

Falkirk Council Pension Fund Certificate of Permanent Ill Health (for use with Active Members)

This form is to be completed by the employer's medical adviser who must also have been *approved*^A by Falkirk Council as the Administering Authority of Falkirk Council Pension Fund. Please complete Sections 1 and 2 and sign Section 3.

Employee's/Councillor's Full Name:			
Name of Employer:			
Occupation/Office:		NI Number:	

Section 1

Local Government Pension Scheme Medical Certification Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008 Local Government Pension Scheme (Administration) (Scotland) Regulations 2008

		Tick As Appropriate	
A0	For the purposes of paying retirement benefits under the above Regulations, I certify that, in my opinion, the above named person's ill health or infirmity of mind or body renders this person <i>permanently incapable</i> ^B of discharging efficiently the duties their current employment or office.	Yes	No
<p><i>If "YES" is ticked at A0 above, please complete the remaining questions and Section 3 below. If "NO" is ticked, please complete and sign Section 3 below.</i></p>			
Further to this, I certify that, in my opinion, this person:			Tick Most Appropriate Statement
A1	has no reasonable prospect, after leaving their current employment, of being <i>able to obtain</i> ^C <i>gainful employment</i> ^D before age 65;		
A2	has a reasonable prospect, after leaving their current employment, of being able to obtain gainful employment before age 65; OR		
A3	has a <i>life expectancy</i> ^E of less than one year and <i>is / is not</i> [*] aware of this fact.		

(* please delete as appropriate)

Section 2

H.M. Revenue & Customs Severe Ill-Health Test Certification

(This certification 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).

I **certify** that, in my opinion, the above-named person:

		Tick Most Appropriate Statement
A4	does satisfy the following statement:	
A5	does not satisfy the following statement:	

"As a result of his / her ill health or infirmity, the above-named person 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*^F before *State Pension Age*^G."

Section 3

In my capacity as certifying medical adviser, I hereby confirm that I am *qualified in occupational health medicine*^H, as required by the above Regulations. I also confirm that for the purposes of the regulations I am independent, not having previously advised or given an opinion on, or otherwise been involved in this case and that I am not acting and have not at any time acted as a representative of the employee, or the employer, or any other party with regard to the employee in question. Furthermore I confirm that I have fully read and understood the notes overleaf.

Signed:

Date:

Name of Certifying Doctor: (Please Print)	
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Notes

A	'Approved' means that the independent registered medical practitioner signing the certificate must have been approved for this purpose by the Pension Fund administering authority. Where a doctor, other than a doctor who is part of an employer's Occupational Health Service is used, the certifying doctor must also be approved by the employer and the administering authority. Please ensure that the doctor has this approval.
B	'Permanently incapable' means that the person will, more likely than not, be incapable of discharging efficiently the duties of their employment or office with the employer because of ill health or infirmity of mind or body until, at the earliest, their 65 th birthday.
C	The independent registered medical practitioner is providing an opinion on the person's capability of obtaining gainful employment based solely on the effect the medical condition has on the ability to undertake gainful employment.
D	'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 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 or office.
E	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
F	'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.
G	'State Pension Age' is currently age 65 for men. State Pension Age for women is currently being increased to be equalised with that for men. The Government has announced that it will speed up the pace of State Pension Age equalisation for women, so that women's State Pension Age will reach 65 by November 2018. The State Pension Age will then increase to 66 for both men and women from December 2018 to April 2020. Under current legislation the State Pension Age is due to rise to 67 between April 2034 and April 2036 and to 68 between April 2044 and April 2046. For a full breakdown of State Pension Ages please see http://www.pensionsadvisoryservice.org.uk/state-pensions/state-pension-age-calculator
H	'Qualified in occupational health medicine' means holding a diploma in occupational medicine (D Occ Med) or an equivalent qualification issued by a competent authority in an EEA State; and for the purpose of this definition "competent authority" has the meaning given by the General and Specialist Medical Practice (Education, Training and Qualification) Order 2003 or being an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA State.

General

If A1 has been ticked, this means that the member, in the medical opinion of the approved registered medical practitioner, meets the criteria for a tier 1 ill health pension under the LGPS.

If A2 has been ticked, this means that the member, in the medical opinion of the approved registered medical practitioner, meets the criteria for a tier 2 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 / Councillor that such an award will or will not be made. It is for the employer to make the formal ill health award determination.

If A3 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 A4 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. It is unlikely that A4 would be ticked if A1 has not been ticked.

These notes were up-to-date when this form was updated in May 2011 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.
End of Notes