



**Business Services**  
Kier Pensions Unit  
PO Box 340  
Middlesbrough  
TS1 2XP

Title  
Address Line 1  
Address Line 2  
Address Line 3  
Address Line 4  
Postcode

Please Contact: Pensions Unit  
Telephone: (01642) 727333  
Fax: (01642) 727989  
Email: [penmail@kier.co.uk](mailto:penmail@kier.co.uk)

Your Reference: \*\*\*\*\*/\*\*\*\*

April 2018

Dear

### **The Police (Injury Benefit) Regulations 2006**

We wrote to you last year to tell you that the Home Office had amended the Police (Injury Benefit) Regulations 2006. The amendment made it a requirement for all police forces to start deducting contributory elements of Employment Support Allowance (ESA) from any recipient of a police injury award who was entitled to receive ESA.

Following this change, the Home Office have conducted a further review of the injury benefit regulations and have confirmed that their original amendment did not achieve their intended outcome, that is that they had only intended contributory based ESA to be deducted if it had been paid continuously or if it was paid because the recipient was in receipt of Incapacity Benefit which migrated to ESA and again had been paid continuously.

As a result, the Home Office has made a further amendment which does meet their desired intention. **This new change still allows your force to deduct contributory based ESA but only if it has been paid to you without being withdrawn and brought back into payment.** I.e. if it is stopped and brought back into payment you get the benefit of the doubt that it might become payable for a separate disability. What the amendment regulations have not changed is the fact that the changes have retrospective effect from 10<sup>th</sup> February 2017.

As you are in receipt of an injury award we have been asked by your force to find out if you are affected by this latest change so that they can ensure you are receiving the full benefit to which you are entitled. To do this we need you to let us know if you have ever had an entitlement to contributory ESA / incapacity benefit that has been paid since your retirement, **which has previously been withdrawn but was later reinstated.** To help with this task we have attached a form for you to complete and return to us either by post or by scanning and emailing it to [penmail@kier.co.uk](mailto:penmail@kier.co.uk).

On receipt of the information we have requested we will check to make sure the correct deduction is being applied to your benefits. If we need to make any adjustments we will let you know.

**Please note: If the above does not apply to you or your circumstances have not changed you do not have to complete the attached form or contact Kier as you will not be affected by the amendment.**

If you have any queries regarding this letter, please do not hesitate to contact us on the telephone number above.

Yours sincerely

Graeme Hall

## The Police (Injury Benefit) Regulations 2006 – Confirmation of entitlement to DWP benefits

Name:

Address:

National Insurance Number:

### Employment and Support Allowance (contributory based)

Contributory based ESA has been a deductible benefit since 10<sup>th</sup> February 2017 (or date of retirement, if later). It is deducted whether or not entitlement to it is in respect of your *relevant injury*, until the first day you become capable of working again. If your Contributory based ESA / Incapacity Benefit payments are stopped but you later qualify for them again; you get the benefit of the doubt that they might become payable for a separate disability.

#### DECLARATION

I am entitled to receive contribution based ESA (whether I claim it or not), **AND**

My entitlement to contribution based ESA / Incapacity benefit paid since my retirement has previously been withdrawn but was later reinstated

**Date of Withdrawal:** \_\_\_\_\_

**Date of Reinstatement:** \_\_\_\_\_

I understand that it is my responsibility to notify Kier if there is any change in my entitlement to DWP benefits.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**Please return to: Kier Pensions Unit, PO Box 485, Middlesbrough, TS1 9EE**

Please note that we also accept scanned copies of completed forms via email. Once received we will contact you again with the outcome in writing.