

Ill Health Retirement – Decision Making Process for Managers

1 Introduction

- 1.1 The Council participates in the Local Government Pension Scheme and employees who are members of the Pension Scheme and have been a **member of the scheme for a minimum period of 2 years** may, in the event of them being unable to work due to ill health, become eligible for an ill-health retirement which would allow their pension benefits to be put into payment early.
- 1.2 The ill health retirement decision-making process outlined in this paper came into effect from 1 September 2008 and various revisions have been made as the scheme regulations have been changed. Given the increased complexity of the regulations and the **continued requirement for the employer to determine which tier an ill health retirement falls into**, it is necessary to document the current process and ensure that **ALL** ill health retirement requests are reviewed by an ill-health retirement panel (IHRP).

2 The ‘Three Tier’ Ill Health Retirement Process

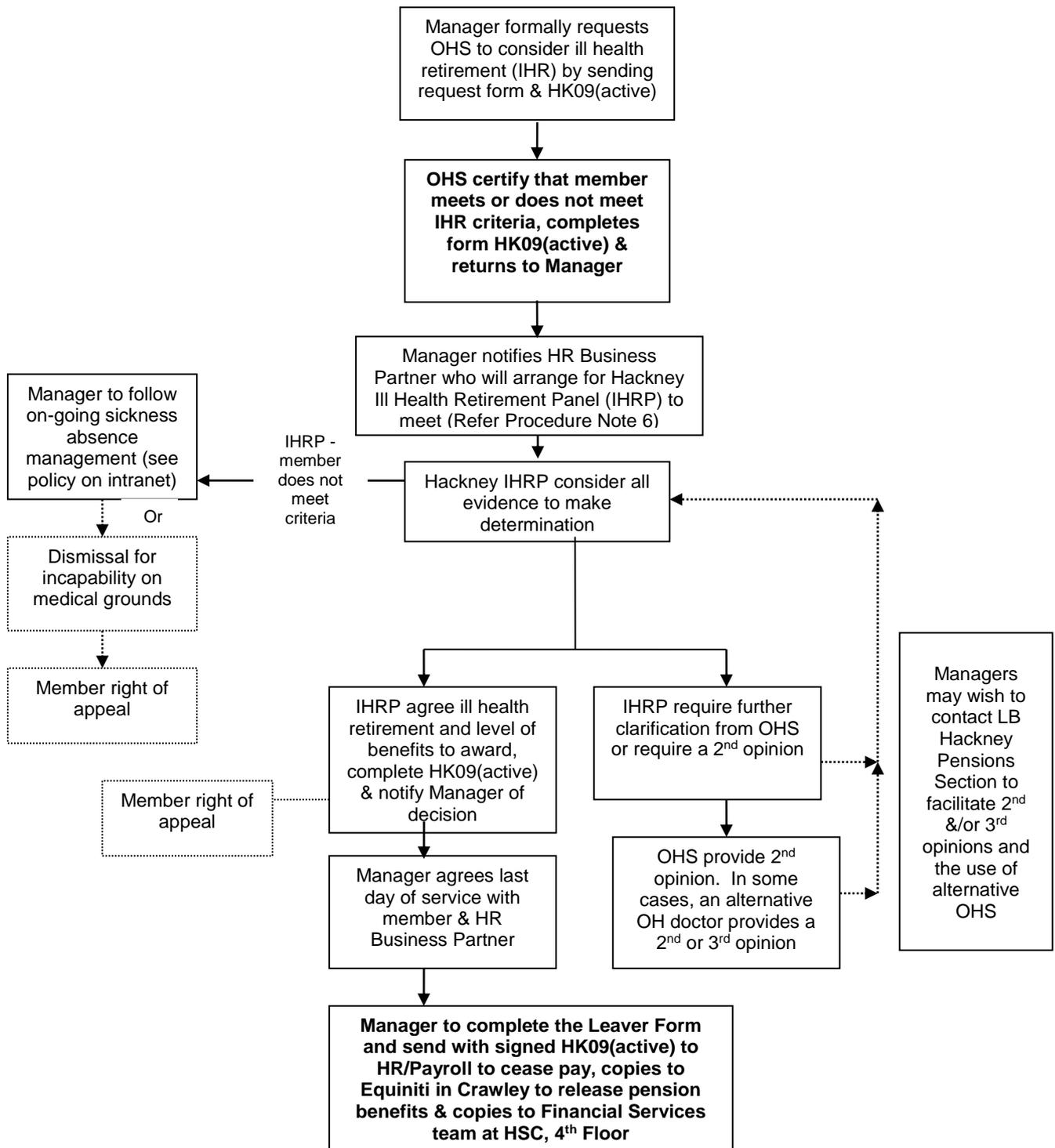
- 2.1 There are 3 graded levels of pension benefits based on the likelihood of members of the LGPS, being capable of undertaking gainful employment after they leave the Council on ill health retirement and before they reach their normal pension age. The 3 tiers are:-
- **Tier 1 - if the member, as result of ill health or infirmity of mind or body, is not immediately capable of undertaking any gainful employment before their normal pension age** - pension benefits are payable based on their accrued membership plus 100% of prospective membership between leaving employment and their normal pension age.
 - **Tier 2 - if the member, as result of ill health or infirmity of mind or body, is not entitled to Tier 1 benefits and is unlikely to be capable of undertaking any gainful employment within 3 years of leaving employment BUT is likely to be able to undertake gainful employment before reaching their normal pension age** - pension benefits are payable based on their accrued membership plus 25% of prospective membership between leaving employment and their normal pension age.
 - **Tier 3 - if the member, as result of ill health or infirmity of mind or body, is capable of undertaking gainful employment within 3 years of leaving employment, or before their normal pension age if earlier** - pension benefits are based only on their accrued membership at leaving employment and short term reviewable pension benefits are payable. A review will be undertaken after benefits have been payable for 18months and pension benefits may continue for a further 18months, or cease if the ex-employee is in gainful employment or becomes capable of getting such employment or benefits may be uplifted if their original condition has deteriorated.
- 2.2 If a member moves to a period of reduced contractual pay or nil pay as a result of sickness, payroll should be notified of the date of the reduction and also the requirement to apply Assumed Pensionable Pay (APP) for pension purposes. Where the Independent Registered Medical Practitioner (Occupational Health Service) certifies that the member was working reduced contractual hours during the relevant 12 (weekly) or 3 (monthly) pay periods as a consequence of ill health, the APP (assumed pensionable pay) figure is to be

calculated on the pay the member would have received during the relevant pay periods if they had not been working reduced contractual hours.

- 2.3 Under the 2008 regulations, protection is given to member where there is entitlement to enhanced ill health retirement benefits i.e. a 1st or 2nd tier award, provided that the employee was:-
- an active member in the LGPS on 31 March 2008; and
 - aged 45 or over before or on 31 March 2008
- 2.4 This protection means that the member should be in no worse a position than they would have been had the employee been awarded benefits under the pre-April 2008 regulations.
- 2.5 Therefore there is requirement to establish ill health retirement entitlements under both the pre-April 2008 regulations and post-April 2008 regulations, and award the greater of the benefits.

3 The Decision-Making Process

3.1 The ill health retirement decision-making process is shown below:-



4 Requesting Ill Health Retirement to be Considered by OHS

4.1 Managers must request the Occupational Health Service (OHS) to formally consider the member for ill health retirement and provide them with the appropriate HK09(active) form to complete. The Independent Registered Medical Practitioner (IRMP) must not have previously advised on, or given an opinion on, or otherwise been involved in the particular case. The OHS will use the HK09(active) to indicate:-

- whether the member, as a result of ill-health or infirmity of mind or body, is permanently incapable of discharging efficiently the duties of the employment the member was engaged in; and
- whether the member, as a result of ill-health or infirmity of mind or body, is not immediately capable of undertaking any gainful employment; and
- how long the member is unlikely to be capable of undertaking gainful employment; and
- where the member has been working reduced hours and has reduced pay as a consequence of the reduction in working hours, whether that member was in part-time service wholly or partly as a consequence of ill health or infirmity of mind or body.

An example letter requesting ill health retirement be considered is attached to this process document for reference, Appendix B, and must be sent together with an ill health declaration form, HK09(active) example as per Appendix C, and a copy of the members job description.

- 4.2 Managers must refer a member to the OHS where a long-term sickness case applies or where a member discloses that they have a terminal illness. Managers may wish to consult with their directorate HR Business Partner before referring the member to OHS in these cases.
- 4.3 It is possible that the request for formal consideration of ill health retirement will arise out of sickness management discussions between the member, the manager and/or the OHS.

5 OHS Consider Ill Health Retirement Request

- 5.1 The OHS will provide an independent registered medical practitioner, who is qualified in occupational health medicine (IRMP), to certify whether or not the member meets the criteria for ill health retirement.
- 5.2 The independent medical practitioner (IRMP) will certify by completing form HK09(active) that;
- whether the member is suffering from a condition that renders the member permanently incapable, because of ill health or infirmity of mind or body, of discharging efficiently the duties of the employment they had been engaged in and, as a result of that condition, the member is unlikely to be capable of undertaking gainful employment before reaching their Normal Pension Age, or for at least three years, whichever is the sooner.
- 5.3 The completed HK09(active) form and IRMP report will be returned to the Manager who will need to write a short report on the members sickness history, making reference to all referrals to OHS, and whether or not they support the ill health retirement of the member. They must then inform their HR Business Partner that they are ready to present the case to the IHRP.
- 5.4 The HR Business Partner will then arrange a meeting of the members of the Hackney Ill Health Retirement Panel (IHRP) to hear the case presented by the Manager and then to discuss and consider all other relevant information/evidence.

ALL requests for ill health retirement MUST be reviewed by the IHRP, regardless of the determination of the IRMP.

6 The Hackney III Health Retirement Panel

6.1 The III Health Retirement Panel (IHRP) consists of the following:-

- the Liaison Officer Pensions or Pensions Manager, Financial Services
- the Pension Officer, Financial Services
- the Head of HR & OD or their Representative (Strategic or Senior HR Business Partners)

The Panel will only consider cases where there are at least **2** members of the Panel present, with at least **one member from the London Borough of Hackney Financial Services section and one from London Borough of Hackney HR**. Where a member is an employee of the Hackney Learning Trust, the Panel **must** also include an HR Representative from Hackney Learning Trust (either the Head of Human Resources or the Deputy Head of HR).

6.2 The Panel is responsible for representing the employer, London Borough of Hackney, in deciding:-

- whether to offer the member retirement on ill health grounds;
and
- the level of pension benefits to be paid to the member if retirement on ill health grounds is agreed

6.3 In making the decision, the Panel will consider:-

- the certification provided by the OHS;
- all information relevant to the case e.g. previous OHS referrals, work-place adaptations currently in place
- the reasons cited for OHS certifying that the member meets/does not meet the criteria for ill health retirement;
- the case presented by the member's manager to support or not to support ill health retirement
- whether work-place adaptations are needed to be put in place, where necessary
- additional help and support, if required

6.4 ***If the Panel AGREES to retire the member on ill health grounds***

The HR representative of the Panel will:-

- notify the member's manager and the relevant HR Business Partner of the decision, specifying the level of pension benefits that have been awarded

The Manager/HR Business Partner will:-

- agree the member's last day of service
- write to the member confirming ill health retirement and the level of benefits awarded. **In regard to the awarding of Tier 3 pension benefits, the member must also be informed of his/her responsibilities in regard to this award and the likely date the 18month review of their medical and employment status will take place.**
- complete a Leavers' Form and send it to the Payroll Team, with copies to the Financial Services Team at Keltan House and Equiniti Paymaster in Crawley.
- **send a copy of the HK09(active) to the Financial Services Team at HSC, 4th Floor and a copy to Equiniti in Crawley.**

IMPORTANT NOTE - The member's pension cannot be released until the leaver form and HK09(active) is received by Equiniti Paymaster.

6.5 *If the Panel DOES NOT AGREE with the OHS certification that a member meets/does not meet the ill health retirement criteria*

The Panel will either:-

- seek further clarification from the OHS regarding the detail of the medical report and their determination
- obtain from the OHS a second opinion from a second independent medical practitioner, qualified in occupational health medicine (IRMP);
OR
- obtain a second or third opinion from an alternative occupational health practitioner (IRMP)

6.6 After obtaining clarification or the findings of the OHS second/third opinion, the IHRP will then reconvene and make their determination on whether or not to retire the member on the grounds of ill health and the level of pension benefits to be awarded to the member if applicable (refer para 6.4), or to refer the case back to the member's Manager for them to manage the member under the Council's sickness absence procedures (refer para 7)

7 *If the Panel agrees not to retire the member on ill health grounds as the member does not meet* the criteria for ill health retirement, the Manager/HR Business Partner must inform the individual, in writing, of the decision not to award ill health retirement and set out details in regard to their right of appeal against the decision not to award ill health retirement. The Manager/HR Business Partner must also confirm to the member that they will:-

- continue to manage the member using the Council's sickness absence procedure;
OR
- dismiss the member on the grounds of sickness incapability

8 Appeal Process

8.1 *If a member wishes to appeal -*

Appeals against:-

- a decision that a member does not meet the criteria for ill health retirement (either whilst still in employment or after the member has been dismissed);
OR
- a decision about the level of pension benefits paid when ill health retirement is agreed (after the member has left employment)

There is a two-stage appeal process with a final right of appeal to the Pensions Ombudsman.

8.2 *Stage One Appeal*

In regard to appealing against an ill health retirement not being granted and/or the level of benefits that have been awarded by the IHRP, an appeal must be made within 6 months of the date the member was notified of the decision, and the appeal will be reviewed by the Council's Ill Health Retirement Review Panel (IHRRP).

Appeals must be in writing, clearly setting out the grounds for the appeal and addressed to the –

Ill Health Retirement Review Panel
C/O Head of Pensions Administration
4th Floor HSC
1 Hillman Street
London E8 1DY

8.3 The IHRRP consists of the following:-

- the Head of Financial Services, Financial Management
- the Head of HR & OD
- only in appeals involving a member who is employed by Hackney Learning Trust - the Head of HR (HLT)

and is responsible for ensuring due process has been followed in regard to the ill health retirement process and reference is made to the relevant regulations. The IHRRP will consider:-

- whether the decision to award retirement on ill health grounds has been granted in accordance with the regulations:
and
- the level of pension benefits awarded has been granted in accordance with the regulations:
and
- if appropriate, the IHRRP may require an additional independent doctor's opinion.

The decision of the IHRRP will be made within 15 working days of the receipt of the written appeal and will be sent directly to the member with a copy sent to their directorate HR Business Partner and the pension administrators.

8.4 **Stage Two Appeal**

Members may appeal against the decision made by the IHRRP at a Stage One appeal within 6 months of the date they were notified of the Stage One decision.

A Stage Two appeal should be made in writing, clearly setting out the grounds for the further appeal. The appeal will be reviewed by the Director of Financial Management and the Director of Legal Services and should be addressed to the

Director of Financial Management
London Borough of Hackney
4th Floor HSC
1 Hillman Street
London E8 1DY

8.5 The Director of Financial Management and the Director of Legal Services are responsible for ensuring due process has been followed in regard to the ill health retirement process and reference made to the relevant regulations. They will also consider the decision of the IHRRP and:-

- whether the decision to award retirement on ill health grounds has been granted in

accordance with the regulations:
and

- the level of pension benefits awarded has been granted in accordance with the regulations:

If appropriate, the Director of Financial Management and the Director of Legal Services may require an additional independent doctor's opinion

The decision of the Director of Financial Management and the Director of Legal Services will be made within 15 working days of the receipt of the written Stage 2 appeal and will be sent directly to the employee with a copy sent to their directorate HR and the pension administrators.

Appendix A: Definitions

1 ***The Independent Registered Medical Practitioner (IRMP)***

- 1.1 An 'independent registered medical practitioner' is a medical practitioner, qualified in occupational health medicine, who *has not* previously advised or given an opinion on or otherwise been involved in the particular case for which the ill health retirement certificate has been requested and is not acting, and has not at any time acted, as the representative of the member, the Scheme employer or any other party in relation to the same case.
- 1.2 In situations where the Council's occupational health doctor has advised on or been involved in a member's case which later gives rise to a consideration of ill health retirement, that occupational health doctor *is not permitted to certify that the member is permanently incapacitated*. In this situation, the case will be referred to an independent occupational health doctor to determine if the ill health retirement criteria apply.
- 1.3 In situations where the Council's occupational health doctor *has not previously advised on or been involved in the member's case* (e.g. if the first time the doctor deals with the case it is evident that the criteria for ill health retirement is met) then that doctor may certify that the member is permanently incapacitated and no further certification is required.
- 1.4 The occupational health doctor can have previously advised, or given an opinion on prior cases involving the member if these are unrelated to the grounds for the ill health retirement and can still certify that the member is permanently incapacitated
- 1.5 In an extreme case, it is possible to envisage a scenario in which practitioner A has been dealing with the case during employment and practitioner B determines that the member is not permanently incapable of performing the duties of the post by virtue of ill health or infirmity. If the member's condition then worsens to the point that a further referral to a practitioner is necessary, the Council would need to ensure the case was referred to practitioner C for a decision.

2 ***Permanent Incapacity***

- 2.1 Permanently incapable means that the member will, more likely than not, be incapable until, at the earliest, the member's Normal Pension Age.
- 2.2 The judgment as to whether the member is incapable until the members normal pension age is based on current medical evidence and medical knowledge. It should not take into account assumptions about developments that might take place in medical science and/or knowledge between the anticipated date of retirement and the member's normal pension age.
- 2.3 The independent registered medical practitioner is providing an opinion on the person's capability of undertaking gainful employment based solely on the effect the medical condition has on the person's ability to undertake gainful employment.

3 ***Gainful Employment***

- 3.1 'Gainful employment' means paid employment (whether in local government or elsewhere) for not less than 30 hours in each week for a period of not less than 12 months. It does not have to be employment that is commensurate in terms of pay and conditions with that of the person's current employment.

4 Normal Pension Age (NPA)

- 4.1 Normal Pension Age (NPA) means the member's Normal Pension Age under the 2014 Scheme which is linked to the member's State Pension Age (SPA) but with a minimum of age 65

State pension age is currently age 65 for men. State pension age for women is currently being increased to be equalised with that for men. Women's State pension age will reach 65 by November 2018. The State pension age will then increase to 66 for both men and women from December 2018 to October 2020. Under the Pensions Act 2007 the State pension age is due to rise to 67 by April 2036 and to 68 by April 2046. The Chancellor of the Exchequer announced in the Autumn Statement 2013 that the Government intends to introduce legislation under which the SPA will be reviewed every Parliament. Based on the principle that people should expect to spend, on average, up to one third of their adult life in receipt of the State pension, this implies that the increase in State pension age to age 68 is likely to come forward from the current date of 2046 to the mid-2030s, and that the State pension age is likely to increase further to 69 by the late 2040s.

General Note to the Employer

The opinion given by the approved registered medical practitioner does not, in itself, give entitlement or otherwise to an ill health award. Nor should the medical practitioner indicate to the member that such an award will or will not be made.

It is, and always has been, for the employer to make the formal ill health award determination.

Appendix B: EXAMPLE - Manager's Referral Letter to OHS

Our ref:

Your ref: (enter normal contact details)

Health Management City Ltd

Date:

Dear Sir/Madam

Re: LOCAL GOVERNMENT PENSIONS SCHEME (LGPS) – REFERRAL TO CONSIDER ILL HEALTH RETIREMENT

NAME:

NI NO:

I formally request your opinion on whether the above named meets the Local Government Pension Scheme criteria for ill health retirement. Although your opinion in itself does not give entitlement, or otherwise, to an ill health award, nor should you indicate to the member that such an award will or will not be made. It is for the employer to make the formal ill health award determination.

Please complete form HK09(active) which is attached and certify, in your opinion:-

- whether the member, as a result of ill-health or infirmity of mind or body, is permanently incapable of discharging efficiently the duties of the employment the member was engaged in; and
- whether the member, as a result of ill-health or infirmity of mind or body, is not immediately capable of undertaking any gainful employment; and
- how long the member is unlikely to be capable of undertaking gainful employment; and
- where the member has been working reduced hours and has reduced pay as a consequence of the reduction in working hours, whether that member was in part-time service wholly or partly as a consequence of ill health or infirmity of mind or body.

I also enclose a copy of the member's job description.

Please send the completed HK09(active) directly to me, and I shall then provide all relevant information to the Ill Health Retirement Panel (IHRP) who are charged with determining ill health retirement and the level of pension benefits to be awarded.

Please do not hesitate to contact me if you require further information.

Yours faithfully

Appendix C – EXAMPLE ONLY – DO NOT USE

**LONDON BOROUGH OF HACKNEY
LOCAL GOVERNMENT PENSION SCHEME (LGPS)**

HK09

Ill Health Retirement Declaration – Current Employee

This form must be completed and returned to the address given below when an employee, who is an active member of the pension scheme, is being retired by reason of ill health or infirmity of mind or body.

For completion by the referring Manager or Employer's HR Representative

Employer (including department or school as applicable) _____

Name of contact _____

Address _____

Telephone number _____

Employee Details:

Title (Mr/Mrs/Miss/Ms/Other) _____

Employee's surname _____ **Forenames** _____

Date of Birth _____ **National Insurance number** _____

Job Title / Nature of employment
(job description attached) _____

Hours of employment _____
(i.e. whole-time or part-time and, if part-time, show proportion of whole-time hours or weeks)

Has the employee been working reduced contractual hours and had reduced pensionable pay as a consequence of the reduction in working hours due to their ill health/infirmity of mind or body?

Yes / No *
*delete as appropriate

(If 'Yes', please attach a statement providing background details e.g. factors that led to the reduction in hours, number of hours by which contractual hours were reduced, date(s) reduction(s) in hours occurred. This is to assist the registered medical practitioner when completing Section D).

CONFIDENTIAL MEDICAL DECLARATION For completion by the approved registered Medical Practitioner⁽¹⁾

Please read the explanatory notes before completing this form

Date of examination:	
<u>SECTION A</u>	
I certify that, in my opinion, the above named member.....(please tick as appropriate)	
<input type="checkbox"/> A1: IS	<input type="checkbox"/> A2: IS NOT
suffering from a condition that, more likely than not, renders them permanently incapable ⁽²⁾ of discharging efficiently the duties of their employment with his/her employer because of ill health or infirmity of mind or body.	
If A1 has been ticked, please now complete SECTION B to SECTION D as they apply in this case – then complete SECTION E & SECTION F.	
If A2 has been ticked, please now complete SECTION B & SECTION F.	

SECTION B

I certify that, because of that ill health or infirmity, the above named member.....(please tick as appropriate)

B1: IS

B2: IS NOT

immediately capable of undertaking⁽³⁾ any gainful employment⁽⁴⁾

If B2 has been ticked, please now complete SECTION C to SECTION E as they apply in this case – then complete SECTION F

If B1 has been ticked, please now complete SECTION F

Please state reason(s)

I attach a copy of my full report / assessment

Yes / No *

SECTION C

I certify that, in my opinion, having regard to that ill health or infirmity the above named member.....(please tick as appropriate)

C1 IS LIKELY to be capable of undertaking⁽³⁾ gainful employment ⁽⁴⁾ **within the next 3 years** (or before their normal pension age⁽⁵⁾, if earlier)

C2 IS UNLIKELY to be capable of undertaking⁽³⁾ any gainful employment⁽⁴⁾ **within the next 3 years BUT IS LIKELY to be capable** of undertaking⁽³⁾ gainful employment⁽⁴⁾ **at some time thereafter** and before their normal pension age⁽⁵⁾

C3 IS UNLIKELY to be capable of undertaking⁽³⁾ gainful employment⁽⁴⁾ before their normal pension age⁽⁵⁾

SECTION D

I certify that, in my opinion, the above named member.....(please tick as appropriate)

D1: IS

D2: IS NOT

in part-time service and working reduced contractual hours wholly or partly as a result of the ill health or infirmity of mind or body

SECTION E - To be completed by the approved registered Medical Practitioner.

Severe ill health test statement - as required by HMRC

If either **C1, C2 or C3** have been ticked, I further certify that, in my opinion, the employee

Does

Does NOT

satisfy the following statement –

As a result of his/her health or infirmity, the employee is unable to continue in his/her current job and is unlikely to be capable of taking on any other paid work in any capacity, otherwise than to an insignificant extent⁽⁶⁾ before State Pension Age⁽⁷⁾.

Note – the answer to this question is used to determine whether or not the individual could be subject to a tax charge in accordance with the annual allowance test under the Finance Act 2004

SECTION F

Declaration by approved Medical Practitioner

I declare I have not previously advised, or given an opinion on, or otherwise been involved in the particular case for which this certificate has been requested (other than as part of the due process of considering this retirement), and I am not acting, and have not at any time acted, as the representative of the member, the Scheme employer or any other party in relation to this case.

I am registered with the General Medical Council and hold a diploma in occupational health medicine (D Occ Med) or an equivalent qualification issued by a competent authority in an EEA State (with 'competent authority' having the meaning given by Section 55(1) of the Medical Act 1983), or I am an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or of an equivalent institution in an EEA State.

I have given due regard to the guidance issued by the Secretary of State when completing this certificate**

(*the guidance document is available at <http://www.lgpsregs.org/index.php/dclg-publications/dclg-stat-guidance>)

Signed _____

Date _____

Name in Block Capitals _____

Registered medical practitioners/company official stamp

When completed, please return this form to: The Referring Manager or the Employer's HR Representative

Explanatory notes to accompany certificate

- (1) The independent registered medical practitioner signing the certificate must have been approved for this purpose by the Pension Fund administering authority.
- (2) 'Permanently incapable' means that the person will, more likely than not, be incapable of discharging efficiently the duties of their employment with the employer because of ill health or infirmity of mind or body until, at the earliest, their 'normal pension age' – see (5).
- (3) The independent registered medical practitioner is providing an opinion on the person's capability of undertaking gainful employment based solely on the effect the medical condition has on the person's ability to undertake gainful employment.
- (4) 'Gainful employment' means paid employment for not less than 30 hours in each week for a period of not less than 12 months. It does not have to be employment that is commensurate in terms of pay and conditions with that of the person's current employment.

- (5) 'Normal pension age' means the employee's individual State Pension Age at the time the employment is to be terminated, but with a minimum age of 65. For a breakdown of individual State Pension Ages please see <http://www.pensionsadvisoryservice.org.uk/state-pensions/know-your-state-pension-age>
- (6) 'Insignificant extent' means, for example, that the person could undertake voluntary work or unpaid work where out of pocket expenses are reimbursed or small amounts of travelling or subsistence payments are made. Any paid work should be insignificant, for example it should be infrequent or only for a few days during the year and the payment must be small in amount, not just as a proportion of the pay or salary they are earning in their current job.
- (7) State pension age is currently age 65 for men. State pension age for women is currently being increased to be equalised with that for men. Women's State Pension Age will reach 65 by November 2018. The State Pension Age will then begin to increase further for both men and women from December 2018 onwards. To determine an individual's State Pension Age please go to <http://www.pensionsadvisoryservice.org.uk/state-pensions/know-your-state-pension-age>

General Notes for Employers

The opinion given by the approved registered medical practitioner does not, in itself, give entitlement or otherwise to an ill health award. Nor should the medical practitioner indicate to the employee that such an award will or will not be made. It is for the employer to make the formal ill health award determination.

If **A2 or B1** have been ticked this means that the member does not, in the medical opinion of the approved registered medical practitioner, meet the criteria for an ill health pension under the LGPS.

If **A1, B2 and C1** have been ticked, this means that the member, in the medical opinion of the approved registered medical practitioner, meets the criteria for a tier 3 ill health pension under the LGPS.

If **A1, B2 and C2** have been ticked, this means that the member, in the medical opinion of the approved registered medical practitioner, meets the criteria for tier 2 ill health pension under the LGPS.

If **A1, B2 and C3** have been ticked, this means that the member, in the medical opinion of the approved registered medical practitioner, meets the criteria for tier 1 ill health pension under the LGPS.

If the approved registered medical practitioner has ticked **D1 in Section D**, (i.e. the employee is in part-time service and working reduced contractual hours wholly or partly as a result of ill health or infirmity of mind or body) the employer can calculate the assumed pensionable pay (APP) upon which the members enhancement to benefits is to be calculated as if the reduction in contractual hours and pay had not occurred.

If the approved registered medical practitioner has indicated 'does satisfy the following statement' in **Section E** this means that there is no pension input amount for the purposes of the annual allowance test under the Finance Act 2004 as the person meets the 'severe ill health condition' under section 229 of that Act.

These notes were up-to-date when this form was updated in March 2015 and are provided for information only. They confer no contractual or statutory rights and in the event of any dispute, the appropriate legislation will prevail.

This is a medical certificate provided in respect of a current employee by an approved, duly qualified, registered independent medical practitioner ⁽¹⁾ in accordance with Regulation 36 of the Local Government Pension Scheme Regulations 2013 and for the purposes of Section 229(4) of the Finance Act 2004.

For completion by the Employers Ill Health Retirement Panel (IHRP)

The IHRP represents the employer, London Borough of Hackney, in relation to deciding whether or not the award ill health retirement benefits to LGPS members. The Panel must consist of a representative from London Borough of Hackney Human Resources and a representative from London Borough of Hackney Financial Services in order to consider an ill health retirement case. Where a member is an employee of the Hackney Learning Trust, the Panel **must** also include an HR Representative from Hackney Learning Trust.

The Panel is responsible for deciding:

- Whether to offer the member retirement on the grounds of ill health
- The level of benefits to be paid to the member if retirement on the grounds of ill health is agreed

**Delete as appropriate*

(A) The IHRP agree to retire the above named member on the grounds of ill health

Yes /No*

If YES please complete section B

If NO please complete sections C to E

(B) Level of retirement benefits to be awarded

Tier 1 / Tier 2 / Tier 3*

(C) Reason(s) not to award Ill Health Retirement at this stage:

(D) The IHRP agree to obtain second opinion from Occupational Health Adviser

Yes / No*

(E) The IHRP agree to obtain second / third opinion from an alternative independent occupational health doctor

Yes / No*

Signed: (LBH) Head of HR and OD or Representative _____

Print Name: _____

Position: _____

Signed: (LBH) Financial Services Representative _____

Print Name: _____

Position: _____

In relation to Hackney Learning Trust staff only -

Signed: (LBH-HLT) Head of Human Resources or Deputy Head of HR _____

Print Name: _____

Position: _____

Date: _____

Once complete, this form is to be returned to the referring Manager to either:

- agree last day of service
and
 - complete Leaver Form
- or
- to continue to manage the employee using sickness absence procedures
- or
- dismiss on grounds of sickness incapability.*

Upon completion the referring Manager, or Employer's HR Business Partner/Representative, must return this form, together with a completed Leaver Form to:

- **London Borough of Hackney Pensions, Equiniti via secure upload facility – Sharefile -
or by post to Russell Way, Crawley, West Sussex RH10 1UH**

AND provide a copy to the Financial Services Section, 4th Floor HSC, 1 Hillman Street, London E8 1DY