|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **CURRENT TIER 3 ILL HEALTH PENSIONER REVIEW CERTIFICATE****– Review taking place 18 months after employment cessation & before normal retirement age *(1)*****PART A: To be completed by the employer**

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |
|  |

Surname of employee: Forenames:Title:Date of birth: NI Number:Home address:Employer at date became a tier 3 ill health pensioner:Position (post title) at date became a tier 3 ill health pensioner:Nature of employment at date became a tier 3 ill health pensioner\*:Date ceased to be an active Scheme member:The person named above was, at the date of cessation of their former position, certified as being, on the balance of probabilities, permanently incapable *(2)* of discharging efficiently the duties of his / her employment with his / her employer because of ill health or infirmity of mind or body, and that, although having a reduced likelihood of being capable of undertaking other gainful employment *(3)* before their normal retirement age *(1)*, it was nevertheless likely that he / she would be capable of undertaking gainful employment *(3)* within 3 years of the date of cessation of employment (or by his / her normal retirement age *(1)*, if earlier). He / she was awarded a short-term, reviewable, 3rd tier pension. It is now necessary to review, in accordance with regulation 20 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, whether he / she is still capable of undertaking *(5)* gainful employment *(3)* within 3 years of the date of cessation of employment (or by his / her normal retirement age *(1)*, if earlier).*\* please give full description of the requirements of the job and/or attach copy of job description if available***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** [ ]  **B2:** **IS NOT** 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 retirement age *(1)*, if earlier).*(Note: the answer to this question is used purely to determine whether the former employer can determine to uplift the person from a tier 3 to a tier 2 benefit at the 18 month review).***If B1 has been ticked, please tick B3, B4 or B5.** **If B2 has been ticked please complete Part C.** I certify that, in my opinion, the person named in Part A [ ]  **B3: IS STILL** suffering from the condition that rendered him / her, at the date of ceasing employment, permanently incapable *(2)* of discharging efficiently the duties of his / her employment because of ill health or infirmity of mind or body **and**, as a result of that condition, he / she still has a reduced likelihood of being capable of undertaking *(5)* any gainful employment *(3)* before reaching his/her normal retirement age *(1)*. [ ]  **B4: IS STILL** suffering from the condition that rendered him / her, at the date of ceasing employment, permanently incapable *(2)* of discharging efficiently the duties of his / her employment because of ill health or infirmity of mind or body **but**, as a result of that condition, he / she **does not** now have a reduced likelihood of being capable of undertaking *(5)* any gainful employment *(3)* before reaching his/her normal retirement age *(1)*. [ ]  **B5: IS NOT STILL** suffering from the condition that rendered him / her, at the date of ceasing employment, permanently incapable *(2)* of discharging efficiently the duties of his / her employment because of ill health or infirmity of mind or body. **If B3, B4 or B5 has been ticked, please tick B6 or B7 and then complete Part C.**I certify that, in my opinion, the person named in Part A [ ]  **B6: IS** currently capable of undertaking *(5)* gainful employment *(3)*. [ ]  **B7: IS NOT** currently capable of undertaking *(5)* gainful employment *(3).*  |
| **PART C: General statement to be completed by the approved** **registered medical practitioner**[ ]  **I DO** [ ]  **I DO NOT** attach a copy of my full report / assessment and I certify that:I am registered with the General Medical CouncilAND 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 StateAND I have given due regard to the guidance issued by the Secretary of State when completing this certificate\*.Signature of independent registered medical practitioner*(6)*: Practitioner’s/company’s stamp (optional):Date:Printed name of independent registered medical practitioner: *(\*the guidance document, and the supplementary guidance document, are available from the table at* [*http://lgpsregs.org/timelineregs/Statutory%20Guidance%20and%20circulars/statguide.htm*](http://lgpsregs.org/timelineregs/Statutory%20Guidance%20and%20circulars/statguide.htm))**PART D: For completion by the employer**I have considered the medical practitioner’s report along with all other available information and I hereby authorise and approve:[ ]  The award of an enhanced (2nd tier) ill health pension payable from the date of the medical practitioner’s determination.[ ]  The continuation of the current Tier 3 award to the earlier of:* The end of the 3 years from the date ceased to be an active scheme member.
* The date that Normal Retirement Age is attained.
* The member obtains gainful employment.

[ ]  The current Tier 3 ill health pension ceasing with effect from the next available pay date.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:See [www.pensions-ombudsman.org.uk/guidance/ill-health](http://www.pensions-ombudsman.org.uk/guidance/ill-health) for Ombudsman guidance and further details.Signed on behalf of Chief Officer: Date:Print name: Position:**EXPLANATORY NOTES: Meaning of terms used**1. ‘Normal pension age’ means the employee’s individual State pension age at the time the benefit was brought into payment, but with a minimum of age 65. State pension age is currently age 65 for men. State pension age was equalised to age 65 in November 2018. State pension age will continue to increase 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> 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 Derbyshire Pension Fund.
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**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 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 determines 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 June 2019 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 by an independent, approved, duly qualified registered medical practitioner in respect of a 3rd tier pensioner whose pension is currently in payment in accordance with regulation 37 of the Local Government Pension Scheme Regulations 2013.* |

