

For Public Release

**POLICE AND CRIME COMMISSIONER (PCC) FOR LINCOLNSHIRE
REQUEST FOR DECISION**

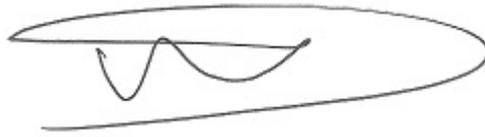
**REF: 023/2021
DATE: 10 November 2021**

SUBJECT	
COURT AWARDED COMPENSATION LOAN POLICY	
REPORT BY	FORCE CHIEF FINANCE OFFICER (FCFO)
CONTACT OFFICER	SHARON CLARK, FCFO TELEPHONE 01522 947468
EXECUTIVE SUMMARY AND PURPOSE OF REPORT This report gives details of a proposed policy which will allow officers or members of staff who have been awarded court compensation, to apply to receive a loan from Lincolnshire Police for the full amount.	
RECOMMENDATION	<i>That approval is given for the adoption of the Court Awarded Compensation Loan Policy as attached at Appendix A, with immediate effect.</i>

POLICE AND CRIME COMMISSIONER FOR LINCOLNSHIRE

I hereby approve the recommendations having considered the content of this report.

Signature:



Date: 10 November 2021

A. NON-CONFIDENTIAL FACTS AND ADVICE TO THE PCC

A1. INTRODUCTION AND BACKGROUND

1. This report proposes the approval of the Court Awarded Compensation Loan Policy as attached at Appendix A. This is a Force policy, to be approved by this decision, as the Police and Crime Commissioner has the ability to grant loans.
2. An officer or member of police staff may be awarded compensation by the Courts under the Powers of Criminal Courts (Sentencing) Act 2000. Normally, the offender will pay the compensation to the Court who, in turn, will pay it to the officer.
3. However, in some cases, there may be a delay in the offender paying the relevant compensation. Therefore, so that officers do not face undue delay, they may apply to receive a loan from Lincolnshire Police in anticipation of receiving the award from the Court. If the application is successful, Lincolnshire Police will loan the applicant the full amount of the outstanding compensation when awarded and, in consideration of the

loan being made, the officer will sign documentation to legally agree to the Court paying the sums due directly to Lincolnshire Police.

4. The implementation of this policy has been discussed at Chief's Council and the Chief Officer Team are keen to implement it, to allow officers to receive the compensation they are due on a timely basis. Offenders often default on their payments or make them in such slow time that this policy will allow officers who have received injuries in the course of their duty to get their court outcome without delay.
5. Compensation amounts are generally fairly small and not that frequent, so the risk of non-recovery doesn't present a large financial consequence. Compensation amounts range from £50 to £200 with an average of around £80. Last year we had 400 assaults but some 25%-30% of these never reached court.
6. The amounts we will be loaning will, on their own, be well below the HMRC £10k limit but if the officers involved already have a loan from the Force, all loans must be aggregated. Whilst the loan is unlikely to be a benefit in kind because of its small amount, there are tax and NIC consequences if the loans or any part of them, are written off.
7. There is nothing in Police Regulations that would be in any way relevant to what is being proposed. So, this should be a force policy issue and individuals should have the right to choose whether they wish to be the recipient of a loan or whether to just await court compensation in the traditional style.
8. To note that this process means the officer now wouldn't be able to claim through the Police Federation Insurance Scheme. If they didn't receive payment, they could have made a claim if no compensation received after 6 months. This can only be claimed for officers that pay into the scheme.

A2. LINKS TO POLICE AND CRIME PLAN AND PCC'S STRATEGIES/PRIORITIES

No direct links other than ensuring effective use of resources.

B. FINANCIAL CONSIDERATIONS

Included within this report.

C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS

Included within this report.

D. PERSONNEL AND EQUALITIES ISSUES

Included within this report.

E. REVIEW ARRANGEMENTS

In line with the policy review process.

F. RISK MANAGEMENT

Through the review of the policy as necessary.

G. PUBLIC ACCESS TO INFORMATION

Information in this form along with any supporting material is subject to the Freedom of Information Act 2000 and other legislation. Part 1 of this form will be made available on the PCC's website within one working day of approval. However, if release by that date would compromise the implementation of the decision being approved, publication may be deferred. An explanation for any deferment must be provided below, together with a date for publication.

<p>Is the publication of this form to be deferred? No</p> <p>If Yes, for what reason:</p> <p>Until what date:</p>
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Any facts, advice or recommendations that should not be made automatically available on request should not be included in Part 1 but on the separate Part 2 form.

<p>Is there a Part 2 form? No</p> <p>If Yes, for what reason:</p>
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ORIGINATING OFFICER DECLARATION

	Initials
<p>Originating Officer: CC's Chief Finance Officer, recommends this proposal for the reasons outlined above.</p>	SC
<p>Financial advice: The PCC's Chief Finance Officer has been consulted on this proposal.</p>	JF
<p>Monitoring Officer: The PCC's Monitoring Officer has been consulted on this proposal.</p>	MB
<p>Chief Constable: The Chief Constable has been consulted on this proposal.</p>	CH

OFFICER APPROVAL

Chief Executive

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

Signature:



Date: 9 November 2021