

LGPS England & wales

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¹ Note that there is no statement on this form to determine whether or not a member being moved from tier 3 to tier 2 meets, for the purpose of the annual allowance test, the severe ill health condition under section 229 of the Finance Act 2004. This is because there is no 'Pension Input Amount' where the move from tier 3 to tier 2 occurs in a 'Pension Input Period' following the one of retirement.

Background

1. The Local Government Pension Scheme Regulations 2013 introduced a Career Average Revalued Earnings (CARE) defined benefits pension scheme from 1 April 2014 in England and Wales (the 2014 Scheme). Before that date, the Scheme was a Final Salary defined benefits scheme.
2. Although the basic structure of a three-tier ill-health system that applied under the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (the 2008 Scheme) is retained, the conditions for entitlement to an ill health pension changed from 1 April 2014. To qualify for an ill health pension under the 2014 Scheme, the following conditions must be satisfied:
 - the member's employment must be terminated by the employer on the grounds of ill health or infirmity of mind or body;
 - at the date of termination the member must be under their Normal Pension Age in the 2014 Scheme (see definition of Normal Pension Age in paragraph 23);
 - at the date of termination the member must have met the 2 year qualifying service criteria for entitlement to a benefit (see definition of 2 year qualifying service criteria in paragraph 23);
 - the member must, as a result of ill health or infirmity of mind or body, be permanently incapable of discharging efficiently the duties of the employment the member was engaged in; and
 - the member, as a result of ill health or infirmity of mind or body, must not be immediately capable of undertaking any gainful employment (i.e. paid employment for not less than 30 hours in each week for a period of not less than 12 months).
3. If the conditions in paragraph 2 are satisfied, then the tier of ill-health retirement a member is entitled to is decided as follows:
 - a member is entitled to enhanced Tier 1 benefits if that member is unlikely to be capable of undertaking gainful employment before their Normal Pension Age;
 - a member is entitled to enhanced Tier 2 benefits if that member
 - a) is not entitled to Tier 1 benefits;
 - b) is unlikely to be capable of undertaking any gainful employment within three years of leaving the employment; but
 - c) is likely to be able to undertake gainful employment before reaching their Normal Pension Age; and

- a member is entitled to unenhanced Tier 3 benefits if they are likely to be capable of undertaking gainful employment within three years of leaving the employment, or before their Normal Pension Age if earlier. No Tier 3 benefits can be awarded if the member has previously been awarded a Tier 3 pension under the 2008 or 2014 Schemes. In that case, the member would only be entitled to a deferred benefit but could apply to the employer to have the deferred benefit brought into payment (at an unenhanced rate). Before agreeing to such an application the employer would have to obtain a certificate from an Independent Registered Medical Practitioner as to 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
4. Before determining whether or not a member is entitled to a Tier 1, Tier 2 or Tier 3 ill health pension, the employer must obtain a certificate from an Independent Registered Medical Practitioner (IRMP) who has not previously advised on, or given an opinion on, or otherwise been involved in the case and who has been authorised by the Pension Fund administering authority. The certificate must show:
- 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 wholly or partly as a result of the condition that caused or contributed to the member's ill-health retirement.
5. Where a member is retired with a Tier 1 or Tier 2 ill health pension the amount of enhancement a member receives to their pension is calculated as follows:
- Tier 1 - the member's pension account is adjusted by adding the equivalent of the amount of earned pension the member would have accrued between the day following the date of termination and their

Normal Pension Age. This is calculated as 1/49th of assumed pensionable pay (see paragraph 6) for each year and fraction of a year in that period (regardless of whether the member is in the main section or the 50/50 section of the Scheme when their employment is terminated on ill health grounds);

- Tier 2 – the member’s pension account is adjusted by adding 25% of the Tier 1 adjustment described above.

For reference:

- no enhancement can be added if the member has previously received a Tier 1 ill health pension under the 2014 or 2008 Schemes or has received an ill health pension under any earlier Scheme²;
 - the enhancement for a member entitled to a Tier 1 or Tier 2 pension is adjusted if the member has previously received a Tier 2 ill health pension under the 2014 or 2008 Schemes³. The enhancement shall not exceed three quarters of the number of years between the initial ill health retirement and the member’s Normal Pension Age, less the number of years of active membership since the initial ill health retirement; and
 - members covered by regulation 20(13) of the LGPS (Benefits, Membership and Contributions) Regulations 2007 (minimum ill health enhancement for those who were active members before 1 April 2008, were aged 45 or over at that time, have been in continuous membership since then, and have not already received any benefits in respect of that membership) will continue to have a minimum benefit underpin, calculated in accordance with regulation 12(1) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525].
6. In order to calculate the amount of ill health enhancement, assumed pensionable pay (APP) will need to be calculated by the employer when terminating an active member’s employment on the grounds of ill health with a Tier 1 or Tier 2 ill health pension. The same applies where an active member dies in service, or where a Tier 3 ill health pension is awarded which is subsequently changed to a Tier 1 or Tier 2 ill health pension following an appeal or changed to a Tier 2 pension following the 18 month review of a Tier 3 pension or following a request for a review

² Administering authorities will wish to add a question to the pension application form to be completed by the member asking whether, for member’s being retired with a Tier 1 ill health pension, the member is already in receipt of an enhanced ill health pension from the LGPS in England or Wales from another, earlier, employment.

³ Administering authorities will wish to add a question to the pension application form to be completed by the member asking whether, for member’s being retired with a Tier 2 ill health pension, the member is already in receipt of an enhanced Tier 1 or Tier 2 ill health pension from the LGPS in England or Wales from another, earlier, employment.

made by the scheme member at any time up to 3 years after the Tier 3 pension has been suspended.

The APP figure is calculated as follows:

a) Weekly / Monthly paid employees

Calculate the average of the pensionable pay for the 12 complete weekly pay periods, or for monthly paid employees, 3 complete monthly pay periods prior to the date of leaving after removing any lump sums, but including any assumed pensionable pay already credited in and relating to those 12 weeks / 3 months..

Fee paid returning officer / acting returning officer

Where any pensionable pay received by a member includes returning officer / acting returning officer fees, the annual rate of pensionable pay in respect of the fees in that employment is the annual average of the pensionable pay relating to those fees during the three years preceding the date of the absence, the ill-health retirement or death occurred, or during the membership in that employment if less than three years.

If 12 complete weeks / 3 months do not exist, use whatever number of complete periods are available (but see paragraph below);

If the pensionable pay received by a member during the preceding 12 complete weeks / 3 months was, in the opinion of the, materially lower than the level of pensionable pay that member normally would have received, the employer may choose to substitute the pensionable pay the member received (or lack thereof), a higher level of pensionable pay to reflect the level of pensionable pay that the member would normally have received. However, in doing so the employer must have regard to the level of pensionable pay received by the member in the previous 12 months.

b) gross up the figure in (a) to an annual figure;

The employer can then add back into APP any lump sums paid in the 12 months prior to the date of leaving if the employer, at its sole discretion, determines there is a 'reasonable expectation' that such a payment would be paid on a regular basis.

Where the Independent Registered Medical Practitioner (IRMP) certifies that the member was working reduced contractual hours during the relevant period as a consequence of ill health, the APP 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 hours.

7. Where a member is awarded a Tier 3 ill health pension:

- there is no enhancement (only the member's accrued pension is payable)

- the member must inform the (former) employer of any employment which is commenced whilst the Tier 3 pension is in payment
- the member must answer any reasonable enquiries made by the (former) employer about such employment including enquiries about the hours worked and pay
- the Tier 3 pension must cease if the (former) employer determines the member is in gainful employment (being employment of 30 hours or more per week that is likely to endure for at least 12 months) or fails to answer any reasonable enquiries made by the (former) employer
- if payment of the pension has not already ceased, the (former) employer must review payment of the Tier 3 pension after it has been in payment for 18 months and must obtain a certificate from an Independent Registered Medical Practitioner (who can be the same Independent Registered Medical Practitioner who provided the certificate for the initial Tier 3 ill health retirement) as to whether, and if so when, the member will be likely to be capable of undertaking gainful employment
- following an 18 month review the (former) employer may
 - cease payment; or
 - continue payment for any period up to a total period of 3 years (or to the member's Normal Pension, if earlier); or
 - award a Tier 2 ill health pension if the (former) employer is satisfied that the member is permanently incapable of discharging efficiently the duties of the employment the member held with the (former) employer and is either
 - a) unlikely to be capable of undertaking gainful employment before their Normal Pension Age, or
 - b) unlikely to be capable of undertaking gainful employment within 3 years of leaving but is likely to be able to undertake such employment before reaching their Normal Pension Age

and should inform the member and the appropriate Pension Fund administering authority of their decision.

Any Tier 3 ill health pension awarded under the 2008 Scheme continues to be subject to the 2008 Scheme regulations.

8. At any time whilst a Tier 3 ill health pension is in payment the member can request that the (former) employer considers moving the member to Tier 2. The (former) employer can make a determination to move the member to Tier 2, payable from the date of the determination, if the (former) employer is satisfied, having obtained a further certificate from an Independent Registered Medical Practitioner (who can be the same Independent Registered Medical Practitioner who provided the certificate for the initial Tier 3 ill health retirement), that the member is permanently incapable of discharging efficiently the duties of the employment the member held with the (former) employer and is either

- a) unlikely to be capable of undertaking gainful employment before their Normal Pension Age, or
 - b) unlikely to be capable of undertaking gainful employment within 3 years of leaving but is likely to be able to undertake such employment before reaching their Normal Pension Age.
9. When payment of a Tier 3 ill health pension is ceased the member becomes a “deferred pensioner member”. That ‘suspended’ pension is payable from the member’s Normal Pension Age unless:
- the member elects to defer payment to a date no later than their 75th birthday (payable at an increased rate on account of the delayed payment in accordance with actuarial guidance issued by the Secretary of State); or
 - the member elects for payment on or after age 55 and before their Normal Pension Age (reduced on account of the early payment in accordance with actuarial guidance issued by the Secretary of State, although the (former) employer can agree, at their discretion, to waive any reduction); or
 - within 3 years of the Tier 3 ill health pension ceasing, the (former) employer makes a determination to move the member to Tier 2, payable from the date of the determination, if the (former) employer is satisfied, having obtained a further certificate from an Independent Registered Medical Practitioner (who can be the same Independent Registered Medical Practitioner who provided the certificate for the initial Tier 3 ill health retirement), that the member is permanently incapable of discharging efficiently the duties of the employment the member held with the (former) employer and is either:
 - a) unlikely to be capable of undertaking gainful employment before their Normal Pension Age, or
 - b) unlikely to be capable of undertaking gainful employment within 3 years of leaving but is likely to be able to undertake such employment before reaching their Normal Pension Age;
 or
 - following a request received from the member before their Normal Pension Age, the (former) employer is satisfied, having obtained a further certificate from an Independent Registered Medical Practitioner (who can be the same Independent Registered Medical Practitioner who provided the certificate for the initial Tier 3 ill health retirement and who has been authorised by the Pension Fund administering authority), that as a result of ill health or infirmity of mind or body, the member is unlikely to be capable of undertaking gainful employment before their Normal Pension Age (in which case the ‘suspended’ pension is brought back into payment at an unenhanced rate).

FAQs

Does an ill-health certificate for an active member have to be obtained before termination of employment?

10. Regulations 35 and 36 of the LGPS Regulations 2013 (the '2014 Scheme') require that, for there to be entitlement to an ill-health retirement pension:
 - a) the employer has to terminate the member's employment on the grounds of ill-health or infirmity of mind or body before the member's Normal Pension Age, and
 - b) before deciding whether the member meets the conditions for an ill-health retirement pension and, if so, which Tier of benefit to award, the employer must obtain a certificate from an IRMP who has been approved by the administering authority showing whether, in the opinion of the IRMP:
 - the member is permanently incapable of discharging efficiently the duties of his / her employment as a result of ill-health or infirmity of mind or body and, if so
 - whether as a result of ill-health or infirmity of mind or body, the member is not immediately capable of undertaking any gainful employment and, if that is the case
 - how long the member is unlikely to be capable of undertaking gainful employment, and
 - where the member has been working reduced contractual hours and had reduced pensionable pay as a consequence of the reduction in working hours, whether the member was in part-time service wholly or partly as a consequence of ill-health or infirmity of mind or body (see paragraph 20 below).
11. Under the '2014 Scheme' there is no requirement for the employer to get the IRMP certificate before deciding to terminate employment. Unlike the 2008 Scheme where there was such a requirement. The employer can terminate the member's employment on the grounds of ill-health or infirmity of mind or body [note that at the point of termination there is no requirement for that ill-health or infirmity of mind or body to have been determined to be permanent] and subsequently get a certificate to help them determine whether or not the member satisfies the criteria for an ill-health retirement pension and, if so, what Tier of benefit to award.
12. Whilst it is still advisable for employers to get all the certification in place before terminating employment (particularly as the Scheme member will wish to know before their employment is terminated whether or not they

will be entitled to immediate payment of pension), there is technically nothing in the '2014 Scheme' requiring them to do so. The employer can terminate employment on the grounds of ill-health or infirmity of mind or body and subsequently get a certificate upon which to determine whether or not the member meets the criteria for an ill-health retirement pension and the Tier of benefit to award.

From what date is a deferred pension or a suspended Tier 3 ill-health pension awarded under the 2014 Scheme payable if it is subsequently brought into payment on the grounds of permanent ill-health?

13. A member who has a deferred pension which was awarded under the '2014 Scheme' may, before attaining their Normal Pension Age, request that the deferred pension is paid early if the member has, because of ill-health or infirmity of mind or body, become permanently incapable of discharging efficiently the duties of the employment they were engaged in at the date of becoming a deferred member and is unlikely to be capable of undertaking gainful employment before reaching Normal Pension Age or for at least three years, whichever is the sooner.
14. Before determining whether to agree to the request the former employer or, where that employer is no longer a Scheme employer, the appropriate administering authority, must obtain a certificate from an IRMP who has been approved by the administering authority showing whether, in the opinion of the IRMP, the member is suffering from a condition that renders them:
 - permanently incapable, because of ill-health or infirmity of mind or body, of discharging efficiently the duties of the employment they were engaged in at the date of becoming a deferred member, and
 - whether, as a result of that condition, the member is unlikely to be capable of undertaking gainful employment before reaching Normal Pension Age or for at least three years, whichever is the sooner.
15. A member who has a suspended Tier 3 ill-health pension which was awarded under the '2014 Scheme' may, before attaining their Normal Pension Age, request that the suspended Tier 3 pension is brought into payment early if the member is, because of ill-health or infirmity of mind or body, unlikely to be capable of undertaking gainful employment before reaching Normal Pension Age.
16. Before determining whether to agree to the request the former employer or, where that employer is no longer a Scheme employer, the appropriate administering authority, must obtain a certificate from an IRMP who has been approved by the administering authority showing whether, in the opinion of the IRMP, the member is, as a result of ill-health or infirmity of mind or body, unlikely to be capable of undertaking gainful employment before their Normal Pension Age.

17. Where, in either case, the former employer or, where that employer is no longer a Scheme employer, the appropriate administering authority, decides to agree to the member's request for early payment, regulation 30(10) of the LGPS Regulations 2013 provides that the pension is payable from the date on which the former employer (or, where relevant, the appropriate administering authority) decides to agree to the request (and not from the date of the member's request or the date the IRMP signed the certificate).

Can giving pay in lieu of notice (instead of paid notice) affect the amount of a member's Tier 1 or Tier 2 ill-health pension?

18. In order to calculate the amount of ill-health enhancement, assumed pensionable pay (APP) will need to be calculated by the employer when terminating an active member's employment on the grounds of ill-health with a Tier 1 or Tier 2 ill-health pension⁴ (see paragraphs 5 & 6).
19. Where APP is calculated as shown in paragraph 6(a), a decision to give pay in lieu of notice rather than paid notice can impact on the calculation. Take, for example, a member on £20,004 per annum who goes onto half-pay due to sickness on 1 April 2015. APP would be the pay for January 2015 (£1,667) + February 2015 (£1,667) + March 2015 (£1,667) = £5,001 / 3 x 12 = £20,004 (£1,667 per month). Let's assume that a 1% pay award was granted from 1 April 2015 (taking basic pay to £20,204 per annum). If the member is retired on ill-health grounds from 1 August 2015 with, say, three months' pay in lieu of notice, the APP for the Tier 1 or Tier 2 enhancement calculation will be £20,004 (i.e. APP of £1,667 for May, June and July 2015 / 3 x 12). However, if three months' paid notice is given, taking the date of leaving to 31 October 2015, the APP for the Tier 1 or Tier 2 enhancement calculation will be £20,204 (i.e. pay of £1,683.67 for August, and for September and for October / 3 x 12). There is, in this example, a difference of £200 in the APP figure used to calculate the amount of Tier 1 or Tier 2 enhancement which is caused purely by whether or not the employer had given paid notice or pay in lieu of notice.

When can a reduction in contractual hours be ignored when calculating ill-health benefits under the '2014 Scheme'?

20. Where the Independent Registered Medical Practitioner (IRMP) certifies that the member was, as at the date of termination on the grounds of ill-health or infirmity of mind or body, working reduced contractual hours wholly or partly as a consequence of ill-health or infirmity of mind or body

⁴ The same applies where an active member dies in service, or where a Tier 3 ill-health pension is awarded which is subsequently changed to a Tier 1 or Tier 2 ill-health pension following an appeal or changed to a Tier 2 pension following the 18 month review of a Tier 3 pension or following a request for a review made by the scheme member at any time up to 3 years after the Tier 3 pension has been suspended.

then, in calculating the APP figure upon which the Tier 1 or Tier 2 ill-health enhancement under the '2014 Scheme' is to be based, the APP figure is to be calculated on the pay the member would have received during the relevant period prior to payment of benefits if they had not been working reduced hours⁵.

21. Accrued benefits to the date of leaving (even those accrued prior to 1 April 2014) are not calculated as if there had been no reduction in contractual hours (unlike the situation that would have applied had the member retired on ill-health grounds under the '2008 Scheme'). The reduction in contractual hours is only ignored for the purposes of calculating the APP figure upon which the Tier 1 or Tier 2 ill-health enhancement is to be calculated.

Areas not covered by the ill health certificates

22. The sample certificates do not, due to the small number of cases involved, cover the following two situations:

Active members with an added years' contract

By virtue of regulation 2 and Schedule 1 of the LGPS (Transitional Provisions) Regulations 2008 and regulation 15(1)(c) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, regulation 83 of the LGPS Regulations 1997 has not been revoked.

This means that where an active member has an added years' contract, that contract will be deemed to have been fully paid for if the member meets the old definition of ill health retirement⁶ under regulation 27 of the LGPS Regulations 1997.

The effect of this is that:

- a member who meets the old ill health definition under regulation 27 of the LGPS Regulations 1997 but who does not meet the ill

⁵ Note that there is no equivalent of this adjustment to APP where the person dies in service rather than being retired on health grounds.

⁶ i.e. the member leaves a local government employment by reason of being "permanently incapable" of discharging efficiently the duties of that employment or any other "comparable employment" with his/her employing authority because of ill-health or infirmity of mind or body; where:

"Comparable employment" means employment in which, when compared with the member's employment-

(a) the contractual provisions as to capacity either are the same or differ only to an extent that is reasonable given the nature of the member's ill-health or infirmity of mind or body; and

(b) the contractual provisions as to place, remuneration, hours of work, holiday entitlement, sickness or injury entitlement and other material terms do not differ substantially from those of the member's employment; and

"permanently incapable" means that the member will, more likely than not, be incapable, until, at the earliest, his/her 65th birthday.

health definition in regulation 35 of the LGPS Regulations 2013 will be deemed to have completed payment of the added years' contract but will not be entitled to an ill health pension under the 2013 or 2008 Regulations

- a member who does not meet the old ill health definition under regulation 27 of the LGPS Regulations 1997 but who does meet the ill health definition in regulation 35 of the LGPS Regulations 2013 will not be deemed to have completed payment of the added years' contract (they will only be entitled to the proportion they had paid for) but they will be entitled to an ill health pension under the 2013 or 2008 Regulations
- a member who meets the ill health definition under the 1997 or 1998 Regulations and under the 2013 or 2008 Regulations will be deemed to have completed payment of the added years' contract and will be entitled to an ill health pension under the 2013 or 2008 Regulations.

Due to the small number of cases involved, the sample certificates for current active members do not include a relevant question to cover cases where the member has an added years' contract. Where the member does have an added years' contract, the employer should ask the Independent Registered Medical Practitioner (IRMP) for a view on whether or not the member also meets the old ill health definition under regulation 27 of the LGPS Regulations 1997.

All of the regulations referred to above may be viewed in the 'scheme regulations page' of www.lgpsregs.org.

Retrospective ill health retirements – leavers between 1 April 1998 and 31 March 2008 under the LGPS Regulations 1997.

Under regulation 27 of the LGPS Regulations 1997 a member only had to have left employment because of permanent ill health or infirmity of mind or body; they did not have to be dismissed because of permanent ill health or infirmity of mind or body.

The LGPC Secretariat is aware that there are some cases where a person may have simply resigned rather than soldier on, or resigned because they did not want their employer to know that they were ill, and so the employer did not necessarily realise the member should have been considered for an ill health retirement and, in consequence, a deferred benefit was awarded. The member may, at some later date, make a decision to ask for their deferred benefits to be paid on the grounds of permanent ill health and it is at that stage where it might become apparent that the member should actually have been awarded an ill health pension at the date of leaving.

That was why the Secretariat included boxes B3 and B4 on the old sample certificate in [Circular 221](#) for deferred members in England and Wales who left between 1 April 1998 and 31 March 2008 (so that, where relevant, the case could retrospectively be dealt with as an ill health retirement where the member would have met the permanent ill health definition at the date of leaving, based on the medical evidence that would have been discoverable at the date of leaving).

However, now we are a number of years beyond the last date that a person could have left under the 1997 Regulations, the equivalent of boxes B3 and B4 in the old sample certificate in [Circular 221](#) for deferred members in England and Wales who left between 1 April 1998 and 31 March 2008 has not been included in the current sample certificate for such leavers. This is on the grounds that the vast majority of such members who apply for their deferred benefit to be brought into payment on health grounds will not have left originally because of permanent ill health. If, however, the person claims to have been permanently ill at the time of leaving and was not seen by an Independent Registered Medical Practitioner at that time, the employer can now ask the Independent Registered Medical Practitioner whether the person would have met the permanent ill health definition under the 1997 Regulations at the date of leaving (based on the medical evidence that would have been discoverable at the date of leaving) and, if so, award an ill health pension.

Definitions

23. Unless stated otherwise within this document, the following words / phrases contained have the meaning prescribed below:

2 year qualifying service criteria

To meet the 2 year qualifying service criteria:

- a) the member must have spent 2 years as an active member of the LGPS in England or Wales; or
- b) the member must have transferred into the LGPS in England or Wales pension rights from a different occupational pension scheme (or from a European pensions institution) and the length of service in respect of benefits in that scheme was 2 or more years; or
- c) the aggregate of the period the person has spent as an active member of the LGPS in England or Wales and of a different occupational pension scheme or European Pensions Institution in respect of which a transfer value payment has been accepted, is 2 or more years; or
- d) the member has transferred pension rights into the LGPS in England or Wales from a pension scheme or arrangement that does not permit a refund of contributions to the member (e.g. from a personal pension scheme or stakeholder pension scheme); or
- e) the member has paid national insurance contributions whilst an active member and ceases active membership after the end of the tax year preceding that in which the member attains pensionable

- age (i.e. age 60 for a female or age 65 for a male) if the member has a Guaranteed Minimum Pension (GMP) accrued prior to 6 April 1997 or, in any other case, State Pension Age; or
- f) the member already holds a deferred benefit under the LGPS in England or Wales or is in receipt of a pension from the LGPS in England or Wales (other than a survivor's pension or pension credit member's pension); or
 - g) a transfer value payment has been made from the LGPS in England or Wales in respect of the member to a qualifying recognised overseas pension scheme.

(Former) Employer

This means the employer the member worked for before leaving active membership of the scheme on the grounds of ill health (or the Pension Fund administering authority if that employer has since ceased to be a Scheme employer).

Gainful employment

Gainful employment means paid employment for not less than 30 hours in each week for a period of not less than 12 months.

Independent Registered Medical Practitioner (IRMP)

IRMP means an independent registered medical practitioner who is registered with the General Medical Council and either holds a diploma in occupational health medicine (D Occ Med) or an equivalent qualification issued by a competent authority in an EEA state (within the meaning given by section 55(1) of the Medical Act 1983); or is an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA state.

Normal Pension Age (NPA)

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.

SPa was equalised in November 2018 to age 65. SPa will then increase to age 66 from December 2018 to October 2020, age 67 by April 2036 and age 68 by April 2046.

Permanently incapable

Permanently incapable means that the member will, more likely than not, be incapable until, at the earliest, the member's Normal Pension Age.

Actions

24. Administering authorities in England and Wales may want to use the updated sample certificates as the basis for the certificates they wish employers in their Fund to use.

25. Employers in England and Wales should not use the updated sample certificates without checking with their Pension Fund administering authority. This is because the administering authority may well have their own certificates / forms which they wish employers in their Fund to use.
26. Administering authorities in England and Wales may wish to copy this document to employers in their Fund or bring the document to the attention of employers by directing them to the ['guides and sample forms'](#) page on www.lgpsregs.org.

Example Medical Certificate for a Current Employee – England and Wales

Part A: To be completed by the employer

Surname of employee:

Forenames:

Mr / Mrs / Miss / Ms*

Date of birth:

NI Number:

Home address:

Employer:

Place of work:

Nature of employment (job description and full information on requirements of the job are 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 or infirmity or mind or body? Yes / No * (If 'Yes', please attach a statement providing background details e.g. factors that led to the reduction in hours, number of hours by which the employee's hours were reduced, date(s) reduction(s) in hours occurred. This is to assist the registered medical practitioner when answering questions B8/B9).

(*delete as appropriate)

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 employee named in Part A

B1: IS B2: IS NOT

suffering from a condition that, more likely than not, renders him / her 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

If B2 has been ticked please move to Part D of this form, otherwise please tick B3 or B4.

I certify that, because of that ill health or infirmity of mind or body, the employee

B3: IS B4: IS NOT

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

If B3 has been ticked please move to Part D of this form, otherwise please indicate which one of the following (boxes B5 to B7) applies.

I certify that, in my opinion, as a result of that ill health or infirmity the employee named in Part A:

B5: **IS LIKELY** to be capable of undertaking (3) gainful employment (4) within the next three years (or before his / her normal pension age (5), if earlier). (TIER 3)

OR

B6: **IS UNLIKELY** to be capable of undertaking (3) any gainful employment (4) within the next three years but **IS LIKELY** to be capable of undertaking gainful employment (4) at some time thereafter and before his / her normal pension age (5). (TIER 2)

OR

B7: **IS UNLIKELY** to be capable of undertaking (3) gainful employment (4) before his / her normal pension age (5). (TIER 1)

If B6 or B7 have been ticked and the employee has been working reduced contractual hours and had reduced pensionable pay as a consequence of the reduction in working hours (as indicated by the employer in Part A) please tick B8 or B9

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

B8: IS B9: 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 member's ill-health retirement.

Part C: To be completed by the approved registered medical practitioner. Severe ill health test statement - as required by HMRC.

If B5, B6 or B7 have been ticked I further certify that, in my opinion, the employee

B10: DOES B11: DOES NOT **satisfy the following statement:**

As a result of his / her ill 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 person could be subject to a tax charge in accordance with the annual allowance test under the Finance Act 2004).

Please now complete Part D.

Part D: General statement to be completed by the approved (1) registered medical practitioner.

I do / do not* 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 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

(* delete as appropriate)

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

..... Date:
Signature of independent registered medical practitioner

.....
Printed name of independent registered medical practitioner

Registered medical practitioner's / company's official stamp
(Optional)

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

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 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 of age 65. 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>
- (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.

General – notes for employers

If B2 or B3 have been ticked, this means that the employee does not, in the medical opinion of the approved registered medical practitioner, meet the criteria for an ill health pension under the LGPS.

If B1, B4 and B5 have been ticked, this means that the employee, in the medical opinion of the approved registered medical practitioner, meets the criteria for a tier 3 ill health pension under the LGPS.

If B1, B4 and B6 have been ticked, this means that the employee, in the medical opinion of the approved registered medical practitioner, meets the criteria for a tier 2 ill health pension under the LGPS.

If B1, B4 and B7 have been ticked, this means that the employee, in the medical opinion of the approved registered medical practitioner, meets the criteria for a tier 1 ill health pension under the LGPS.

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 B8 has been ticked (i.e. the employee is in part-time service and working reduced contractual hours wholly or partly as a result of the condition that caused or contributed to the member's ill-health retirement) the employer can calculate the assumed pensionable pay upon which the member's enhancement to benefits is to be calculated as if the reduction in contractual hours and pay had not occurred.

If B10 has been ticked 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 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 in respect of a current employee by an independent, approved, duly qualified registered medical practitioner 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.

Example Medical Certificate for a Deferred Beneficiary who ceased membership as an employee on or after 1 April 2014 – England and Wales.

Part A: To be completed by the former Scheme employer

Surname of former employee:

Forenames:

Mr / Mrs / Miss / Ms*

Date of birth:

NI Number:

Home address:

Employer at date of becoming a deferred Scheme member:

Position (post title) at date of becoming a deferred Scheme member:

Nature of employment at date of becoming a deferred Scheme member**:

Date ceased to be an active Scheme member:

(*delete as appropriate)

(** 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 (1) registered medical practitioner.

Please tick either B1 or B2

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

B1: IS

B2: IS NOT

permanently incapable (2), because of ill health or infirmity of mind or body, of discharging efficiently the duties of his / her former employment which gave rise to the deferred benefits in the Local Government Pension Scheme.

If B2 has been ticked please move to Part C of this form.

If B1 has been ticked, please tick B3 or B4

I certify that, in my opinion, as a result of their ill health or infirmity, the person named in Part A

B3: IS

B4: IS NOT

unlikely to be capable of undertaking (3) gainful employment (4) before reaching normal pension age (5), or for at least three years, whichever is the sooner.

If B4 has been ticked please move to Part C of this form.

If B3 has been ticked and the person named in Part A is under age 55, please tick B5 or B6 (otherwise please move to Part C of this form).

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

B5: IS

B6: IS NOT

permanently incapable by reason of disability caused by physical or mental infirmity of engaging in any regular full-time employment.

Please now complete Part C.

Part C: General statement to be completed by the approved (1) registered medical practitioner.

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**.

..... Date:
Signature of independent registered medical practitioner

.....
Printed name of independent registered medical practitioner

Registered medical practitioner's / company's official stamp
(Optional)



(* delete as appropriate)

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

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 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 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 former employment which gave rise to the deferred benefits in the Local Government Pension Scheme.
- (5) '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. State pension age is currently age 65 for men.
- (6) 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->

General – notes for employers

If B2 or B4 have 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 and B3 have 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 the former employer agrees to bring the deferred pension into payment early, the pension is payable from the date of the former employer's determination that the member meets the criteria for early release of the deferred pension benefits under the LGPS (and not from the date of the member's application for early payment or from the date the IRMP signs this certificate).

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 in respect of a deferred member by an independent, approved, duly qualified registered medical practitioner in accordance with regulation 36 of the Local Government Pension Scheme Regulations 2013.

Example Medical Certificate for a Deferred Beneficiary who ceased membership as an employee on or after 1 April 2008 and before 1 April 2014 – England and Wales.

Part A: To be completed by the former Scheme employer

Surname of former employee:

Forenames:

Mr / Mrs / Miss / Ms*

Date of birth:

NI Number:

Home address:

Employer at date of becoming a deferred Scheme member:

Position (post title) at date of becoming a deferred Scheme member:

Nature of employment at date of becoming a deferred Scheme member**:

Date ceased to be an active Scheme member:

Date of application for early payment of deferred benefits:

(*delete as appropriate)

(** 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 (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 employment which gave rise to the deferred benefits in the Local Government Pension Scheme.

If B2 has been ticked please move to Part C of this form.

If B1 has been ticked, please tick B3 or B4

I certify that, in my opinion, as a result of their ill health or infirmity, the person named in Part A

B3: DOES

B4: DOES NOT

have a reduced likelihood of being capable of undertaking (3) other gainful employment (4) within three years of the date of application shown in Part A or, if earlier, before normal retirement age (5).

If B4 has been ticked please move to Part C of this form.

If B3 has been ticked:

I certify that the date the person first became permanently incapable (2), because of ill health or infirmity of mind or body, of discharging efficiently the duties of his / her former employment which gave rise to the deferred benefits in the Local Government Pension Scheme and met the criteria in B3, based on evidence available at that time, was -

B5: [Enter date]

(Note: the date entered can be earlier than, and need not correspond with, the date of the person's application for early payment of deferred benefits, as shown in Part A, and will be used as the date from which the deferred pension benefits will be brought into payment).

If B3 has been ticked and the person named in Part A is under age 55 at the date entered in B5, please tick B6 or B7 (otherwise please move to Part C of this form).

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

B6: IS

B7: IS NOT

permanently incapable by reason of disability caused by physical or mental infirmity of engaging in any regular full-time employment and, if B6 has been ticked, the date from which he / she became so incapable was -

B8: [Enter date]

(Note: a date entered at B8 can be the same as, or later than, the date entered at B5 and is used to determine the date from which the pension should be increased under Pensions Increase legislation).

Please now complete Part C.

Part C: General statement to be completed by the approved (1) registered medical practitioner.

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**.

..... Date:
Signature of independent registered medical practitioner

.....
Printed name of independent registered medical practitioner

Registered medical practitioner's / company's official stamp
(Optional)

(* delete as appropriate)

(** the guidance document, and the supplementary guidance document, are available from the table at

<http://lgpsregs.org/timelineregs/Statutory%20Guidance%20and%20circulars/statguide.htm>)

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 employment with the employer because of ill health or infirmity of mind or body until, at the earliest, their normal retirement 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 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 former employment which gave rise to the deferred benefits in the Local Government Pension Scheme.
- (5) 'Normal retirement age' means age 65 [apart from in the case of a small number of protected members who have a normal retirement age of 60 e.g. employees who were transferred to local government from the Learning and Skills Council for England on 1 April 2010].

General – notes for employers

If B2 or B4 have 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 and B3 have 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.

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 in respect of a deferred member by an independent, approved, duly qualified registered medical practitioner in accordance with regulation 31 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) and regulation 56 of the Local Government Pension Scheme (Administration) Regulations 2008 (as amended).

Example Medical Certificate for a Deferred Beneficiary who ceased membership as an employee on or after 1 April 1998 and before 1 April 2008 – England and Wales.

Part A: To be completed by the former Scheme employer

Surname of former employee:

Forenames:

Mr / Mrs / Miss / Ms*

Date of birth:

NI Number:

Home address:

Employer at date of becoming a deferred Scheme member:

Position (post title) at date of becoming a deferred Scheme member:

Nature of employment at date of becoming a deferred Scheme member**:

Date ceased to be an active Scheme member:

Date of application for early payment of deferred benefits:

(*delete as appropriate)

(** please give full description of the requirements of the job and / or attach a copy of the job description if available)

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 employment which gave rise to the deferred benefits in the Local Government Pension Scheme.

If B2 has been ticked please move to Part C of this form.

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 also 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

Please now complete Part C.

Part C: General statement to be completed by the approved (1) registered medical practitioner.

I do / do not* 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 employer or any other party in relation to this case

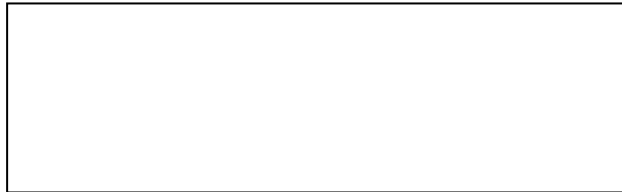
AND

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.

..... Date:
Signature of independent registered medical practitioner

.....
Printed name of independent registered medical practitioner

Registered medical practitioner's / company's official stamp
(Optional)



(* delete as appropriate)

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 employment with the employer because of ill health or infirmity of mind or body until, at the earliest, their 65th birthday (age 70 in the case of former coroners).
- (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 www.gmc-uk.org/about/legislation/medical_act.asp#2

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 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 in respect of a deferred 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.

Example Medical Certificate for a Deferred Beneficiary who ceased membership as an employee before 1 April 1998 – England and Wales.

Part A: To be completed by the former Scheme employer

Surname of former employee:

Forenames:

Mr / Mrs / Miss / Ms*

Date of birth:

NI Number:

Home address:

Employer at date of becoming a deferred Scheme member:

Position (post title) at date of becoming a deferred Scheme member:

Nature of employment at date of becoming a deferred Scheme member**:

Date ceased to be an active Scheme member:

Date of application for early payment of deferred benefits:

(*delete as appropriate)

(** please give full description of the requirements of the job and / or attach a copy of the job description if available)

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: IS B2: IS NOT

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 employment which gave rise to the deferred benefits in the Local Government Pension Scheme.

If B2 has been ticked please move to Part C of this form.

If B1 has been ticked:

I certify that the date the person became permanently incapable (2) was -

B3: [Enter date] and that this was discoverable at that time based on evidence available at that time.

(Note: the date entered can be earlier than, and need not correspond with, the date of the person's application for early payment of deferred benefits, as shown in Part A, and will be used as the date from which the pension benefits will be payable).

If B1 has been ticked and the person named in Part A is under age 55 at the date entered in B3, please tick B4 or B5

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

B4: IS B5: IS NOT

permanently incapable by reason of disability caused by physical or mental infirmity of engaging in any regular full-time employment and, if B4 has been ticked, the date from which he / she became so incapable was -

B6: [Enter date]

(Note: a date entered at B6 can be the same as, or later than, the date entered at B3 and is used to determine the date from which the pension should be increased under Pensions Increase legislation).

If B1 has been ticked, please also tick B7 or B8

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

B7: **IS** exceptionally ill, with a life expectancy of less than 1 year and

is aware of this

is not aware of this

B8: **IS NOT** exceptionally ill and has a life expectancy of 1 year or more

Please now complete Part C.

Part C: General statement to be completed by the approved (1) registered medical practitioner.

I do / do not* 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 employer or any other 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.

..... Date:

Signature of independent registered medical practitioner

.....
Printed name of independent registered medical practitioner

Registered medical practitioner's / company's official stamp
(Optional)

(* delete as appropriate)

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 employment with the employer because of ill health or infirmity of mind or body until, at the earliest, their 65th birthday (age 70 in the case of former coroners).
- (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 www.gmc-uk.org/about/legislation/medical_act.asp#2

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 B7 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 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 in respect of a deferred member by an independent, approved, duly qualified registered medical practitioner in accordance with regulation D11 of the Local Government Pension Scheme Regulations 1995 (as amended) and for the purposes of section 229(4) of the Finance Act 2004.

Example Medical Certificate for a Current Councillor – England and Wales.

Part A: To be completed by the authority

Surname of councillor:

Forenames:

Mr / Mrs / Miss / Ms*

Date of birth:

NI Number:

Home address:

Authority:

Nature of office: Councillor (full description of the requirements of the role are attached)

(*delete as appropriate)

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 Councillor named in Part A

B1: IS B2: IS NOT

suffering from a condition that, on the balance of probabilities, renders him / her permanently incapable (2) of discharging efficiently the duties of his / her office as a councillor with his / her authority because of ill health or infirmity of mind or body.

If B2 has been ticked please move to Part D of this form.

If B1 has been ticked, please tick B3 or B4

I certify (5) that, in my opinion, the Councillor named in Part A

B3: IS exceptionally ill, with a life expectancy of less than 1 year and

is aware of this

is not aware of this

B4: IS NOT exceptionally ill and has a life expectancy of 1 year or more

After ticking B3 or B4 please move to Part C.

Part C: To be completed by the approved (1) registered medical practitioner. Severe ill health test statement - as required by HMRC.

If B1 has been ticked I further certify that, in my opinion, the Councillor

B5: DOES B6: DOES NOT

satisfy the following statement:

As a result of his / her ill health or infirmity, the councillor is unable to continue in his / her current office and is unlikely to be capable of taking on any other paid work in any capacity, otherwise than to an insignificant extent (3) before age 65.

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

Please now complete Part D.

Part D: General statement to be completed by the approved (1) registered medical practitioner.

I do / do not* 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 Councillor named in Part A, the authority or any other 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.

..... Date:

Signature of independent registered medical practitioner

.....
Printed name of independent registered medical practitioner

Registered medical practitioner's / company's official stamp
(Optional)



(* delete as appropriate)

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 office because of ill health or infirmity of mind or body until, at the earliest, their 65th birthday.
 - (3) '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.
 - (4) 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 www.gmc-uk.org/about/legislation/medical_act.asp#2
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-

General – notes for employers

If B2 has been ticked, the Councillor does not, in the medical opinion of the approved registered medical practitioner, meet the criteria for an ill health pension under the LGPS.

If B1 has been ticked, the Councillor does, in the medical opinion of the approved registered medical practitioner, meet the criteria for an ill health pension under the LGPS.

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 councillor that such an award will or will not be made. It is for the employing authority to make the formal ill health award determination.

If B3 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 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.

If B5 has been ticked 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 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 in respect of a current 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.

Example Medical Certificate for a Deferred Councillor Member – England and Wales.

Part A: To be completed by the former authority

Surname of former councillor:

Forenames:

Mr / Mrs / Miss / Ms*

Date of birth:

NI Number:

Home address:

Employing authority at date of becoming a deferred Scheme member:

Position at date of becoming a deferred Scheme member: Councillor**

Date ceased to hold office as a councillor (and ceased to be an active member of the LGPS):

Date of application for early payment of deferred benefits:

(*delete as appropriate)

(** 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 (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 move to Part C of this form.

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 also 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

Please now complete Part C.

Part C: General statement to be completed by the approved (1) registered medical practitioner.

I do / do not* 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 other 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.

..... Date:
Signature of independent registered medical practitioner

.....
Printed name of independent registered medical practitioner

Registered medical practitioner's / company's official stamp
(Optional)



(* delete as appropriate)

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 employer because of ill health or infirmity of mind or body until, at the earliest, their 65th 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 www.gmc-uk.org/about/legislation/medical_act.asp#2

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 employing authority 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 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 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.

Example 3rd Tier Ill Health Retirement Review Certificate for a Current 3rd Tier Pensioner where the cessation of employment occurred after 31 March 2014 – England and Wales – Review taking place 18 months after the date of cessation of employment (and before normal pension age (1)).

Part A: To be completed by the employer

Surname of employee:

Forenames:

Mr / Mrs / Miss / Ms*

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 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 his / her employment with his / her 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 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 pension 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 37 of the Local Government Pension Scheme Regulations 2013, whether, and if so when, will be likely to be capable of undertaking of undertaking (5) gainful employment (3).

(*delete as appropriate)

(** 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 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 move to Part C of this form.

If B1 has been ticked, please tick B3 or B4 then move to Part C of this form.

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 [Enter a date up to a maximum of the day preceding the third anniversary of the date of leaving shown in section A].

Part C: General statement to be completed by the approved (4) registered medical practitioner.

I do / do not* 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**.

..... Date:
Signature of independent registered medical practitioner (6)

.....
Printed name of independent registered medical practitioner (6)

Registered medical practitioner's / company's official stamp
(Optional)

(* delete as appropriate)

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

Explanatory notes to accompany certificate

Meaning of terms used

- (1) '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. 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>
- (2) '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).
- (3) '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.
- (4) The independent registered medical practitioner signing the certificate must have been approved for this purpose by the Pension Fund administering authority.
- (5) 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.
- (6) 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 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 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 3^d tier pensioner whose pension is currently in payment in accordance with regulation 37 of the Local Government Pension Scheme Regulations 2013.

Example 3rd Tier Ill Health Retirement Review Certificate for a Suspended 3rd Tier Pensioner where the cessation of employment occurred after 31 March 2014 – England and Wales – Review taking place at the request of the member whilst the 3rd tier pension is in payment or within 3 years after payment of the 3rd tier pension has been discontinued (and before normal retirement age (1)).

Part A: To be completed by the employer

Surname of employee:

Forenames:

Mr / Mrs / Miss / Ms*

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 of leaving:

Date tier 3 pension was originally discontinued (if appropriate)*:

Date member asked for case to be reviewed:

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 his / her employment with his / her 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 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 pension age (1), if earlier). He / she was awarded a short-term, reviewable, tier 3 pension and has made a request, either whilst the tier 3 ill health pension is still in payment or within 3 years of it being discontinued, for the employer to determine whether or not to move him / her to a tier 2 ill health pension. It is therefore now necessary to determine, in accordance with regulation 37(10) of the Local Government Pension Scheme Regulations 2013, whether the person can, due to the medical condition that resulted in the original award of a tier 3 ill health pension, be uplifted to a tier 2 ill health pension.

(*delete as appropriate)

(** 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 / WAS 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 B1 has been completed, please move to Part D.

If B2 has been completed, please move to Part C if, and only if, the form is being completed within the same Scheme year (ending 31st March) that the person named in Part A ceased employment (as shown in Part A); otherwise, please move to Part D.

Part C: Severe ill health test statement - as required by HMRC.

I further certify that, in my opinion, the employee

B10: **DOES** B11: **DOES NOT** **satisfy the following statement:**

As a result of his / her ill health or infirmity, the employee 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 person could be subject to a tax charge in accordance with the annual allowance test under the Finance Act 2004).

Please now complete Part D.

Part D: General statement to be completed by the approved (4) registered medical practitioner.

I do / do not* 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**.

..... Date:
Signature of independent registered medical practitioner (6)

.....
Printed name of independent registered medical practitioner (6)

Registered medical practitioner's / company's official stamp
(Optional)

(* delete as appropriate)

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

Explanatory notes to accompany certificate

Meaning of terms used

- (1) '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. 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>
- (2) 'Permanently incapable' means that the person is, more likely than not, 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 (1).
- (3) '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.
- (4) The independent registered medical practitioner signing the certificate must have been approved for this purpose by the Pension Fund administering authority.
- (5) 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.
- (6) 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 is ticked, the member does not, in the independent registered medical practitioner's opinion, satisfy the requirements to be uplifted to a tier 2 ill health pension.

If B2 is ticked, the member does, in the independent registered medical practitioner's opinion, satisfy the requirements to be uplifted to a tier 2 ill health pension and the former employer can determine to award an enhanced (tier 2) ill health pension, payable from the date of their determination.

If B2 has been ticked and the former employer determines to award an enhanced (tier 2) ill health pension, payable from the date of their determination, there is no pension input amount for the purposes of the annual allowance test under the Finance Act 2004 and Pensions Increase will be payable under the Pensions (Increase) Act 1971 even if the member is under age 55.

The opinion given by the approved registered medical practitioner does not, in itself, determine whether the suspended pension is brought back into payment or is uplifted to tier 2. Nor should the medical practitioner indicate to the individual that a benefit under the LGPS will be payable. It is for the former employing authority to make the formal determination.

If the person is not capable, due to the medical condition that resulted in the original award of a tier 3 ill health pension, of undertaking (5) gainful employment (3) within three years of the date of leaving shown in Part A and is permanently incapable (2) of undertaking any gainful employment (3) before his / her normal retirement age (1), regulation 37 of the Local Government Pension Scheme Regulations 2013 does not permit a tier 1 ill health pension to be awarded. Where a tier 3 ill health pension was originally awarded the person would, in order to obtain a tier 1 ill health pension, have to have made a successful appeal under the Internal Dispute Resolution Procedure with the appeal being launched within 6 months of initially being notified of the award of a tier 3 ill health pension (or such longer period as the person hearing the appeal considers appropriate).

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 who, in accordance with regulation 37 of the Local Government Pension Scheme Regulations 2013, has requested a review, whilst the 3rd tier pension is in payment or within 3 years after payment of the 3rd tier pension has been discontinued (and before normal retirement age), to determine whether or not the person meets the criteria to be uplifted to a tier 2 pension.

Example 3rd Tier Ill Health Retirement Review Certificate for a Suspended 3rd Tier Pensioner where the cessation of employment occurred after 31 March 2014 – England and Wales – Review taking place 3 or more years after the date of cessation of the 3rd tier pension (and before normal pension age (1)).

Part A: To be completed by the employer

Surname of employee:

Forenames:

Mr / Mrs / Miss / Ms*

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 of leaving:

Date member asked for early payment of suspended 3rd tier ill health pension:

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 his / her employment with his / her 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 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 pension age (1), if earlier). He / she was awarded a short-term, reviewable, 3rd tier pension which was subsequently suspended. The person has applied for early reinstatement of the suspended pension and so it is now necessary, in accordance with regulation 38 of the Local Government Pension Scheme Regulations 2013, to determine whether he / she is unlikely to be capable of undertaking (5) gainful employment (3) before his / her normal pension age (1).

(*delete as appropriate)

(** 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 LIKELY** to be capable of undertaking (5) gainful employment (3) before his / her normal pension age (1)

B2: **IS UNLIKELY** to be capable of undertaking (5) gainful employment (3) before his / her normal pension age (1).

Please now complete Part C.

Part C: General statement to be completed by the approved (4) registered medical practitioner.

I do / do not* 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**.

..... Date:
Signature of independent registered medical practitioner (6)

.....
Printed name of independent registered medical practitioner (6)

Registered medical practitioner's / company's official stamp
(Optional)

(* delete as appropriate)

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

Explanatory notes to accompany certificate

Meaning of terms used

- (1) '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. 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>
- (2) 'Permanently incapable' means that the person was, more likely than not, 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 (1).
- (3) '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.
- (4) The independent registered medical practitioner signing the certificate must have been approved for this purpose by the Pension Fund administering authority.
- (5) 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.
- (6) 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 is ticked, the 3rd tier ill health pension remains suspended as, in the independent registered medical practitioner's opinion, the member does not satisfy the requirements to have it brought back into payment.

If B2 is ticked, the employer can determine to bring the suspended 3rd tier ill health pension back into payment from the date they so determine. Pensions Increase will be payable under the Pensions (Increase) Act 1971 even if the member is under age 55.

The opinion given by the approved registered medical practitioner does not, in itself, determine whether the suspended pension is brought back into payment. Nor should the medical practitioner indicate to the individual that a benefit under the LGPS will be payable. It is for the former employing authority to make the formal determination. If the former employer agrees to bring the suspended Tier 3 ill health pension into payment early, the pension is payable from the date of the former employer's determination that the member meets the criteria for early release of the suspended Tier 3 ill health pension under the LGPS (and not from the date of the member's application for early payment or from the date the IRMP signs this certificate).

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 suspended and who requests early reinstatement on health grounds in accordance with regulation 38 of the Local Government Pension Scheme Regulations 2013.

Example 3rd Tier Ill Health Retirement Review Certificate for a Suspended 3rd Tier Pensioner where the cessation of employment occurred before 1 April 2014 – England and Wales – Review taking place 3 or more years after the date of cessation of the 3rd tier pension (and before normal retirement age (1)).

Part A: To be completed by the employer

Surname of employee:

Forenames:

Mr / Mrs / Miss / Ms*

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 of leaving:

Date member asked for early payment of suspended 3rd tier ill health pension:

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 which was subsequently suspended. It is now necessary to determine, in accordance with regulation 31(7) of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 whether he / she is permanently incapable of undertaking (5) any gainful employment (3) before his / her normal retirement age (1).

(*delete as appropriate)

(** 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 NOT** permanently incapable of undertaking (5) any gainful employment (3) before his / her normal retirement age (1)

B2: **IS** permanently incapable of undertaking (5) any gainful employment (3) before his / her normal retirement age (1) and that the date he / she became so incapable, based on evidence available at that time, was:

[Enter date] (Note: the date entered can be earlier than, and need not correspond with, the date the person asked for the case to be reviewed, as shown in Part A, and will be used as the date from which the suspended tier 3 pension will be brought into payment).

Please now complete Part C.

Part C: General statement to be completed by the approved (4) registered medical practitioner.

I do / do not* 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**.

..... Date:

Signature of independent registered medical practitioner (6)

.....
Printed name of independent registered medical practitioner (6)

Registered medical practitioner's / company's official stamp
(Optional)

(* delete as appropriate)

(** the guidance document, and the supplementary guidance document, are available from the table at

<http://lqpsregs.org/timelinereqs/Statutory%20Guidance%20and%20circulars/statguide.htm>)

Explanatory notes to accompany certificate

Meaning of terms used

- (1) 'Normal retirement age' means age 65 [apart from in the case of a small number of protected members who have a normal retirement age of 60 e.g. employees who were transferred to local government from the Learning and Skills Council for England on 1 April 2010].
- (2) 'Permanently incapable' means that the person was, more likely than not, 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 retirement age – see (1).
- (3) '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.
- (4) The independent registered medical practitioner signing the certificate must have been approved for this purpose by the Pension Fund administering authority.
- (5) 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.
- (6) 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 is ticked, the 3rd tier ill health pension remains suspended as the member does not satisfy the requirements to have it brought back into payment.

If B2 is ticked, the employer can bring the suspended 3rd tier ill health pension back into payment from the date the person became permanently incapable of undertaking any gainful employment. Pensions Increase will be payable under the Pensions (Increase) Act 1971 even if the member is under age 55.

The opinion given by the approved registered medical practitioner does not, in itself, determine whether the suspended pension is brought back into payment. Nor should the medical practitioner indicate to the individual that a benefit under the LGPS will 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 not currently in payment, in accordance with regulation 20 or 31 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) and regulation 56 of the Local Government Pension Scheme (Administration) Regulations 2008 (as amended).