

# ILL-HEALTH RETIREMENT (IHR) PROCESS FOR WEST YORKSHIRE PENSION SCHEME (WYPS)

## 1. Identification of health-related absence

- As part of the Managing Health-Related Absence policy any long-term or re-occurring absences are identified and a preliminary meeting held between the employee, the manager and a personnel officer.
- An employee can ask their manager to complete a management referral form to be considered for IHR through the normal Occupational Health (OH) referral process.

## 2. Referral to Occupational Health

- The manager and personnel officer complete management referral form for OH **within 5 days of the meeting with the employee.** Personnel Officer to add additional information and email to [OH-enquiries@bradford.ac.uk](mailto:OH-enquiries@bradford.ac.uk) **within 2 days of receipt from the manager.**
- The Personnel Officer will also request the relevant WYPF IHR certificate from the Pensions department, complete the appropriate section and forward to OH department along with the referral form.

## 3. Occupational Health Referral Process

A decision is taken to either arrange a face to face consultation	OR	Request consent from employee to contact their GP/ consultant for medical evidence to support IHR case
Employee contacted by most appropriate method to arrange appointment <b>within 4 days of receipt of referral form.</b>		
At appointment the relevant medical history is documented, IHR criteria discussed and employee's consent taken to gather supporting evidence from GP/ consultant.		
A request to the GP/specialist will be sent within 4 days of receipt of employee consent form. On receipt of third party report, an appointment will be made for employee to be seen by physician appointed to the University under WYPF register of approved medical officers. An appointment with the physician will be arranged within 10 days of receipt of third party report.		
Please note: At least one third party report from an employee's GP/ consultant specialist will be required in all cases to confirm diagnosis, prognosis and that all		

treatment options have been explored other than in exceptional circumstances.

The GP/specialist is contacted 1 week after the third party report is requested to confirm receipt. If not received the report is chased weekly after 3 weeks or when the timescale given for completion has passed until received.

After the relevant clinical information has been gathered from the employees GP/ specialist **and** the OH physician has taken a full history to accompany this information he/ she will complete the WYPF IHR certificate to advise on whether:

The employee **is** suffering from a condition that renders him/ her **permanently** incapable of discharging efficiently the duties of the relevant employment because of ill health or infirmity of mind or body: and

That he/she **has** reduced likelihood of obtaining any **gainful** employment before his/ her normal retirement age (age 65)

Where the answer to the above is 'no', the individual does not meet the criteria for IHR. The IHR certificate is signed and returned with an accompanying report.

Where the answer to the above is 'yes', the individual does meet the criteria for IHR. The physician will further advise on one of the following:

Either

- There is no reasonable prospect of him/her obtaining gainful employment before his/ her normal retirement age (age 65)

or

- Although he/ she can't obtain gainful employment within 3 year of leaving his/ her employment, it is likely that he/ she will be able to obtain gainful employment before his/ her normal retirement age (age 65)

or

- He/ she will be able to obtain gainful employment within 3 years of leaving employment.

A copy of the WYPF IHR form will be retained by OH.

The Tiers of IHR are as follows:

IHR Tier1

- There is no reasonable prospect of the employee obtaining gainful\* employment before normal retirement age (65). The pensionable service achieved is enhanced up to age 65.

IHR Tier2

- The employee will not be able to obtain gainful employment within 3 years of leaving employment, it is likely that they will be able to obtain gainful employment before normal retirement age (65). The pensionable service achieved is enhanced by 25%

IHR Tier3

- The employee will be able to obtain gainful employment within 3 years of leaving employment. The service achieved is not enhanced and the pension will cease after 3 years or on commencement of other employment. The case will be reviewed after 18 months from date of leaving.

## 4. IHR Approved

- The WYPF IHR certificate will be completed **within 10 days of the OH appointment** and forwarded to the personnel officer.
- The Pensions Officer , Personnel Officer and OH will review the case information in conjunction with the IHR certificate and agree the level of IHR to be awarded **within 5 days of receipt of the report.**
- The personnel officer will agree with the pension officer the last working day for pay purposes to ensure all paperwork can be completed on time.
- A meeting will take place with the employee, the manager and a personnel officer to finalise the arrangements for ill-health retirement **within 10 days of receipt of the report.** If regular communication has been maintained and the employee does not require a meeting the details can be finalised by telephone.

### ***4.1 Appeal against Tier awarded***

An appeal can be raised following the procedure set out at point 5.4 to either appeal against a decision not to award IHR or to increase the Tier awarded. However a Tier 3 IHR can only be increased to Tier 2 IHR.

### ***4.2 Tier 3***

In cases where Tier 3 has been awarded a review will take place after 18 months of retirement. A meeting will take place with the individual, Pensions Officer and the personnel officer involved with the original IHR case (if possible) to gain an update on their current health situation and ascertain the likelihood or intention to seek gainful employment in the future.

- The personnel officer will complete a referral form for OH **within 5 days of the meeting with the individual.**
- A face to face consultation with OH will be arranged and the individual will be contacted by most appropriate method to arrange appointment **within 4 days of receipt of referral form**
- At appointment the relevant medical history is documented, IHR criteria discussed and employee's consent taken to gather supporting evidence from GP/ consultant
- A request to the GP/consultant will be sent **within 4 days of receipt of employee consent form.** On receipt of third party report, an appointment will be made for employee to be seen by an OH physician registered with the West Yorkshire Pension Fund
- An appointment with the OH physician will be arranged **within 10 days of receipt of third party report.**
- A report will be produced by the OH physician detailing the outcome of the review and a further review date if appropriate.
- A meeting will take place with the employee, the manager and a personnel officer to finalise the arrangements for ill-health retirement **within 10 days of receipt of the report (where reasonably practicable).**

## 5. IHR Declined

- The WYPF IHR certificate and the OH report will be produced **within 10 days of the appointment.**
- A meeting will take place with the employee, the manager and a personnel officer to discuss the OH report and explain the reasons why the IHR has been declined **within 10 days of receipt of the report (where reasonably practicable).**

### ***5.1 Appeal against IHR decision***

An appeal can be raised following the procedure set out at point 5.4 to appeal against a decision not to award IHR

### ***5.2 Dismissal on grounds of Incapacity***

The following requirements must be met as part of the Efficiency Procedure (under review) before consideration is given to dismiss an employee on the grounds of Incapacity:

- IHR has been declined
- An OH report has been obtained which states that the employee is unable to return to their substantive role
- Appropriate redeployment roles have been considered

Please refer to the Efficiency Procedure for further information.

### ***5.3 Pension Arrangements***

- If under age 60 and employment has been terminated on grounds of incapacity the pension benefits are not paid but deferred.
- The member would be able to apply again for IHR should their condition change or appeal under the Independent Dispute Resolution Procedure (IDRP)
- If over 60 and employment has been terminated on grounds of incapacity the pension benefits are offered by WYPF but do not have to be taken (as they may be reduced).
- If pension benefits are not taken the member can apply again to the University for IHR should their condition change.
- If pension benefits are taken the member can lodge an appeal under the Independent Dispute Resolution Procedure (IDRP)

### ***5.4 The Independent Dispute Resolution Procedure (IDRP) for the West Yorkshire Pension Fund***

In all cases a written statement is required detailing the reasons for the appeal. This should be sent to the following persons depending on which Stage the appeal has reached.

## **Review Stage – Pension Officer**

The appeal must be submitted to the Pensions Officer. The case notes will be prepared in conjunction with the Personnel Officer dealing with the IHR case. A decision will be taken by the Pensions Officer. A letter will be sent detailing the outcome of the appeal and contain details on the next stage.

## **Stage 1 – Payroll Manager**

The Stage 1 appeal must be submitted to the Payroll Manager on the WYPF IDRPF certificate via the WYPF within 6 months of the 'Review Stage' decision. The case notes will be prepared in conjunction with the Personnel Officer dealing with the IHR case. At this stage if new or additional information is provided by the employee a decision may be taken to arrange another OH appointment with an independent OH physician on the WYPF register of approved OH medical officers. A letter will be sent detailing the outcome of the appeal and contain details on the next stage including the name and contact details of the Appointed Officer.

The IDRPF booklet and form can be requested from either:

University Pension Officer

Tel: 01274 233144

West Yorkshire Pension Fund

PO Box 67

Bradford

BD1 1UP

Tel: 01274 434999

E-mail: [wypf@bradford.gov.uk](mailto:wypf@bradford.gov.uk)

## **Stage 2 - Appointed Officer**

The Stage 2 appeal must be submitted in writing to the Appointed Officer at the Administering Authority (BMDC contact name and address available from WYPF) within 6 months of the 'Stage 1' decision.

The University will be asked to prepare case notes which will be completed by the Pensions Officer and the Personnel Officer dealing with the IHR case. At this stage if new or additional information is provided by the employee a decision may be taken to arrange another OH appointment with an independent OH physician on the WYPF register of approved OH medical officers. The case information will be sent to the Appointed Officer. A letter will be sent by the Appointed Officer detailing the outcome of the appeal and advising on the next stage.

After Stage 2 if you wish to pursue the appeal further you can approach either;

The Pensions Advisory Service (TPAS), 0845 6012923

## **6. Grievance Procedure**

The University grievance procedures may be followed at any stage of the process where an individual is dissatisfied with the process or the way that their concerns have been handled.

## **7. Roles and Responsibilities**

### **7.1 Responsibility of Employee**

- To advise their manager of any concerns or issues as they arise

### **7.2 Responsibility of Manager**

- To maintain at least fortnightly contact with the employee if they are absent from work

### **7.3 Role of Personnel**

- To maintain at least fortnightly contact with the employee / individual to advise on the progress of the IHR request.
- To communicate any recommendations, decisions or issues that arise to the individual concerned within 2 working days of being notified
- To provide advice and guidance to any party in the process, on request, at any stage
- The appropriate personnel officer should be contacted as soon as any potential issues are identified

### **7.4 Role of Occupational Health**

- To offer advice and guidance during the referral process to both the employee, manager, personnel and pensions

### **7.5 Role of Pensions**

- To provide pension statements to personnel for IHR cases
- To take a lead role in administering appeal cases
- To offer, advice and guidance to OH and personnel.

## **Glossary of Terms**

- Gainful Employment - Paid employment for not less than 30 hours in each week for a period of not less than 12 months.
- Permanently Incapable - Means that the member will, more likely than not, be incapable until, at the earliest, his 65th birthday