

Reference No: E109/63/89; **Date:** 10/03/2000

10/03/2000 LP:- Ex-gratia payments for staff as a result of assaults on them by members of the public

To All Personnel Officers

I refer to this Department's minute of 26 May 1995 in which departments/offices were authorised to make ex-gratia payments up to a limit of £1,000 to staff who are physically injured as a result of assaults on them by members of the public with whom they come into contact in the course of their official duties.

Discussions have been underway with the Staff Side in relation to this matter and, in particular, in relation to the possibility of delegating to departments authority to make payments in cases where staff have suffered serious distress as a result of actual or threatened physical assaults.

Resulting from these discussions, and in line with the ongoing process of delegating greater discretion to department/offices in relation to a wide range of human resource matters, it has been decided to broaden the scope of the delegation set out in the minute of 26 May 1995. In addition to payments falling within the scope of the minute of 26 May 1995, department/offices will now have authority, in the circumstances set out below, to make ex-gratia payments in cases where officers have suffered distress as a result of assaults on them, while on official duty, by members of the public. The maximum payment which may be made in either category will be £2,000.

Departments/offices may now consider making such ex-gratia payments in the very limited number of cases where it is felt necessary to provide redress following serious threats to an officer which have resulted in the officer concerned suffering a significant level of distress. While it is not possible to indicate the full range of circumstances in which such payments might be made, the type of situation envisaged would include a serious threat to the life or safety of the officer.

In determining whether a payment should be made and, if it is, the appropriate level which should apply - within the overall limit of £2,000 - departments/offices must make their own judgement as to the level of threat involved and the degree of distress caused to the officer concerned. In arriving at a decision in this regard, departments/offices should note that the facility for such payments must be reserved for genuine cases of significant distress occasioned by a serious assault. The purpose of the payment is to recognise that an officer has experienced such a degree of distress and to offer a gesture of support. A lengthy interval between the assault and the payment is therefore not desirable and such matters should be dealt with as expeditiously as possible.

It should be stressed that neither this arrangement, nor the arrangements set out in our minute of 26 May 1995, constitute a formal scheme of compensation.

Yours sincerely

Paul Byrne
Personnel and Remuneration Division