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SECTION 1 VERSION CONTROL

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| 1.0 | June 2006 | | Employee Relations & Equalities | |
| 2.0 | Nov 2014 | James Lunn | Senior HR Advisor | Review |

SECTION 2 INTRODUCTION

Nottinghamshire Police is committed to retaining skilled and experienced police staff who can make a valuable contribution to the organisation. As such, in situations where police staff face significant medical problems which seriously affect their ability to undertake their job, Nottinghamshire Police will follow the PS 147 Attendance Management Policy (and associated procedure) or the PS 166 Performance Management and Improvement Policy (and associated procedure) as appropriate to the circumstances.

Nottinghamshire Police will make reasonable adjustments to posts within the establishment structure and approve restrictive and recuperative duties to assist recuperation or seek to redeploy individuals who are not capable of undertaking their role due to serious medical problems into suitable alternative posts.

In all situations of ill health, consideration will be given to the needs of the individual police staff member alongside the organisational needs of Nottinghamshire Police.

However, there may be occasions where despite the best efforts of all those involved it is necessary to give notice of dismissal within the above procedures. In such circumstances, it may be appropriate to consider whether a medical retirement application should be submitted during the notice period.

There may be exceptional circumstances where an ill health retirement application may be submitted without prior reference to the above and without notice of dismissal.

SECTION 3 AIMS / OBJECTIVES

This procedure has been developed to:

- explain how Nottinghamshire Police will manage the medical retirement of police staff members who are members of the Local Government Pension Scheme (LGPS);
- outline the fair, transparent and objective process for making a medical retirement application.

Further information can be found on the Local Government Pension Scheme website: www.lgps.org.uk

SECTION 4 DETAILS

4.1 Eligibility

The LGPS defines the conditions for a member of police staff being medically retired and receiving medical retirement pension benefits as:

- The individual must be leaving local government employment; AND
- The reason for leaving must be as a result of being “permanently incapable of discharging efficiently the duties of their current employment or any other comparable employment within the organisation because of ill health or infirmity of mind or body”; AND
- The individual must have a reduced likelihood of obtaining gainful employment before their normal retirement age; AND
- An independent registered medical practitioner must have certified eligibility for medical retirement; AND
- The individual must have at least 3 months pension scheme membership (or have transferred benefits from another pension scheme).

4.2 Roles and Responsibilities

- The **Head of HR&OD** will decide whether to retain the individual or authorise medical retirement.
- The **Senior Manager - HR Operations** (or their nominated representative) will:
 - coordinate all medical retirement applications;
 - approve referrals to the Force Medical Advisor (FMA) and Independent Registered Medical Practitioner (IRMP).
- The **Force Medical Advisor (FMA)** will assess medical evidence and decide whether they support the case for medical retirement on the basis of the LGPS criteria.

- The **Independent Registered Medical Practitioner (IRMP)**, who has had no prior involvement in the individual's case, will assess medical evidence and decide whether they support the case for medical retirement on the basis of the LGPS criteria.
- The **ACO Resources** will manage any appeal following the decision of the Head of HR&OD regarding retention or medical retirement.

4.3 APPLICATION PROCESS

The process is as follows:

- Application for medical retirement submitted
- Referral to FMA for medical assessment
- Referral to IRMP for medical assessment.

Application for medical retirement submitted

The relevant line manager and a representative of the Senior Manager - HR Operations will ensure the effect of the individual's medical condition on their ability to fulfil their role is managed through either the PS 147 Attendance Management Policy (and associated procedure) or the PS 166 Performance Management and Improvement Policy (and associated procedure) as appropriate to the circumstances.

If an individual receives notice of dismissal within the above procedures, the line manager, with support from a representative of Senior Manager - HR Operations will meet with the individual and discuss and agree if an application for medical retirement should be submitted during the notice period. In such cases, the Senior Manager - HR Operations will request an urgent referral to the SMP for assessment for medical retirement. All efforts will be made to obtain a decision regarding the medical retirement prior to the date of dismissal. Any requests to extend the effective date of dismissal whilst a medical retirement application remains pending, must be authorised by the Head of HR&OD.

There may be exceptional circumstances where an ill health retirement application may be submitted without prior reference to the PS 147 Attendance Management Policy (and associated procedure) or the PS 166 Performance Management and Improvement Policy (and associated procedure) and without notice of dismissal.

Referral to FMA

The FMA will make their own arrangements to assess the medical evidence and provide their report to the IRMP.

Referral to IRMP

The IRMP, who has had no prior involvement in the individual's case, will review the medical evidence and decide whether they support the case for medical retirement on the basis of the LGPS criteria.

The IRMP will determine which of the LGPS 3 tiers of ill-health pension would be paid if medical retirement is granted and complete the Ill Health Retirement Declaration form and return this to the Senior Manager - HR Operations.

The Senior Manager - HR Operations will refer the matter to the Head of HR&OD for a decision regarding the retention or medical retirement of the individual.

The Head of HR&OD will write to the police staff member within 7 calendar days of receipt of the IRMP's medical report to outline their decision whether to retain or approve medical retirement, enclosing a copy of the report, and outlining their right of appeal to the ACO Resources.

If medical retirement is granted, the individual will be advised to contact the Pensions Team regarding their pension rights and medical retirement will be effective on the date of the expiry of the notice of dismissal.

4.4 Appeals

Individuals will be notified of their right of appeal against the notice of dismissal as per the relevant PS 147 Attendance Management Policy (and associated procedure) or the PS 166 Performance Management and Improvement Policy (and associated procedure).

The individual will be given 14 calendar days to notify the ACO Resources of any appeal against the decision of the Head of HR&OD whether to retain or authorise medical retirement.

4.5 Records

The Senior Manager - HR Operations will maintain all relevant files for 12 months after the date of retirement, after which all information will be recorded on the individual's personal files.

SECTION 5 LEGISLATIVE COMPLIANCE

This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act; Freedom of Information Act; European Convention of Human Rights and other legislation relevant to policing.