




DECISION PAPER

DECISION: 2018/10	DATE: 17 MAY 2018
TITLE: FORFEITURE OF PENSIONS: PROCEDURES	
REPORT BY: IAN DICKINSON	

Executive Summary To consider and approve the Procedure for the Forfeiture of Pensions.

Recommendation That the Procedure for the Forfeiture of Pensions be approved and be implemented with immediate effect.
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Signature 
Police and Crime Commissioner
Date 17 th may 2018

PART II

1. Background and Advice

- 1.1 The Police Pension Regulations 2006 (SI 2006/3415, as amended) provide for the forfeiture of police pensions in cases where either a particular offence has been committed or an offence has been committed in connection with service which is certified by the Home Secretary to be particularly serious. The Police and Crime Commissioner's (the Commissioner) Procedure for Forfeiture of Police Pensions has been reviewed and revised to ensure that is sufficiently robust for any such situation.
- 1.2 The Commissioner may apply for forfeiture of a police pension in cases where an officer, or their adult survivor who is in receipt of a police pension payable after the death of the officer to whom the pension was granted, is convicted of specified offences namely: "(a) an offence of treason, (b) one or more offences under the Official Secrets Acts 1911 to 1989 for which the grantee (of the pension) has been sentenced on the same occasion to a term of imprisonment of, or to two or more consecutive terms amounting in the aggregate to, at least 10 years" or in the case of a pensioner "who has been convicted of an offence committed in connection with his (or her) service as a member of a police force which is certified by the Home Secretary either to have been gravely injurious to the interests of the State or to be liable to lead to serious loss of confidence in the public service."
- 1.3 The procedure attached as Appendix 'A' outlines the formal procedure associated with the Commissioner's application to the Home Secretary for a certificate of forfeiture. It gives details of the responsibilities of all parties to the process, and information regarding right of appeal.
- 1.4 This procedure has been drafted to ensure that it is in-line with the Police Pension Regulations and to comply with the principles of the Human Rights and Equal Opportunity legislation as outlined in the "Equality and Human Rights Commission Guidance".

2. Links to the Police and Crime Plan

The procedure will contribute to ensuring public confidence in the police, and thus will contribute to the effective delivery of the Police & Crime Plan.

3. Consultations

None

4. Implications:

a. Legal

This priority is written in accordance with the Police Pension Regulations 2006 (SI 2006/3415, as amended) and Home Office Circular 18/2009.

b. Financial

There are no financial implications associated with this paper.

c. Equality Impact Assessment

It is not considered that this procedure will disproportionately affect any protected characteristics as defined in the Equality Act 2010.

d. Data Protection Impact Assessment

None

5 Risk Management

None.

6. Background Papers

Contact/Telephone: Ian Dickinson
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7. Public access to information

Chief Executive Officer (Monitoring Officer)

I have been informed about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lancashire.

Signature  Date 18.5.2018