

**Your Pension Service**

**YPS Employer – Active Member - Ill Health Certificate**

**SECTION ONE - TO BE COMPLETED BY THE EMPLOYER**

Name of Employee	
Employer	
National Insurance Number	
Employee's Normal Job	
Date of Birth	
The employee's Normal Pension Age (see Section Four)	

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 or infirmity of mind or body?	Yes / No
If yes, please provide a statement that details factors that led to the reduction in hour(s) and the date(s) of the reduction to assist the medical officer.	

Medical Officers should be provided with full information about the requirements of the employee's normal job, details of sickness absence and any other relevant information.

**SECTION TWO—TO BE COMPLETED BY THE MEDICAL OFFICER**

**After consideration of the relevant medical reports that have been forwarded to me and after carrying out a medical examination (where appropriate) of the above named, I certify that:**

In my opinion, the employee named above

**A - is**

**B - is not**

(Please tick either A or B)

suffering from a condition that, more likely than not, renders him/her permanently incapable of discharging efficiently the duties of the employment because of ill health or infirmity of mind or body.

If **A** is ticked, please tick box C or D

In my opinion, the employee named above

**C – does**

**D – does not**

satisfy the following statement:

The employee, as a result of ill health or infirmity of mind or body, is not immediately capable of undertaking any gainful employment.

If **C** is ticked, please tick box 1, 2 or 3

I certify that, in my opinion, having regard to that ill health or infirmity -

<b>1</b>	The employee is unlikely to be capable of undertaking gainful employment before their normal pension age (Tier 1 benefits).	
<b>2</b>	The employee is unlikely to be capable of undertaking any gainful employment within 3 years of leaving their employment but is likely to be able to undertake gainful employment before reaching their normal pension age (Tier 2 benefits).	
<b>3</b>	The employee is likely to be capable of undertaking gainful employment within 3 years of leaving employment, or before their normal pension age if earlier (Tier 3 benefits).	

If **C** is ticked and the employer has stated that the employee's contractual hours have been reduced because of ill health or infirmity of mind or body, please tick box **E** or **F**

I certify that, in my opinion, the employee

**E** - is

**F** – is not

in part-time service and working reduced contractual hours wholly or partly as a result of the condition that caused or contributed to the ill health retirement.

<b>PLEASE ALSO CONFIRM</b>	
I have <b>NOT</b> previously advised, or given an opinion on, or otherwise been involved in this particular case.	
I declare that I am an independent registered medical practitioner within the meaning given by Paragraph 1 of Schedule 1 of the Local Government Pension Scheme Regulation 2013 [2013/2356].	
I have given regard to the guidance issued by the Secretary of State when completing this certificate.	

In order to comply with HMRC requirements please tick either box **G** or **H**.

I certify that, in my opinion, the employee

**G** - does

**H** - does not

satisfy the following statement:

As a result of the employee's medical condition they are unable to continue their current job and are unlikely to be capable of taking on any other paid work in any capacity, otherwise than to an insignificant extent before their State pension age (see *Section Four*).

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name (please print) \_\_\_\_\_

Title \_\_\_\_\_ Qualification: AFOM / MFOM / FFOM / D Occ Med

### SECTION THREE - TO BE COMPLETED BY THE EMPLOYER

After obtaining an opinion\* from the Medical Officer named overleaf, I now determine that –

Please delete as appropriate

1. The employee's retirement benefits should be payable immediately on leaving employment on ill health grounds in accordance with the relevant LGPS regulations and that I agree with the opinion of the Medical Officer as to the ill health tier appropriate in this case.
2. The employee **is not entitled** to receive payment of their retirement benefits immediately on leaving the employment on ill health grounds.

I also confirm that I have given regard to the guidance issued by the Secretary of State.

Signed on behalf of the employer \_\_\_\_\_ Date \_\_\_\_\_

Name (please print) \_\_\_\_\_

Position \_\_\_\_\_ Contact Tel \_\_\_\_\_

If you have chosen **option 1**, please send this form to Your Pension Service alongside an Intention to Retire Form. You will also need to notify the member of your decision in writing (page 15 of the Employer Guide – Ill Health sets out what information the letter, as a minimum, must contain). On receipt of the forms, Your Pension Service will begin the process with the member to put their benefits into payment.

If you have chosen **option 2**, please send this form to Your Pension Service. You will also need to notify the member of your decision in writing (page 15 of the Employer Guide – Ill Health sets out what information the letter, as a minimum, must contain). On receipt of the form, Your Pension Service will simply save a copy of it on the member's file.

\*The opinion given by the medical officer does not, in itself, give entitlement or otherwise to early release of the pension benefits under the LGPS. It is for the employer to make the formal determination on whether the benefits should be released on ill health grounds and, if so, the ill health tier payable.

## SECTION FOUR – MEANING OF TERMS USED

**'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 equivalent in terms of pay and conditions with that of the person's current employment.

**'Guidance issued by the Secretary of State'** Under Regulation 36(4) of the Local Government Pension Scheme Regulations [2013/2356], employers and IRMPs are required to have regard to guidance issued by the Secretary of State when carrying out their functions regarding ill health. The latest version is available from <http://www.lgpsregs.org/index.php/dclg-publications/dclg-stat-guidance>

**'HMRC requirements'** the answer to this question is used to determine whether or not the person could be subject to potential tax charges in accordance with the Finance Act 2004.

**'The independent registered medical practitioner'** must be approved by the administering authority and 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.

In addition, the independent registered medical practitioner must be registered with the General Medical Council and—

- (a) hold a diploma in occupational health medicine (D Occ Med) or an equivalent qualification issued by a competent authority in an EEA state; and for the purposes of this definition, "*competent authority*" has the meaning given by section 55(1) of the Medical Act 1983; or
- (b) is an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA state.

The IRMP must not have previously advised, or given an opinion on, or otherwise been involved in the particular case for which the certificate has been requested. For this purpose, an IRMP is not to be treated as having advised, given an opinion on or otherwise been involved in a particular case merely because another practitioner from the same occupational health provider has advised, given an opinion on or otherwise been involved in that case.

**'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.

**'Normal Pension Age'** means the employee's state pension age or, if later, their 65<sup>th</sup> birthday.

**'Permanently incapable'** means that the employee will, more likely than not, be incapable until at the earliest, the employee's normal pension age.

**'State pension age'** an employee's State Pension Age may be determined using the Government's calculator (<https://www.gov.uk/calculate-state-pension>).