



Northern
Ireland
Office

Policing Policy & Strategy
Division

Northern Ireland Office Medical Appeals Process

Information Leaflet

September 2007

Introduction

In accordance with the RUC Pensions Regulations 1988 and the PSNI and PSNI Reserve (Injury Benefit) Regulations 2006, if you are dissatisfied with the decision of a Selected Medical Practitioner (SMP) as set out in his report and certificate, you can give notice to the Northern Ireland Policing Board (NIPB) that you wish to appeal against it. The NIPB shall notify the Northern Ireland Office (NIO) (who act on behalf of the Secretary of State in these matters) of the appeal and the NIO shall appoint an IMR to decide the appeal.

The purpose of this leaflet is to provide serving and ex-police officers with information about how the NIO processes an appeal to an IMR against the decision of the SMP.

NIO Medical Appeals Process

- On receipt of your written notice of appeal the NIPB will forward, to the NIO, your appeal details and two copies of their submission to the IMR
- The NIO will confirm receipt of your appeal papers and provide you with a copy of the NIPB submission. We will also advise you to consider what written evidence, if any, you may wish to submit to the IMR in support of your appeal.
- Further contact from NIO will be with details of date and venue for interview/examination by IMR (approx 4 – 6 weeks).
- The NIO asks Medical Branch within the, DHSS & PS, to recommend an appropriate Consultant or Consultant(s) to consider your appeal.
- The recommended Consultant is invited by the NIO to act as an IMR in consideration of your appeal. If the Consultant agrees to act, then he/she will provide the NIO with the relevant appointment details.
- The NIO notifies you of the appointment details. At this time, we will also ask you to confirm your availability to attend and remind you that any written evidence should be submitted to our office (for onward transmission to the IMR and NIPB) no later than 2 weeks before the appointment date.
- The NIO forwards the NIPB submission and any written evidence submitted by you to the IMR in advance of the appointment.

- Following the appointment, the IMR is required to provide to the NIO, his written decision, expressed in the form of a report. If the IMR disagrees with any part of the SMP's report, he shall also supply to the NIO a revised certificate.
- The NIO will send the IMR's report to the NIPB and a copy to you. Any further queries you may have in relation to your appeal should be directed to the NIPB.

The following are questions and answers which you may find helpful.

How does the IMR make his assessment?

The IMR's assessment is carried out in line with RUC Pensions Regulations 1988, PSNI and PSNI Reserve (Injury Benefit) Regulations 2006, NIO Guidance on the Role of IMR's and relevant Home Office and PNB Guidance.

In reaching his decision the IMR will also take account of the submissions from the NIPB, the appellant and any other reports/documents he considers relevant to the appeal.

You should note that an IMR may consider any aspect of the certificate issued by the SMP and not just the part being appealed. The IMR's decision is final and can result in the SMP's award being upheld as well as increased/decreased.

What documents will the IMR receive?

The IMR will receive the NIPB submission and any supporting documentation you provide in advance of the medical appointment. Following the interview/examination the IMR may deem it necessary to obtain other documents/records e.g. x-rays, MRI scans, GP notes, to assist him in his determination. If this happens, NIO will notify you of the position and arrange for the additional information to be obtained and forwarded to the IMR.

What happens if I cannot make the appointment with the IMR?

You must make every effort to attend for interview/examination on the date appointed. If however the date does not suit, you should contact NIO immediately and we will arrange an alternative appointment on your behalf. However, you may wish to note this will lengthen the time taken to conclude your appeal.

Failure to attend for your appointment with the IMR, except in exceptional circumstances, will result in the appeal being deemed as withdrawn. The NIPB may also request that you pay any resulting 'non-attendance' fees levied by the IMR.

Can I be accompanied to a medical appointment?

If you wish to bring along a friend or relative for moral support, you should notify the NIO of their name and status at least 2 weeks before your appointment. We will advise the IMR of your request, and the IMR will decide, based on the medical condition and any relevant factual issues, whether your companion can be present during the examination/interview. We will inform you of the IMR's decision.

How long will the process take?

From the date NIO receive the appeal papers from the NIPB, it takes on average six months to conclude an appeal.

As you will appreciate, the timescale may be greater, if, for example, there is a requirement to appoint more than one IMR. Similarly, after the appointment, the IMR may request supplementary reports from consultants in other specialisms and/or existing or new x-rays/mri scans. Such requests will invariably lengthen the time taken to conclude the appeal.

How will I be informed of the IMR's decision?

The IMR will submit to the NIO details of his decision in the form of a report and certificate (as necessary). We will send the report to the NIPB and a copy to you. The NIPB will formally write to you confirming the IMR's findings and initiate any resulting impact on your existing pension entitlements.

Can I appeal the IMR's decision?

Regulation H2(3) of the RUC Pension Regulations 1988 and Regulation 30 (3) of the PSNI and PSNI Reserve (Injury Benefit) Regulations 2006 state that the medical decision of the IMR is final, subject to a review under Regulation H3 (1988 Regs) and Regulation 31 (2006 Regs).

Who can I talk to regarding further queries/updates on my appeal?

If you have any queries about your appeal please contact the Medical Appeals Co-ordinator at:-

Northern Ireland Office
Policing Division
Policing Policy Branch
4th Floor
Block A
Castle Buildings
Belfast
BT4 3SG

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