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7 November 2008

Dear Colleague

POLICE PENSIONS CIRCULAR No 2008/4
THE POLICE PENSIONS SCHEME MEDICAL APPEAL BOARDS- NEW CONTRACTOR.

This circular should be brought to the immediate attention of force personnel officers, Human Resource Managers and the Pension Managers and administrators of the Police Pension Schemes.

Police Pensions Circular 2008/2 confirmed that the contract to provide medical appeal boards was due to end on 30 September and that Scottish appeals were to be included in a tender exercise managed by the Home Office to award a new contract. Police pension administrators were notified on 26 September that the new contract was due to commence from November and that any appeals due to be sent from 30 September should be held pending the award of the new contract. This circular confirms details of the new contractor and the procedures police authorities will need to follow in submitting medical appeals.

The new arrangements outlined in this circular are for medical appeals arising from the Police Pension Regulations 1987 (PPS), the Police Pensions (Scotland) Regulations 2007 (NPPS) and the Police (Injury Benefits) (Scotland) Regulations 2007. From 10 November 2008 the contractor for the provision of appeal boards will be **Health Management Limited (HML)**, who will also provide and administer boards for officers in England and Wales. The Circular also sets out arrangements for the provision of boards, which will apply until 31 January 2009.

Summary

The following are the key points about the new arrangements:

- The appointment of a new provider does not affect the legislation, guidance and procedures for police medical appeals, which remain unchanged.
- The duration of the contract is three years, with provision for two one-year extensions to bring the term of the contract to five years in total.
- The standard charge for a three-member board provided by HML is £6,200 (exclusive of VAT).
- HML will send invoices direct to Police Authorities.
- The contract with HML formally begins on 10 November 2008
- There are no cases to transfer over to HML from BUPA. BUPA will complete all cases that were held as at 30 September.
- The locations for boards will, at least for the initial period of the contract, be the same as at present.

Background to contract award.

HML have been appointed as the new provider following a tender exercise carried out by a panel consisting of representatives from the Home Office, the Scottish Public Pensions Agency, the Association of Police Authorities, the Association of Chief Police Officers, the Association of Chief Police Officers (Scotland), the Police Federation of England and Wales, the Scottish Police Federation and the Metropolitan Police.

The Home Office are arranging a programme of training for the board members provided by HML and are planned to be held later this month. The training will include visits to forces and contact with local Police Federation representatives. Some of the board chairs and seconds who will sit on the HML boards have undertaken this role previously as part of the previous Home Office contract with Capita. This will ensure key experience is provided for those roles.

As indicated in the Summary, the appointment of HML has not changed the regulations or the guidance relating to medical appeals although the latter will require to be updated to reflect HML as the new provider. There are however changes in how appeals should be submitted and the forms to be used and the changes are outlined in **Annex A**. The most significant change is that appeals will now be issued direct to HML rather than via SPPA.

All new appeals should be sent to HML with immediate effect. The address for papers and other contact details for HML are set out at Annex B.

Costs and payments

The scale of HML's charges is set out at **Annex C**. The structure is much the same as at present, including a sliding scale of charges for appeals postponed, cancelled or adjourned without adequate notice of at least 21 calendar days, unless there are exceptional reasons. The charges are fixed for the first two years of the contract and for the third year will increase in line with the index specified in **Annex C**. The level of charges will be reviewed prior to any extension to the contract.

The standard charge for a three-member board provided by HML is comparable to that previously charged by BUPA and that currently charged for firefighter medical appeals.

HML's charge will be reduced if it fails to meet either or both of the following targets:

- An overall target that the report will be sent to the police authority and the appellant within 16 weeks of the HML's written receipt of the appeal case papers.
- A post-hearing target that the report will be sent to the police authority and the appellant within ten working days of the appeal hearing. In extenuating circumstances (i.e. where there is a need to obtain further information from a force or third consultant, or a Board member is not available to sign), this target will be extended to 15 working days.

The reduction will be as follows:

- Failure to meet the overall target will result in a 5% reduction in the fee
- Failure to meet the post-hearing target will result in a 5% reduction in the fee
- If neither target is met there will therefore be a total reduction of 10% in the fee.

Charges for the provision of appeal boards will continue to be paid by the police authority. As at present a police authority may seek payment or part payment of any fee resulting from a frivolous or vexatious appeal or where, as a result of the appellant's request, a fee has arisen due to a late withdrawal or postponement. This continues to apply where the late request was not outside the appellant's control or if there were no exceptional reasons for the delayed request. Each party to the appeal will meet their own expenses of attending the board. If the appeal is successful, the police authority will refund to the appellant his or her reasonable expenses in attending the board.

HML will send invoices direct to the police authority. Police authorities should liaise with the HML contacts at **Annex B** to set up invoicing and payment arrangements. In particular police authorities should set HML up as a supplier on their payment system and should notify HML of the postal address for sending invoices (HML have a full list of medical appeal contacts in police authorities, but they also need to know where to send invoices, if different).

HML will provide management information to the Home Office and SPPA and will also provide information showing the extent to which it has met agreed Key Performance Indicators. Some of the information will be based on responses to questionnaires issued to the parties to an appeal at hearings. Key management information will be placed on the Home Office and SPPA websites. There will be regular meetings with HML and as part of

that process it would be useful to receive feedback at any time on how boards are operating. Any feedback should be sent to the SPPA.

If you have any queries regarding the content of this circular then please do not hesitate to contact either myself (01896 893231 or by e-mail to james.preston@scotland.gsi.gov.uk) or Dorothy Hamilton (01896 893224 or by e-mail to dorothy.hamilton@scotland.gsi.gov.uk).

Yours sincerely

Jim Preston
Pensions Manager



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Annex A New referral procedures

New Forms to be used from 9.11.2008	Form content	Previous equivalent SPPA form
Form A Appellant's statement of grounds of appeal to Police Authority	<ul style="list-style-type: none"> • Reasons for appeal • Supporting documents • Specialists/doctors seen • Availability dates • Personal details • Representative details • Consent for medical records to be released 	Appeal Form 1 Appellant's statement of grounds of appeal to Police Authority Appeal Form 2 Consent for application for release of personal medical information
Form B Appeal Notification from Police Authority to Police Medical Appeal Board	<ul style="list-style-type: none"> • Appellant's details • Medical issue under dispute • SMP attending/not attending • Document list 	Appeal Form 3 Appeal Form 4
Form C Appellant's submission to Medical Appeal Board in support of appeal	<ul style="list-style-type: none"> • Reasons for appeal • Supporting documents • People attending appeal hearing on behalf of appellant 	Appellant's submission to police medical appeal board in support of appeal (supporting evidence can be submitted at a later date. Must be submitted to the board and copied to the police authority not later than 35 days before appeal date.)
Form D Police Authority's submission to Medical Appeal Board in response to appeal	<ul style="list-style-type: none"> • Issues under appeal • Supporting documents • People attending appeal hearing on behalf of police authority 	Police authority's submission to police medical appeal board in response to appeal. (supporting evidence can be submitted at a later date. Must be submitted to the board and copied to the appellant or their representative not later than 35 days before appeal date.)
Form E Appellant's medical documents from Force Occupational Health Dept. to Police Medical Appeal Board.	<ul style="list-style-type: none"> • Enclosure of medical records 	

Information required to be submitted with each appeal:

To start an appeal the police authority will send to the designated contact point at Health Management Ltd. (HML) 1 copy of each of the following –

The police authority's award decision letter.

Form A – Appellant's statement of grounds of appeal and consent for release of occupational health records.

Form B – Appeal notification from the police authority to police medical appeal board and list of documents submitted to HML.

Form E – Appellant's medical documents from the force occupational health department to the police medical board. Page 2 of Form A (appellant's consent to release of occupational health documents) should be attached to Form E. **AS PER PREVIOUS PROCEDURE**

PLEASE ENSURE ALL MEDICAL DOCUMENTS ARE SUBMITTED IN A SEALED ENVELOPE.

The medical opinion with which the appellant is dissatisfied either the Selected Medical Practitioner's report or a certificate issued under H1 (2) (c) or (d).

The complete GP record. (It is anticipated that in making the decision under appeal that this would have already been obtained. If not the full record must be supplied as detailed).

The complete record from the Occupational Health file

Accident and incident reports relevant to the appeal

Original x-ray/scan films where appropriate (mainly orthopaedic cases).

Complete hospital and specialist records where appropriate e. g. in cardiac cases details of tests are required with the final report

Any additional medical reports available to the police authority relevant to the appeal

These documents should be itemised on Form B.

Any appeals already collated using old forms can be referred. For all new cases please use new forms.

**GIVEN THE PERSONAL NATURE OF APPEAL PAPERS POLICE AUTHORITIES
SHOULD ENSURE THAT THE MOST EFFECTIVE AND SECURE METHOD OF
DELIVERY IS USED WHEN REFERRING PAPERS TO HML.**

Annex B: Health Management Limited contacts

Title	Name	Telephone	Mobile	e-mail
Contract Manager	Jo Jaeger	0870 060 5423	07525 669616	Jo.Jaeger@healthmanltd.com
Lead Administrator	Carla Shapland	0870 010 5460 x412		Carla.Shapland@healthmanltd.com
Secretary/PA	Giovanna Iommazzo	0870 010 5460 x304		Giovanna.Iommazzo@healthmanltd.com
Deputy Lead Administrator	Kelly Brunsdon	0870 010 5434	07525 911079	Kelly.Brunson@healthmanltd.com
Deputy Lead Administrator	Jessica Read	0870 010 5435	07525 236680	Jessica.Read@healthmanltd.com
Deputy Administrator	Richard Wild	0870 010 5460		Richard.Wild@healthmanltd.com
Deputy Transcription Manager	Reena Raikundalia	0870 010 5460		Reena.Raikundalia@healthmanltd.com

Shared mailbox: PMABS@healthmanltd.com

Day to day enquiries about the progress of appeals and board dates should be made in the first instance to Carla Shapland or, if Carla is not available, to Giovanna Iommazzo, Kelly Brunsdon, Jessica Read, Richard Wild or Reena Raikundalia.

Hard copies of appeal papers should be sent to:

Carla Shapland
Lead Administrator
Police Medical Appeal Boards
Health Management Limited
3rd Floor
115 Southwark Bridge Road
London SE1 0AX



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Annex C: Scale of charges

Appeals for years 1 and 2

Service provided	Cost
Standard Appeal Heard by 3 member board	£6,200
Additional cost (per appeal) per member if additional consultant physician(s) required	£1,000

Postponement, adjournment or cancellation charges

Failure to attend, same day notice or one working day's notice	£6,200
Two working days notice	£6,200
Three to five working days notice	£5,200
Six to ten working days notice	£3,250
More than ten working days notice and up to 21 calendar days notice	£1,300
More than 21 calendar days notice and up to 28 calendar days notice	£0
More than 28 calendar days notice	£0

Other costs

Reconsideration of appeals with a further hearing	£6,200
Reconsideration of appeals without a further hearing	£1,600

All costs exclude VAT

Cost for years 3 onwards will be based on Employment and Earnings: Main Industry Sectors SA: Private Sector Services SA inc Bonus: Index 2000=100:GB (Short code is emp: EG2:JJGH:AEI)