision is taken to retain you then you should be provided with a proper career pathway. Obviously if you are quite young in service this is even more important. For example just because you are disabled does not mean that you cannot be promoted. In fact the Disability Discrimination Act provides that an employer should positively discriminate for disabled people and identify roles that are particularly suitable for disabled people. If you were retained then good practice would be to have a career meeting with your line manager and personnel officer to discuss how your future career can be structured and managed. We would encourage you to request such a meeting.