

Certificate of continuing incapacity by a Norfolk Pension Fund approved independent registered medical practitioner qualified in occupational health medicine in accordance with Local Government Pension Scheme Regulations.

The Employer should complete Part A electronically and forward to IRMP. The IRMP completes either Part B, C, D or E and Part F for all cases in ink and returns to Employer. The Employer should send this form, together with their review certificate (form R46) to the Norfolk Pension Fund.

**NCC should send Forms via PenDocs. All other Employers should post paper copies to:
Norfolk Pension Fund, County Hall, Martineau Lane, NORWICH, NR1 2DH**

Part A : to be completed by the employer

Name of Employer

Member's Full Name

NI Number

Date of Birth

Home Address

(include telephone number if known)

Postcode

Telephone

Former Place of Work

Nature of Employment

(attach copy of job description)

Date of Ill-Health Retirement

Date tier 3 ill health benefits ceased

Detailed ill-health guidance can be found in our Leavers & Retirements Guide (G040)

Declaration

I confirm I am authorised to complete this form on behalf of an Employer participating in the Norfolk Pension Fund. **Wet signature if paper copy otherwise input your email address in the 'Signed' box:**

Signed

Date

Contact Name

Telephone

Part B : LGPS membership ended after 31 March 2014 and review taking place at request of the member whilst 3rd tier pension is in payment or within 3 years of discontinuation. To be completed by an approved independent registered medical practitioner, qualified in occupational health medicine.
Please tick the appropriate boxes

The member has previously been certified as

- Permanently incapable¹ of discharging efficiently the duties of his or her employment with the employer because of ill health or infirmity of mind or body.
- Although not immediately capable of undertaking gainful employment² it was nevertheless likely they would be capable of undertaking gainful employment² within three years of the retirement date or by their normal pension age³, if earlier.

The member has made a request, for the employer to determine whether or not to move them to a tier 2 ill health pension. It is 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 in the original award, be uplifted to a tier 2 ill health pension.

Please tick either B1 or B2

I certify, in my opinion, having considered their ill health or infirmity, the member

B1: IS / WAS LIKELY to be capable of undertaking gainful employment² within three years of the date of leaving (or by their normal pension age³, if earlier)

OR

B2: IS UNLIKELY to be capable of undertaking gainful employment² within three years of the date membership ended but is likely to be able to do so at some point thereafter and is permanently incapable¹ of discharging efficiently the duties of the employment they were undertaking at the date of leaving and which gave rise to the tier three ill health pension.

If B2 has been completed, please complete B3 or B4 if the form is being completed within the same Scheme year (ending 31st March).

Severe ill health test statement – as required by HMRC.

I certify, in my opinion, the employee

B3: DOES **B4: DOES NOT** satisfy the following statement:

as a result of their ill health or infirmity, the employee is unlikely to be capable of taking on any other paid work in any capacity, otherwise to an insignificant extent before State pension age.

Note: the answer to this questions 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 read the footnotes and sign the declaration on the back page

Part C : LGPS membership ended after 31 March 2014 and review taking place 3 or more years after the date of cessation of 3rd tier pension.

To be completed by an approved independent registered medical practitioner, qualified in occupational health medicine. *Please tick the appropriate boxes*

The member has previously been certified as

- Permanently incapable¹ of discharging efficiently the duties of his or her employment with the employer because of ill health or infirmity of mind or body
- Although not immediately capable of undertaking gainful employment² it was nevertheless likely they would be capable of doing so within three years of the cessation of employment or by his/her normal pension age³, if earlier.

- The member has applied for early reinstatement of the suspended pension.
- It is now necessary, in accordance with regulation 38 of the Local Government Pension Scheme Regulations 2013, to determine whether they are unlikely to be capable of undertaking gainful employment² before their normal pension age³.

Please tick either C1 or C2

I certify, in my opinion, having considered their ill health or infirmity, the member

C1: IS LIKELY to be capable of undertaking gainful employment² before their normal pension age³.

OR

C2: IS UNLIKELY to be capable of undertaking gainful employment² before their normal pension age³

Please read the footnotes and sign the declaration on the back page

Part D : LGPS membership ended before 1 April 2014 and review taking place within 3 years of discontinuation of the 3rd tier pension.

To be completed by an approved independent registered medical practitioner, qualified in occupational health medicine. *Please tick the appropriate boxes*

The member has previously been certified as

- On the balance of probabilities, permanently incapable¹ of discharging efficiently the duties of their employment with the employer because of ill health or infirmity of mind or body.
- Although having a reduced likelihood of being capable of undertaking gainful employment² before age 65, it was nevertheless likely that they would be capable of undertaking gainful employment² within three years of the retirement date or by age 65, if earlier.

- It is now necessary to determine, in accordance with regulation 20(11) of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 and within 3 years of the 3rd tier pension being suspended, whether the member can, due to the medical condition that resulted in the original award, be uplifted to tier 2 pension and,
- If not, whether in accordance with regulation 31(7) of those Regulations, the member can have the tier 3 pension brought back into payment due to a medical condition other than that which resulted in the original award.

Please tick either D1 or D2

I certify, in my opinion, and having regard only to the medical condition that resulted in the original award of tier 3 ill health pension, the member

D1: IS / HAS BEEN capable of undertaking gainful employment² within three years of the date of leaving, or by age 65, if earlier.

OR

D2: IS NOT / HAS NOT BEEN capable, due to the medical condition in the original award of a Tier 3 ill health pension, of undertaking gainful employment² within three years of the date of leaving but is likely to be capable of undertaking gainful employment² before age 65.

The questions in this part relate to whether or not the person can, due to a medical condition other than which resulted in the original award of a tier 3 ill health pension, have the suspended ill health pension brought back into payment in accordance with regulation 31(7) if the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007.

If D2 has been ticked, please also complete D3 or D4

I certify, in my opinion, and having regard to a medical condition other than which resulted in the previous award of a tier 3 ill health pension, the member

D3: IS NOT permanently incapable¹ of undertaking any gainful employment² before age 65.

OR

D4: IS permanently incapable¹ of undertaking any gainful employment² before age 65. The date the member became incapable, based on evidence available at that time was

Note: The date entered can be earlier than, and need not correspond with, the date the person asked for the case to be reviewed, and will be used as the date from which the suspended tier 3 pension will be brought into payment.

Please read the footnotes and sign the declaration on the back page

Part E : LGPS membership ended before 1 April 2014 and review taking place 3 or more years after the date of cessation of the 3rd tier pension.

To be completed by an approved independent registered medical practitioner, qualified in occupational health medicine. *Please tick the appropriate boxes*

The member has previously been certified as

- On the balance of probabilities, permanently incapable¹ of discharging efficiently the duties of his or her employment with the employer because of ill health or infirmity of mind or body.
- Although having a reduced likelihood of being capable of undertaking gainful employment² before age 65, it was nevertheless likely they would be capable of undertaking gainful employment² within three years or before age 65, if earlier.

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 the member is permanently incapable¹ of undertaking any gainful employment² before age 65.

Please tick either E1 or E2

I certify, in my opinion, having considered their ill health or infirmity, the member

E1: IS **E2: IS NOT**

Permanently incapable¹ of undertaking gainful employment², before age 65.

If E1 has been ticked, please also complete E3

I certify in my opinion, the date the member became permanently incapable¹ was

E3:

and this would have been discoverable at that time, based on the evidence available at that time.
The date entered needn't correspond with the date the member asked for the case to be reviewed, and may be earlier. It'll be used as the date from which the suspended benefits become payable.

Please read the footnotes and sign the declaration on the back page

Part F : IRMP's Statement and Signature

I certify:

- I have not previously advised on, given an opinion on or otherwise been involved in this case (other than to consider and sign the original ill-health retirement certificate if applicable).
- I am not acting, and have not at any time acted, as the representative of the member, the employer or any other party in relation to this case.
- I am qualified in occupational health medicine as defined below⁵.
- I have given due regard to any guidance issued by the Secretary of State for Communities and Local Government when completing this certificate.

IRMP's Signature⁶

IRMP's Name⁶

(print)

Date

IRMP's Official Stamp

Please now return this form to the Employer

¹ 'Permanently incapable' means the member 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.

² 'Gainful employment' means paid employment (whether in local government or elsewhere) for not less than 30 hours in each week for a period of not less than twelve months. This does not have to be employment comparable in terms of pay and conditions with those of the member's former employment.

³ 'Normal pension age' means the employee's individual State pension age at the time the benefit was brought into payment, but with a minimum age of 65. State pension age was equalised to age 65 in November 2018 and will continue to increase from December 2018 onwards. To determine an individual's State pension age, please go to www.pensionsadvisoryservice.org.uk/state-pensions/know-your-state-pension-age.

⁴ 'Insignificant extent' means the member could undertake voluntary 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.

⁵ I hold a diploma in occupational health medicine (D Occ Med);
or an equivalent qualification issued by a competent authority in an EEA State (*as defined in S55(1) 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.

⁶ The IRMP signing the certificate does not have to be a different IRMP to the one who originally certified the scheme member's permanent incapacity at the date of leaving.