

**Local Government Pension Scheme
Request for review of a tier 3 ill-health award. 18 month review
undertaken before normal pension age.
Current pensioner who left employment before 31 March 2014**

Form – LGPS IH-4D

Before completing this form, please read the guidance notes on page 3. Once complete, please return the form to the [East Sussex Pensions Team](#).

Part A – to be completed by the employer								
Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Other	<input type="checkbox"/>
Surname of employee								
Forename(s)								
Date of birth								
National insurance number								
Home address 1								
Home address 2								
Home address 3								
Post code								
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								

* Give full description of the requirements of the job and / or attach copy of job description if available.

The person named above was, at the date of cessation of their former position, certified as being, on the balance of probabilities, permanently incapable (2) of discharging efficiently the duties of his / her employment with his / her employer because of ill health or infirmity of mind or body, and that, although having a reduced likelihood of being capable of undertaking other gainful employment (3) before their normal retirement age (1), it was nevertheless likely that he / she would be capable of undertaking gainful employment (3) within 3 years of the date of cessation of employment (or by his / her normal retirement age (1), if earlier). He / she was awarded a short-term, reviewable, 3rd tier pension. It is now necessary to review, in accordance with regulation 20 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, whether he / she is still capable of undertaking (5) gainful employment (3) within 3 years of the date of cessation of employment (or by his / her normal retirement age (1), if earlier).

Part B – to be completed by the approved (4) registered medical practitioner

Please tick **one** either **B1** or **B2**.

I certify that, in my opinion, having considered their ill health or infirmity, the person named in Part A IS STILL / IS NOT likely to be capable of undertaking (5) gainful employment (3) within three years of the date of leaving shown in Part A (or by their normal retirement age (1), if earlier). (Note: the answer to this question is used purely to determine whether the former employer can determine to uplift the person from a tier 3 to a tier 2 benefit at the 18 month review).	B1 IS STILL <input type="checkbox"/>
	B2 IS NOT <input type="checkbox"/>

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

If **B1** has been ticked, please tick **B3**, **B4** or **B5**.

I certify that, in my opinion, the person named in Part A IS STILL suffering from the condition that rendered him / her, at the date of ceasing employment, permanently incapable (2) of discharging efficiently the duties of his / her employment because of ill health or infirmity of mind or body and , as a result of that condition, he / she still has a reduced likelihood of being capable of undertaking (5) any gainful employment (3) before reaching his / her normal retirement age (1).	B3 <input type="checkbox"/>
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I certify that, in my opinion, the person named in Part A IS STILL suffering from the condition that rendered him / her, at the date of ceasing employment, permanently incapable (2) of discharging efficiently the duties of his / her employment because of ill health or infirmity of mind or body but , as a result of that condition, he / she does not now have a reduced likelihood of being capable of undertaking (5) any gainful employment (3) before reaching his / her normal retirement age (1).	B4 <input type="checkbox"/>
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I certify that, in my opinion, the person named in Part A IS NOT STILL suffering from the condition that rendered him / her, at the date of ceasing employment, permanently incapable (2) of discharging efficiently the duties of his / her employment because of ill health or infirmity of mind or body.	B5 <input type="checkbox"/>
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If **B3**, **B4** or **B5** have been ticked, please tick **B6** or **B7**, then complete Part C

I certify that, in my opinion, the person named in Part A IS currently capable of undertaking (5) gainful employment (3).	B6 <input type="checkbox"/>
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I certify that, in my opinion, the person named in Part A IS NOT currently capable of undertaking (5) gainful employment (3).	B7 <input type="checkbox"/>
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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**.

* Delete as appropriate.

** The latest versions of the guidance document, and the supplementary guidance document, are available from the [table](#) at the Local Government Pensions Committee website.

Signature of independent registered medical practitioner + date	
Print name of independent registered medical practitioner	
Registered medical practitioner's / company's official stamp (Optional)	

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

If B2 is ticked, the former employer can determine to award an enhanced (2nd tier) ill health pension, payable from the date of their determination.

If B2 has been ticked and the former employer determines to award an enhanced (2nd tier) 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.

If B3 or B4 or B5 and B6 have been ticked, the 3rd tier ill health pension will cease to be payable.

If B3 or B4 or B5 and B7 have been ticked, the 3rd tier ill health pension will continue in payment but must cease after it has been in payment for three years (unless the person reaches normal retirement age (1) before then or the pension is stopped before then upon the person obtaining gainful employment).

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 updated in March 2014 and are provided for information only. They confer no contractual or statutory rights and in the event of any dispute the appropriate legislation will prevail.

This is a medical certificate provided by an independent, approved, duly qualified registered medical practitioner in respect of a 3rd tier pensioner whose pension is currently in payment in accordance with regulation 20 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).