

**HR Guidance**

**Ill Health**

**Fast Track Procedure**

**Introduction**

The purpose of this procedure is to have a fast track approach to managing ill health where the employee is terminally ill and time is a critical factor.

This should be read in conjunction with the relevant Ill Health Retirement Procedure(s) and / or Death-in-Service procedure.

**Scope**

This will apply to employees who are members of either the Local Government Pension Scheme or any of the Fire Service Pensions Scheme. It is recommended that Schools adopt their own procedure in liaison with their HR/Payroll providers and Occupational Health Advisors. However, People Management will deal with deferred pensions for former employees of Community or Voluntary controlled Schools.

**Process**

1. It is assumed that in most cases the manager will have already made a referral to the Employee Wellbeing Service to help manage the employees’ absence, and is maintaining regular contact with the employee.
2. Where the employees health changes / deteriorates and the medical prognosis is that the employee has a terminal condition the manager should make a further referral, marked **“Urgent Fast Track”** to the Employee Wellbeing Service specifically asking for a medical assessment on ill health retirement. The manager must attach the YPS Certificate – YPS Employer – Active Member – Ill Health Certificate. Please note that the manager must complete Section One of this certificate and complete a separate certificate for each ‘position’ or job (including relief positions). In the case of the Fire Service the manager must complete Sections A to D of the IQMP Certificate and attach it to the referral.  **The referral should be followed up by a phone call (01768 812559) to ensure it is picked up promptly.**
3. Where possible the manager should meet with the employee to:
	1. Explain the process and ask the employee to provide any specialist medical reports to the Employee Wellbeing Service.
	2. Advise the employee to sign the medical consent form and return it as soon as possible. (If possible the manager should obtain a copy of the medical consent form from the Employee Wellbeing Service and take it with them to avoid any delay).
	3. Ask the employee to complete the YPS Personal Details Form and Member Declaration Form, (available from People Management or the Service Centre) and return it to the Service Centre.
	4. Check with the employee to ascertain if there are any other pensions circumstances such as:
		1. Deferred pension – advise the employee to apply for early payment of deferred pension benefits on the grounds of ill health. The application should be sent to People Management with a copy to YPS.
		2. AVC’s - advise the employee to contact YPS and the AVC provider as soon as possible.
	5. The manager will signpost the employee to other support available, for example, the employee assistance programme ( 0800 282193 access code: cumbria) or McMillan Support Line 0808 808 0000, or Financial Guidance from McMillan at [financialguidance@macmillan.org.uk](file://C:\Users\asmith\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\gfagbade\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\7JO6XYMZ\financialguidance@macmillan.org.uk)
4. The manager should inform their AD of the circumstances so that they aware that decisions may need to be taken quickly.
5. The Employee Wellbeing Service will:
	1. Send out the medical consent form as soon as possible (to the manager if appropriate).
	2. As soon as consent is received contact the appropriate GP and / or Specialist / Consultant to obtain relevant medical information. If necessary contact to be made by phone or e-mail to expedite the process.
	3. Send the medical information and YPS Certificate(s) either to the Occupational Health Physician or to an IQMP (Independent Qualified Medical practitioner) via an OHS provider and ask them to undertake an assessment as soon as possible. In most cases it is assumed that there will be sufficient medical information received to enable a ‘paper’ assessment without the need for the employee to attend for an appointment (but the OHS Physician / IQMP will make this decision)..
6. The manager should also inform People Management on **01228 221231**. People Management will take immediate action and liaise with Finance, Service Centre and YPS colleagues to:
	1. Alert YPS that this is an **“Urgent Fast Track”** case and identify any relevant pensions the employee may have (active and deferred).
	2. Ask the Service Centre to:
		1. confirm Final Salary or calculate Assumed Pensionable Pay for estimate purposes and
		2. Arrange to have estimates of benefits for:
			1. ill health retirement (assuming a Tier 1 or Higher Tier for Fire Service pension) and
			2. Death-in-Service and
			3. Any deferred pension(s) if applicable

This is to ascertain the best option for the employee and their family and identify the relevant employer costs i.e. the pension strain.

* 1. Check that the nomination form has been completed. If not send the form to the manager to discuss with the employee and get it completed.
	2. Alert Finance Manager / Officer – Regulatory and Benefits as they will be able to support pension processes.
1. Where there are also deferred pension benefits People Management will make the appropriate 2nd referral to the Employee Wellbeing Service, linking it to the manager referral, but attaching the relevant YPS ‘deferred’ pensions certificate for completion.
2. People Management will provide the manager with the relevant pension information and options so that the manager can pass these onto the employee and / or relevant family members and let them know where to return the relevant forms. (Employees may need to make decision on matters such as electing to combine pension service if appropriate within the timescales, completing the nomination form, considering conversion options etc.). Neither the manager nor People Management should give any advice on these matters. If the employee has queries they should ask YPS.
3. The Employee Wellbeing Service will send the completed YPS Employer – Active Member – Ill Health Certificate / IQMP Certificate to the manager with a copy to People Management (and will send any deferred pension certificates directly to People Management).
4. If ill health retirement is recommended by the OHS Physician / IQMP (and in these circumstances it is likely to be Tier 1 or Higher Tier for those in a Fire Service Pension), the manager will discuss this with the employee / their representative and obtain their preferred option either:
	1. Agreement to ill health retirement. Under the terms of the LGPS / Fire Service Pension Scheme it is necessary for the employee to be dismissed on the grounds of ill health and notice will be required. However as these would be regarded as exceptional circumstances Pay in Lieu of Notice (PILON) would be permissible. The manager should therefore agree the effective date of ill health retirement as soon as possible i.e. the same day. Please note that for Fire Service pensions the employee must sign the pensions’ options before the date of leaving.

Or

* 1. Death in Service. In this case the manager should follow the guidance set out in the Death in Service Procedure and provide appropriate support to the employee.
1. In the case of ill health retirement the manager (or People Management acting on behalf of the manager) should:
	1. Forward the certificate to the AD for agreement and sign off. (Decisions on deferred pensions rest with the Senior Manager, People Management).
	2. Inform the Service Centre via the Service Centre Portal by creating a leaver ticket which must include in the additional information field any outstanding annual leave and other payments required for example pay in lieu of notice, and must attach the completed and authorised YPS-Employer-Active Member-Ill Health Certificate to the ticket as soon as possible.
	3. Write to the employee (with People Management support as necessary) to confirm the decision, effective date and other relevant provisions (e.g. PILON, holiday pay and any other issues that may be relevant for example car loan or leased car arrangements) and next steps.
2. The Service Centre will process the request (retirement) as soon as possible and arrange to pay the employee any additional payment as noted on the leaver ticket. They will also forward the ill health Certificate to YPS immediately and send other relevant documentation as soon as possible thereafter.
3. People Management will arrange for any relevant deferred pension certificates to be forwarded directly to YPS immediately to yps.client@localpensionspartnership.org.uk
4. YPS will calculate final pensions and for LGPS pensions send out the conversion options to the employee / their representative as soon as possible. (See point 9 above relating to the timing of Fire Service pension options).
5. The manager will liaise with the employee / their representative on all other matters such as:
	1. Maintaining appropriate contact with the employee / family
	2. Collecting Council property
	3. Informing colleagues
6. Comparisons of the benefits of Ill health Retirement v Death-in-Service for LGPS only are as follows:

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| **LGPS Ill Health Retirement** | **LGPS Death-in-Service (payable to beneficiaries)** |
| Notice pay / PILON | No notice pay |
| Sick Pay ends | Salary / sick pay up to date of death but depends on length of absence as entitlement to sick pay maybe reduced or ceased |
| Outstanding Holiday Pay | Outstanding Holiday Pay |
| Lump Sum payment (pre 2014 pension) | None |
| Pension (Active & Deferred (if applicable) | None |
| Maximum conversion options for pension | None |
| Death Grant if pension not paid for 10 years (10 years x pension less payments made) | Death Grant (3 x actual salary) |
|  | Death Grant Deferred pension if applicable |
| Widow / widowers Pension | Widow / Widowers pension |
| Dependent child pension  | Dependent child pension |
|  |  |
| **Deferred Pension**  | **Deferred Pension** |
| Early Payment of deferred pension benefits | * ***Leaver from 1 April 2014 = 5 times the deferred pension***
* ***Leaver 1 April 2008 to 31 March 2014 = 5 times deferred pension***
* ***Leaver 1 April 1998 to 31 March 2008 = equal to deferred lump sum***
* ***Leaver before 1 April 1998 = equal to deferred lump sum***
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**For Firefighters pensions Schemes the relevant information should be obtained from YPS.**