



North Yorkshire Pension Fund

Tier 3 Ill Health Retirement Review Certificate for a Current Tier 3 Pensioner who left after 31 March 2014.

Review taking place 18 months after the date of cessation of employment and (before normal pension age (1))

Medical certificate to be provided by an independent, approved, duly qualified registered medical practitioner in respect of a tier 3 pensioner whose pension is currently in payment in accordance with regulation 37 of the Local Government Pension Scheme Regulations 2013.

Part A - to be completed by the employer

Personal Details

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

Employment Details at date became a tier 3 ill health pensioner

Employer:	
Position (post title):	
Nature of employment: (attach job description and full information on requirements of the job)	
Date of leaving:	

The person named above was, at the date of cessation of their former position, certified as being permanently incapable (2) of discharging efficiently the duties of their employment with their employer because of ill health or infirmity of mind or body, and that, although not immediately capable at that time of undertaking other gainful employment (3), it was nevertheless likely that they would be capable of undertaking gainful employment (3) within 3 years of the date of cessation of employment (or by their normal pension age (1), if earlier).

The person named above was awarded a short-term, reviewable, tier 3 pension. It is now necessary to review, in accordance with regulation 37 of the Local Government Pension Scheme Regulations 2013, whether, and if so when, they will be likely to be capable of undertaking (5) gainful employment (3).

Part B - to be completed by the approved (4) registered medical practitioner

Please tick either B1 or B2

I certify that, in my opinion, having considered their ill health or infirmity the person named in Part A

B1: IS STILL LIKELY to be capable of undertaking (5) gainful employment (3) within three years of the date of leaving shown in Part A (or by their normal pension age (1), if earlier).

B2: IS UNLIKELY to be capable of undertaking (5) gainful employment (3) within three years of the date of leaving shown in Part A but is likely to be able to undertake (5) gainful employment (3) at some point thereafter and is permanently incapable (2) of discharging efficiently the duties of the employment they were undertaking at the date of leaving shown in Part A and which gave rise to the tier 3 ill health pension.

If B2 has been ticked, please go to Part C

If B1 has been ticked, please tick B3 or B4 below:

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

B3: IS CURRENTLY capable of undertaking (5) gainful employment (3).

B4: IS NOT CURRENTLY capable of undertaking (5) gainful employment (3) but is likely to be able to do so by

(Enter a date up to a maximum of the day preceding the third anniversary of the date of leaving shown in Part A)

Part C - to be completed by the approved (4) registered medical practitioner

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

I am registered with the General Medical Council

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

AND

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

Signature of independent registered medical practitioner

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

Printed name of independent registered medical practitioner

GMC reference number

Date

** the guidance document is available at <http://lgpsregs.org/schemeregs/lgpsregs2013.php>

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Part D - for completion by the employer

I have considered the medical practitioner's report and all other available information, and I hereby authorise and approve the retirement benefits continuing to be paid on the following basis:

- Continue payment of ill health benefits at tier 3 up to a maximum of 3 years from the date of leaving.
- Continue payment of ill health benefits at tier 3 up to the date specified in Part B above.
- Uplift the current ill health benefits to tier 2 with effect from (enter date)
payable for the rest of the former employee's life.

I have considered the medical practitioner's report and all other available information, and I hereby authorise the cessation of the payment of ill health early retirement benefits with effect from (enter date)

- Ill health pension to be stopped with immediate effect, as the former employee 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 awarding a different level of benefit than that recommended in this certificate if you have done so (this includes ceasing an ill health pension where the recommendation is to continue it and vice versa).

Signed by authorised manager:

Date:

Print name:

Job Title:

Explanatory notes to accompany certificate

Meaning of terms used

'Normal pension age' means the employee's individual State pension age at the time the deferred benefit is to be brought into payment, but with a minimum of age 65. To determine an individual's State pension age please go to www.gov.uk/state-pension-age.

- (1) 'Permanently incapable' means that the person is, more likely than not, incapable of discharging efficiently the duties of their former employment with the employer because of ill health or infirmity of mind or body until, at the earliest, their normal pension age – see (1).
- (2) '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 former employment.
- (3) The independent registered medical practitioner signing the certificate must have been approved for this purpose by the Pension Fund administering authority.
- (4) 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 ability to undertake gainful employment.
- (5) The independent registered medical practitioner signing the certificate does not have to be a different independent registered medical practitioner to the one who originally certified the scheme member's permanent incapacity at the date of leaving i.e. the same practitioner can sign this certificate too.

General – notes for employers

If B1 and B3 are ticked, the former employer can determine to cease payment of the pension (or can determine to continue payment, for so long as the person is not in gainful employment (3), up to a maximum period of 3 years from the date of leaving shown in Part A or to the date the person attains normal pension age (1), if earlier).

If B1 and B4 are ticked, the former employer can determine to continue payment, for so long as the person is not in gainful employment (3), up to the date the independent registered medical practitioner has said that the person is likely to be capable of undertaking gainful employment (3) or to the date the person attains normal pension age (1), if earlier (or can determine to cease payment of the pension; or can determine to continue payment, for so long as the person is not in gainful employment (3), up to a maximum period of 3 years from the date of leaving shown in Part A or to the date the person attains normal pension age (1), if earlier).

If B2 has been ticked the former employer can determine to award an enhanced (tier 2) ill health pension, payable from the date of their determination. If they do so, there is no pension input amount for the purposes of the annual allowance test under the Finance Act.

The opinion given by the approved registered medical practitioner does not, in itself, determine the cessation or otherwise of a benefit under the LGPS. Nor should the medical practitioner indicate to the individual that a benefit under the LGPS will or will not be payable.

It is for the former employing authority to make the formal determination.

These notes were up to date when this form was reviewed 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.