



Meeting	SPA People Committee
Date	29 August 2023
Location	MS Teams
Title of Paper	Ill Health Retirement and Injury on Duty Review Update
Presented By	Jackie Kydd, Workforce Governance Lead
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

This purpose of this paper is to provide an update to Members of the People Committee on the review of the Ill Health Retirement (IHR) and Injury on Duty (IoD) award processes.

This update relates specifically to the handling/administration of processes and summarises improvements made in this area.

1 BACKGROUND

- 1.1. The Authority, in conjunction with Police Scotland, initiated a piece of work to review the Ill Health Retirement (IHR) and Injury on Duty (IoD) award processes in late 2019, prior to the Covid-19 pandemic.
- 1.2. Two strands of work have been taken forward under this review:
 - The legal arrangements underpinning the processes, reporting to the Legal Committee; and
 - The approach, communication, governance and approval arrangements underpinning the processes, reporting to the People Committee.
- 1.3 Throughout 2020 and 2021, as a result of the pandemic, appointments with Selected Medical Practitioners (SMP) were severely curtailed or unable to go ahead. In addition, there were significant delays in receiving the necessary information from GPs and other relevant NHS specialists to progress cases.
- 1.4 Previous reports to the People Committee in February and May 2023 outlined earlier improvements that had been identified and implemented, including:
 - Enhanced communication prior to approval between Police Scotland and the Authority;
 - A senior People & Development (P&D) resource to oversee processes and report on risks and gaps;
 - Improvements in the recording and monitoring of cases and timeframes throughout both processes;
 - The offer to officers of a meeting to meet their P&D point of contact and discuss the application process;
 - Ensuring all required information is submitted in advance of the SMP appointment;
 - The recruitment of 5 additional SMPs; and
 - Additional SMP appointments from January 2023 to reduce processing timescales.

2 CURRENT POSITION

- 2.1 A 6 month trial commenced in May 2023 to fast-track IHR cases to Police Scotland's Director of People and Development. Officers that are suitable for this process require to have been assessed by the SMP as being permanently unfit for both Police Officer duties and

regular employment, with all the six key capabilities being permanently affected. This criterion determines that the officer is not suitable to be considered for redeployment and therefore their case does not have to wait to be discussed at a posting panel (which considers redeployment opportunities across Police Scotland) for a decision to be made. This reduces the length of the process for the officer. Feedback will be sought from stakeholders to evaluate the success of this trial.

- 2.2 An interim process change has been introduced with SMPs conducting IoD determinations without the need for face-to-face appointments. This has reduced the waiting times for these cases to be finalised and removed the requirement for officers to recount their circumstances, which was described by some as re-traumatising in their evidence to the Criminal Justice Committee. The option for a face-to-face appointment is still available if desired. A paper outlining the proposal to have IHR and IoD considered simultaneously is being presented to the Scottish Police Consultative Forum as outlined below.
- 2.3 At the end of Quarter 1 there were 65 IHR cases and 53 IoD cases waiting to be progressed. This is a further reduction from the numbers reported in the 2022-2023 year-end Wellbeing report. These figures are inclusive of new applications received since 1 April 2023.

3 NEXT STEPS

- 3.1 An Authority/Police Scotland joint paper is being presented to the Scottish Police Consultative Forum (SPCF) on 31 August 2023 to discuss and consider further changes to the IHR and IoD processes.

The changes being proposed are:

- Changes to the current process to enable SMPs to consider applications for IHR and IoD awards simultaneously. Payments of IoD are currently backdated to the date of retirement so this change would not result in any additional cost.
- The establishment of a working group to review current guidance, which was agreed in 2010 and predates the creation of Police Scotland and the Authority. This will allow for simplification, updating and reflecting on the impact of new or changed regulations.

- 3.2 The Scottish Police Federation have been involved in positive discussions relating to the changes being proposed and will continue to be fully consulted.

3.3 Following the steps outlined above, where changes are required to guidance or Regulations, legal advice will be sought, and consultation and governance procedures will be followed.

3.4 An internal audit on IHR and IoD is currently underway, and the findings from this will be shared with the Committee as soon as possible following the conclusion of the audit.

4 FINANCIAL IMPLICATIONS

4.1 There are no financial implications directly associated with this report.

5 PERSONNEL IMPLICATIONS

5.1 There are personnel implications associated with this report as outlined throughout.

6 LEGAL IMPLICATIONS

6.1 There are legal implications associated in this report as outlined throughout.

7 REPUTATIONAL IMPLICATIONS

7.1 There are potential reputational implications in this report. The reputation of the Authority may be damaged if applications for IHR/IoD are not managed appropriately.

8 SOCIAL IMPLICATIONS

8.1 There are no social implications in this report.

9 COMMUNITY IMPACT

9.1 There are no community implications in this report.

10 EQUALITIES IMPLICATIONS

10.1 There are equality implications in this report. The intention of the proposed changes are intended to have a positive impact on officers progressing through the IHR/IoD process. Any broader review of the PNB guidance will be supported by an EqHRIA.

11 ENVIRONMENT IMPLICATIONS

11.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to:

- Note the information contained within this report.