

Medical practitioner's certificate for a suspended 3rd Tier Pensioner where the cessation of employment occurred before 01/04/2014

- review taking place within 3 years of the
date of cessation of the 3rd tier pension (and before
normal retirement age) [see note 7]



Former employer:

Please see Notes for guidance for help filling in this form

*Mandatory fields are marked with **



A. Suspended 3rd Tier Pensioner details (To be completed by the employer)

Title:	Surname*:	Forename(s)*:
Address*:		Home email: (if known)
Postcode*:	Contact number: Home/Mobile if known)	
National Insurance number*:		Date of leaving scheme*:
Date of Birth*:		Date member asked for case to be reviewed:

Position (post title) and nature of employment (normal occupation) at date became a tier 3 ill health pensioner* [a job description and full information on requirements of the job must be attached for the doctor]:

The person named above was, at the date of cessation of their former position, certified as being, on the balance of probabilities, permanently incapable [see note 4] 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 [see note 6] before their normal retirement age [see note 7], it was nevertheless likely that he/she would be capable of undertaking gainful employment [see note 6] within 3 years of the date of cessation of employment (or by his/her normal retirement age [see note 7], if earlier). He/she was awarded a short-term, reviewable, 3rd tier pension which was subsequently suspended. It is now necessary to review, in accordance with regulation 20(11) of the LGPS (Benefits, Membership and Contributions) Regulations 2007 and within 3 years of the 3rd tier pension being suspended, 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 pension and, if not, whether in accordance with regulation 31(7) of those Regulations, the person can have the tier 3 pension brought back into payment due to a medical condition other than that which resulted in the original award of a tier 3 ill health pension.

B. Medical Practitioner's certificate (To be completed by the IRMP)

This part is to be completed by an approved Independent Registered Medical Practitioner (IRMP)

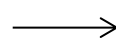
[see note 3]. Please refer to the relevant notes and definitions section on page 3 where appropriate.

Section 1: The questions in this part relate to whether or not 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 pension in accordance with regulation 20(11) of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007.

I certify that, in my opinion, having regard only to the medical condition that resulted in the original award of a tier 3 ill health pension, the person named in Part A [Please tick either B1 or B2]

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B1: IS/HAS BEEN capable of undertaking [see note 5] gainful employment [see note 6] within three years of the date of leaving shown in Part A (or by their normal retirement age [see note 7], if earlier),

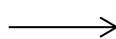


Go to section 2

or

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B2: IS NOT/HAS NOT BEEN capable, due to the medical condition that resulted in the original award of a Tier 3 ill health pension, of undertaking [see note 5] gainful employment [see note 6] within three years of the date of leaving shown in Part A but is likely to be capable of undertaking gainful employment [see note 6] before his/her normal retirement age [see note 7]



Go to Part C

P72r(2) form – Summary member details (To be completed by the former employer in case pages get separated)

Surname*:	Forename(s)*:
National Insurance number*:	Former employer*:

B. Medical Practitioner's certificate continued (To be completed by the IRMP)

Section 2: The questions in this part relate to whether or not the person can, due to a medical condition other than that which resulted in the original award of a tier 3 ill health pension, have the suspended tier 3 ill health pension brought back into payment in accordance with regulation 31(7) of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007.

I certify that, in my opinion, and having regard to a medical condition other than that which resulted in the original award of a tier 3 ill health pension, the person named in Part A *[Please tick either B3 or B4]*

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B3: IS NOT permanently incapable of undertaking *[see note 5]* any gainful employment *[see note 6]* before his/her normal retirement age *[see note 7]*

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B4: IS permanently incapable of undertaking *[see note 5]* any gainful employment *[see note 6]* before his/her normal retirement age *[see note 7]* and that the date he/she became so incapable, based on evidence available at that time, was:

(Enter full date dd/mm/yy)

Please 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.

C. General statement (To be completed by the IRMP)

Please sign and complete the details below as a declaration that the following statements are true:

- I am a Greater Manchester Pension Fund approved doctor.
- I have given due regard to the guidance *[see note 2]* issued by the Secretary of State when completing this certificate.
- I am registered with the General Medical Council.
- 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.
- I attach a copy of my full report/assessment.

Signature of IRMP*:	Date*:
Printed name of IRMP*:	IRMP/Company's Official Stamp:

For Pensions Office use only

Pensions Office stamp:

Notes for guidance: P72r(2), Medical practitioner's certificate for a
Suspended 3rd Tier Pensioner where the cessation
of employment occurred before 01/04/2014
– review taking place within 3 years of the date of cessation
of the 3rd tier pension (and before normal retirement age)

Meaning of terms used

1. This medical certificate is 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).
2. The latest versions of the statutory guidance are available at:
<http://www.lgpsregs.org/index.php/dclg-publications/dclg-stat-guidance>
3. The independent registered medical practitioner (IRMP) signing the certificate must have been approved for this purpose by the administering authority i.e. Greater Manchester Pension Fund.
4. **Permanently incapable** means that the person was, 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 retirement age [see note 7].
5. The IRMP 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. **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.
7. **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 transferred to local government from the Learning and Skills council for England on 1 April 2010].
8. The IRMP signing the certificate does not have to be a different IRMP to the one who originally certified the member's permanent incapacity at the date of leaving i.e. **the same practitioner can sign this certificate too.**

General

- If **B1** and **B3** are ticked, 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 former employer can determine to award an enhanced (2nd tier) ill health pension, payable from the date of their determination.
- If **B1** and **B4** are 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. It is up to the former employer to formally use its discretion to award or not award the early payment.
- 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, or **B4** has been ticked and the suspended tier 3 pension is brought back into payment, there is no pension input amount for the purposes of the annual allowance test under the Finance Act 2004.
- If **B2** or **B4** have been ticked, 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 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 employer to make the formal determination.**

- If the former employer makes a formal determination to award an enhanced (2nd tier) ill health pension or exercises its discretion and agrees to bring the suspended 3rd tier ill health pension back into payment, the employer will need to complete the appropriate sections of form P73b(1) and return, along with P72r(2) to the Pensions Office.
- If the person is not capable, due to the medical condition that resulted in the original award of tier 3 ill health pension, of undertaking *[see note 5]* gainful employment *[see note 6]* within three years of the date of leaving shown in Part A and is permanently incapable *[see note 4]* of undertaking any gainful employment *[see note 6]* before his/her normal retirement age *[see note 7]*, neither regulation 20 nor regulation 31 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) 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).