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Our ref:

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Dear Colleague

POLICE PENSIONS CIRCULAR No 2008/2
THE POLICE PENSIONS SCHEME MEDICAL APPEALS. FURTHER EXTENSION OF
CONTRACT WITH BUPA

This circular should be brought to the immediate attention of force personnel, HR and finance officers and the administrators of the Police Pension Scheme.

Scottish police medical appeal boards have been provided by BUPA since 2003 as part of the UK wide contract to provide medical appeal boards for firefighters. The contract is managed by the Department of Communities and Local Government (DCLG) but SPPA manage and administer the Scottish police appeals.

SPPA Police circular 2006/7 confirmed that the current contract with BUPA was being extended to 30 April 2008 and that on the basis that a further extension was not planned a tender exercise for a new contract would be undertaken during the summer of 2007. Unfortunately, due principally to the costs associated with the higher risk of judicial review in firefighter cases, DCLG received no tenders as part of their exercise. Further discussions have subsequently taken place between DCLG and BUPA and the outcome is that a further extension to 30 September 2008 has now been agreed. This ensures that the current service is maintained so that firefighters and police officers are not affected adversely and will allow DCLG the opportunity to prepare a revised tender document for a new contract to run from 1 October 2008.

Details of the extension and related revised appeals costs are outlined in Annex A. As previously agreed with BUPA and outlined in SPPA police circular 2006/7 the revised fee continues to reflect the lower risk of judicial review in police appeal cases when compared to the risk in UK wide firefighter appeals. As a result the revised appeal cost for police cases is £5,400. Please note that as part of the agreement to extend the contract the revised fees will apply to all cases received by BUPA from and including the **18 March 2008**.

It has been the intention to maintain police appeals in the DCLG tender exercise. However an opportunity has arisen to include Scottish police appeals within the tender exercise being undertaken by the Home Office for the provision of police medical boards for officers in England and Wales. The Home Office service is currently provided by Capita and the tender will provide a new contract to run from October 2008. It has now been decided to seek inclusion for Scottish police appeals in the Home Office contract and remove them from the revised tender exercise being undertaken by DCLG. This decision has been agreed with Ministers and has been made principally for the following reasons:

- It is anticipated that a more competitive fee can be achieved by inclusion in the Home Office tender exercise;
- It will provide UK wide service for police medical appeals;
- Although SPPA have been able to negotiate a separate price for police appeals within the current contract the price the overall contract is understandably dominated by the costs and risks associated with firefighter appeals; and
- It removes the uncertainty that a further contract may not be agreed by DCLG by the end of the current extension with BUPA

The Home Office tender is for police appeal cases only. Because of the higher risk of judicial review in firefighter cases it has not been possible to include these appeals in the Home Office tender exercise and they will remain as part of the UK wide tender being considered by DCLG. A separate Scottish fire circular has been issued to confirm the extension and revised fees for firefighter appeals.

What happens next?

Police authorities should continue to submit appeals as normal to SPPA noting the increase in appeal fees from 18th March.

The Home Office will prepare the necessary process to set up a Tender Evaluation Panel to consider and determine each suitable tender that is received and ultimately to recommend a preferred provider. The Tender Evaluation Panel will include representatives invited from SPPA, ACPOS and The Scottish Police Federation.

The current timetable is that the contract will commence from October 2008. Before the contract commences full details of both the successful company and any revised changes to the administration of police appeals will be notified accordingly.

If you have any queries on the information provided in this circular then please do not hesitate to contact SPPA.

Yours sincerely



Jim Preston

CASES REFERRED UNDER CONTRACT FROM 18th MARCH 2008 TO 30th SEPTEMBER 2008

Standard Fee	£5,400
Additional Board Member	Actual Cost
Medical Tests	Actual Cost
Photocopying/collating	Actual Cost
Requirement to seek legal advice	£300 unless exceeded where actual costs apply
Cancellations/Postponements	

21 to 11 days prior to the hearing	Actual up to £2295
10 to 4 days prior to the hearing	£3240
3 days prior to the hearing	£4320
2 days prior to the hearing	£4860
1 day prior to the hearing	£5400

Penalty for failing to meet hearing target £300

Penalty for late reports

Received – working days from hearing	Reduction in fee	Fee payable on standard case
1-15	No reduction	£5400
16	£300	£5100
17-22	£600	£4800
23-28	£900	£4500
29-34	£1200	£4200
And so on for each 5 working days	+ £300	To nil

Cases referred to Lawyers prior to the issue of the report

Costs up to £350 will be absorbed by BUPA.

CASES REFERRED UNDER CONTRACT FROM 1st MARCH 2008 TO 30th SEPTEMBER 2008

Standard Fee	£6,000
Additional Board Member	Actual Cost
Medical Tests	Actual Cost
Photocopying/collating	Actual Cost
Cancellations/Postponements	

21 to 11 days prior to the hearing	Actual up to £2550
10 to 4 days prior to the hearing	£3600
3 days prior to the hearing	£4800
2 days prior to the hearing	£5400
1 day prior to the hearing	£6000

Penalty for failing to meet hearing target £300

Penalty for late reports

Received – working days from hearing	Reduction in fee	Fee payable on standard case
1-15	No reduction	£6000
16	£300	£5700
17-22	£600	£5400
23-28	£900	£5100
29-34	£1200	£4800
And so on for each 5 working days	+ £300	To nil

Cases referred to Lawyers prior to the issue of the report

Costs up to £350 will be absorbed by BUPA.