

## III Health Certificate for a Deferred Councillor Member

Medical certificate to be provided in respect of a deferred councillor member by an independent, approved, duly qualified registered medical practitioner in accordance with regulation 97 of the Local Government Pension Scheme Regulations 1997 (as amended) and for the purposes of section 229(4) of the Finance Act 2004.

### Part A - to be completed by the former authority

#### Personal Details

Former councillor's full name:			
Title:		Date of birth:	
NI Number:			
Home address & postcode:			

#### Employment Details

Employing authority at date of becoming a deferred scheme member:	
Date ceased to be an active member of the scheme:	
Position at date of becoming a deferred scheme councillor: (please give full description of the requirements of the job and / or attach a copy of the job description if available)	
Date of application for early payment of deferred benefits:	

**Part B - to be completed by the approved (1) registered medical practitioner**

**Please tick either B1 or B2**

I certify that, in my opinion, the person named in Part A

**B1: WAS**  **B2: WAS NOT**

at the date of application for early payment of deferred benefits shown in Part A, and on the balance of probabilities, permanently incapable (2), because of ill health or infirmity of mind or body, of discharging efficiently the duties of his / her former office as a councillor which gave rise to the deferred benefits in the Local Government Pension Scheme.

**If B2 has been ticked, please go to Part C**

**If B1 has been ticked and the person named in Part A is under age 55 at the date of application shown in Part A, please tick B3 or B4**

I certify that, in my opinion, the person named in Part A

**B3: WAS**  **B4: WAS NOT**

at the date of application for early payment of deferred benefits shown in Part A, permanently incapable by reason of disability caused by physical or mental infirmity of engaging in any regular full-time employment. (Note: the answer to this question is used to determine whether the pension should be immediately increased under Pensions Increase legislation).

**If B1 has been ticked, please tick B5 or B6**

I certify (3) that, in my opinion, the person named in Part A

**B5: IS** exceptionally ill, with a life expectancy of less than 1 year and  
 is aware of this  
 is not aware of this

**B6: IS NOT** exceptionally ill and has a life expectancy of 1 year or more

**Part C - general statement to be completed by the approved (1) registered medical practitioner**

I do / do not (delete as appropriate) attach a copy of my full report / assessment and I certify that:

I have not previously advised, or given an opinion on, or otherwise been involved in this case

**And**

I am not acting, and have not at any time acted, as the representative of the person named in Part A, the former authority or any party in relation to this case.

**And**

I 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.

Signature of independent registered medical practitioner

Practitioner's / company's official stamp (optional)

Printed name of independent registered medical practitioner

GMC reference number

Date

**Part D - for completion by the former authority**

I have considered the medical practitioner's report and all other available information, and I confirm:

- Authorisation and approval of the retirement benefits coming into payment before age 65 (2),  
on (enter date)
- Payment of ill health pension declined, as the ex-councillor does not currently meet the criteria.

Where medical experts (i.e. IRMP/Specialist/Consultant/GP) disagree due to conflicting medical opinion, please document here why your decision is weighted towards one medical opinion over another, in order to comply with Pensions Ombudsman guidance. Please also document here your reasons for not following the recommendation provided in this certificate if you have done so.

Signed by authorised authority representative:

Date:

Print name:

Job title:

## Explanatory notes to accompany certificate

### Meaning of terms used

- (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 former office with the authority because of ill health or infirmity of mind or body until, at the earliest, their 65<sup>th</sup> birthday.
- (3) Certification of limited life expectancy of less than 1 year may only be provided by a fully registered person within the meaning of the Medical Act 1983. The full text of the Act can be found at [https://www.gmc-uk.org/about/legislation/medical\\_act.asp](https://www.gmc-uk.org/about/legislation/medical_act.asp)

### General – Notes for employers

If B2 has been ticked, the deferred member does not, in the medical opinion of the approved registered medical practitioner, meet the criteria for early release of the deferred pension benefits under the LGPS.

If B1 has been ticked, the deferred member does, in the medical opinion of the approved registered medical practitioner, meet the criteria for early release of the deferred pension benefits under the LGPS.

The opinion given by the approved registered medical practitioner does not, in itself, give entitlement or otherwise to early release of the deferred pension benefits under the LGPS. Nor should the medical practitioner indicate to the deferred member that such an award will or will not be made.

### **It is for the former employer to make the formal award determination.**

If B5 has been ticked the Pension Fund administering authority may pay the member a lump sum equal to 5 times the member's annual pension. If such a payment is made this does not constitute a 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 2020 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.