



# The Police Treatment Centres

## Eligibility Policy

| <b>Policy Number:</b> | To be added   | <b>Responsible Manager:</b> | Chief Executive  |
|-----------------------|---|-----------------------------|--|
| <b>Date of issue:</b> | <b>Board of Trustees:-</b><br><b>Approved:</b><br>21 November 2008<br><b>Effective:</b><br>1 January 2009<br><b>Revised:</b><br>1 January 2010<br>13 May 2010<br>1 January 2011<br>1 January 2012<br><b>Board of Trustees:</b><br><b>Approved:</b><br>08 May 2014<br>07 May 2015<br>Updated:<br>1 January 2016<br>6 January 2017<br>Updated<br>6 March 2017 | <b>Policy Review:</b>       | Annually<br><b>OR</b> , where legislative or other issues prompt an earlier review |

### Policy Statement:

The Police Treatment Centres (PTC and 'the Charity') is a registered Charity with both the Charity Commission in England and Wales and also the Office of Charity Regulator in Scotland (OSCR). This policy has been developed from the content of the Charity's 'Sealed Schemes' (governing documents) held by those regulatory bodies.

The income of the Charity is mainly supported by serving and retired police officers, in police forces comprising the Charity's 'constituency', who make a voluntary donation to the Charity, normally through monthly payroll giving (Give as You Earn - GAYE) or in the case of Retired Officers, by a direct debit mandate to the PTC. The donation rate for each group is reviewed annually and expressed as a weekly amount.

This policy sets out the framework by which:

- Serving police officers who make the voluntary donation may receive advice and treatment from the Charity 'free of charge'
- Retired police officers, who make the voluntary donation may receive advice and treatment from the Charity 'free of charge', and
- Police Community Support Officer (PCSO) who make the voluntary donation may receive advice and treatment from the Charity 'free of charge'
- Special constables who make the voluntary donation may receive advice and treatment from the Charity 'free of charge'

- Detention and custody officers employed by the Police and Crime Commissioner or Chief Constable who make the voluntary donation may receive advice and treatment from the Charity 'free of charge'

The priority aim within the Charity's Sealed Schemes (governing documents) is that serving police officers receive priority for treatment and that the Trustees have discretion where capacity (occupancy, treatment and financial) allows to consider retired police officers who may request admission for treatment.

All decisions on admission for treatment will always be based on the merits of each individual case and admission prioritised on the need for treatment.

The definition of 'police officer' and 'retired police officer' are contained within the policy

### **Purpose:**

The purpose of this policy is:

- To provide clarity in the eligibility for treatment of serving police officers who make the voluntary donation to the Charity
- To provide clarity in the eligibility for treatment of PCSO's who make the voluntary donation to the Charity
- To provide clarity in the eligibility for treatment of Special's who make the voluntary donation to the Charity
- To provide clarity in the eligibility for treatment of detention and custody officers employed by the Police and Crime commissioner or the Chief constable who make the voluntary donation to the Charity
- To provide clarity in the eligibility for treatment of retired officers who make the voluntary donation to the Charity
- Provide a framework in which applications for admission can be considered from serving and retired officers who are, non-donors to the Charity.

### **Legal Safeguard:**

The contents of this policy have been drafted in accord with the 'Sealed Schemes' (governing documents) of the Charity and policy decisions made by the Board of Trustees acting in accord with those Sealed Schemes.

### **Application of the Policy:**

This policy will be applied pragmatically and with sympathetic consideration of all the issues involved in any particular case.

#### ***Note:***

All decisions on admission for treatment will always be based on the merits of each individual case and admission prioritised on the need for treatment.

### **Responsibility for application of the policy:**

The responsibility for the application of the policy will be that of the Chief Executive. An applicant for admission who believes that they have been unfairly treated under this policy, or their representative, should in the first instance raise the matter, normally in writing (including email), with the Chief Executive.

Should the matter not be resolved by the Chief Executive the applicant, or their representative, should without undue delay bring the matter to the attention, normally in writing (including email), of the Chair of the Board of Trustees who will take under consideration the matters raised.

**Eligibility Criteria:**

- a) Individuals normally eligible for the Charity's benefits and provision of treatment 'free of charge' are:
  - i. Serving police officers who hold the 'office of Constable',
  - ii. PCSO's, Special Detention and custody officers employed by the Police and Crime Commissioner or the Chief constable
  - iii. Who were serving police officers (for the majority of their service in a force within the PTC constituency) holding the 'office of Constable'

**AND**

- b) Who, contribute a voluntary donation to support the Charity's aims and objectives.

### **Individuals not normally eligible for treatment free of charge are:**

- Serving or retired officers who do not make the voluntary donation.
- Former police officers who resigned, were required to resign, dismissed or otherwise left the service

### **Non-donors:**

The Board of Trustees are mindful of the fact that there are many reasons why a police officer does not make the voluntary payroll giving donation but that the officer may at some point wish to begin contributing the voluntary donation to support the Charity. There are occasions where notwithstanding that the officer is a non-donor they may seek treatment from the Charity.

Therefore, the Board of Trustees have agreed that:

Providing new student officers sign up to become voluntary donors at the point they join the force, their donations will not commence for 12 months; although the officer will be entitled to apply for treatment during this time (the first year is free)

Serving officers who wish to start donating part way through their career together with retired officers that didn't commence donating when they retired may do so at any time. However individuals in these circumstances must donate for 12 months before they become eligible to receive free treatment. If an individual in this category requires treatment immediately or within 12 months they can make a donation equal to the cost of their treatment and subject to clinical criteria will be admitted at the earliest opportunity. The current cost of treatment for a serving officer is £1,500

The Trustees retain the discretion to consider each application from a non-donor on the merits of the particular case presented and take into account unique and/or significant circumstances that may apply when considering the proposed charge for admission and treatment, e.g. extreme financial hardship.

The average cost of admission for treatment will be reviewed annually and may therefore increase or decrease in accord with the Charity's annual running costs. On 1 January 2017 the average cost of a two week admission for treatment was £1,500(12 days at £125per day).

### **Recovery of PTC costs within personal injury claims:**

In circumstances where an officer attends for treatment for an injury or illness that was caused by an event for which a third party is subject to a claim for compensation in respect of personal injury the PTC will seek 'rights of subrogation' (see below) to ensure recovery of the officers PTC treatment costs against third parties, in such cases the following policy statement will apply:

***'The Police Treatment Centres will be entitled to claim on behalf of any current serving officer or retired officer whom has been provided with treatment, the use of***

***facilities and services at The Police Treatment Centres the cost of such treatment and cost of use of such facilities and services from third parties against whom a claim for personal injuries is brought'***

The PTC Application for Admission Form contains two sections where an officer undertaking a claim for compensation from a third party is requested to provide information and an endorsement prior to treatment being received.

**Note:** Subrogation is a legal term regarding the substitution of one claim for another, especially the transfer of the right to receive payment of a debt to somebody other than the original creditor. In this case it is the cost of treatment reimbursed to the PTC.

## **Related eligibility matters:**

### **Officers transferring between police forces:**

There is now a strong 'transfer market' between forces and the frequency of officers transferring between forces has increased. To transfer between forces an officer resigns from their former force and rejoins their new force in the 'office of Constable' (no matter what rank they transfer in).

Many officers fail to realise that their donation ceases when they leave their first force and doesn't automatically restart when they join their new force. In effect they have to authorise a new payroll giving voluntary donation to the Charity and if they fail to do so they then fall into becoming a non-donor.

This can not only occur when officers transfer within constituent forces of this Charity, but also when transferring from forces within The Police Rehabilitation Centre (Flint House) constituency area to constituent forces of this Charity.

### **Maternity Leave:**

A police officer on maternity Leave should ensure that their voluntary donation to support the Charity continues to be made whilst on paid Maternity Leave otherwise they then fall into becoming a non-donor. Officers on unpaid Maternity Leave, who had been donors to the Charity prior to Maternity Leave, will be granted a 'donation break' until resuming duty or ceasing to hold the 'office of Constable'.

### **Career Breaks:**

A police officer who takes a 'career break' should ensure that their weekly voluntary donation to support the Charity continues to be made whilst on their career break otherwise they then fall into becoming a non-donor.

### **30+ Scheme:**

Upon attaining 30 years' service police officers may have the opportunity to join the 30+ Scheme. In effect the officer retires from the service for a short period, sometimes a single day, and rejoins in 'the office of Constable'. The officer receives a lump sum pension commutation but is not in receipt of their police pension which is not paid until they finally retire from the police service.

In effect an officer on the 30+ Scheme is not a retired officer and is not in receipt of a police pension, the officer holds the 'office of Constable' and should ensure that whilst on the 30+ Scheme their payroll giving voluntary donation to support the Charity continues to be made otherwise they then fall into becoming a non-donor.

**Suspended Officers:**

There are many reasons why a police officer may be suspended from duty: during the course of an investigation, or awaiting charge, or awaiting the matter being dealt with by a Court; or other disposal process.

The frequency of police officers being suspended from duty is fortunately rare, however, during their suspension a suspended officer may seek treatment from the Charity either for a reason unconnected with their suspension, or as a direct result of their suspension e.g. suffering anxiety.

Each case of a suspended officer applying for admission will be considered on the individual merits of the case taking into account the following factors:

- Where there may be a potential of harm or danger to the officer themselves, patients attending the Centres or to staff.
- Where concern or embarrassment may be caused to the officer themselves, patients attending the Centres or to staff because of the nature of the allegation made.

**Ends**

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