

Ill-Health Retirement

If you are in the Local Government Pension Scheme, have at least 2 years' membership in the scheme and need to leave work at any age due to an illness which prevents you from working, you may be able to have your pension paid immediately as long as you meet certain conditions.

Ill-Health Retirement is assessed under 2 Tiers.

Tier 1 – you are unlikely to be capable of undertaking gainful employment* before normal pension age.

- Your pension will be based on your current membership plus an enhancement to replace what you would have built up to your normal pension age, if you had stayed in the Scheme until then.

Tier 2 – you do not meet the criteria for Tier 1, are currently unable to return to work, but it is likely that you will be able to undertake gainful employment* before reaching normal pension age.

- Your pension will be based on your current membership plus 25% of the enhancement to replace what you would have built up to your normal pension age, as if you had stayed in the Scheme until then.

**Gainful employment means any paid employment for at least 30 hours per week for a period of at least 12 months. It does not need to be employment that is the same in terms of the pay and conditions of your current post.*

An assessment for ill-health retirement will be undertaken by the Council's Occupational Health Provider (OHP). Prior to this taking place, your line manager will have discussed the following with you:

Are there any reasonable adjustments/support that could be put in place to enable a return to work? This could include:

- Adaptions in the work place
- Change in working hours
- Change in work pattern
- Redeployment to a different role within the Council
- Flexible Retirement

Your line manager will discuss the OH referral form with you and will submit this to arrange an appointment with the OHP. The process will then be as follows:

- You will be advised of the appointment date, time and location.
- You will attend the appointment and the OHP will assess your current health situation and discuss whether further information is required through your GP/Specialist.
- You will be asked to sign a consent form which allows the OHP to approach your GP/Specialist for a report.
- On receipt of the GP/Specialist report, the OHP will gather all the information and pass this to an Independent Medical Adviser who has the responsibility of making the decision about whether you meet the criteria for ill-health retirement* (see note).
- The Independent Medical Adviser will provide Highland Council with a report and pension form which advises of their decision. This will be that either:
 - You meet the criteria for IHR at Tier 1
 - You meet the criteria for IHR at Tier 2
 - You do not meet the criteria for IHR

Your line manager will then arrange a meeting to discuss the following:

- The outcome of the ill-health retirement assessment
- The appeal process should this be required
- Confirmation that an end date for your employment has been agreed with the Pension Section to provide enough notice to process your entitlement
- Confirmation that you have provided the Pension Section with a Members Declaration Form to allow them to process your entitlements
- The number of weeks notice that you are due by confirming your continuous service date with you. As it is unlikely that you will be able to work, your notice will be paid in lieu.
- Payment arrangements for any annual leave due to you.
- Advice on whether a Long Service Award is applicable and arrangements for this following Highland Council policy [Long Service Award](#) 
- Any arrangements for returning Highland Council equipment
- Any queries you may have

Following the meeting, a letter will be issued to you confirming the ill-health retirement. Your line manager will prepare a leaver form, ensuring that it includes information on annual leave due and the number of weeks pay due in lieu of notice.

Retirement on the Grounds of Capability due to Health

If the outcome of the assessment is that you do not meet the criteria for either Tier 1 or Tier 2 ill-health retirement, then your employment will be terminated on the grounds of capability due to health. You will be entitled to pay in lieu of notice and annual leave due to you. You will have the right of appeal which will be explained to you at the meeting with your line manager.

Appeal Process

If you are dissatisfied with:

- the decision that the criteria for early release of pension benefits has not been met

or

- you do not agree with the level of benefits awarded, ie Tier 2

you should in the first instance contact your line manager who can contact HR for advice on the Internal Disputes Resolution Procedure

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Note

* If the OHP is unable to obtain reports from your GP or Specialist, we will consider any reasons given for a delay, but it may be necessary to advise you that we require to make a decision based on the information currently available, should the reports not be provided.

The time taken for the GP/ Specialist to respond is out with the control of the OHP or the Council. Although the OHP will request updates on when a report is likely to be provided, we may also ask you to speak directly with your GP or Specialist to request that the reports are provided, or a reason given for any delay. It is also helpful, if you have any information from your GP or Specialist, that you provide this information directly with the OHP at the time of your appointment.