

## NHS Pensions - Ill health retirement assessment

### The medical assessment

Following consideration of an ill health retirement application and with associated medical evidence, the decision options available to the NHS Pensions medical advisers can be summarised as follows:

**Claim unsuccessful** – you do not meet the criteria for ill health retirement benefits.

**Accept Tier 1** – you meet the criteria for ill health retirement of being permanently incapable of efficiently discharging the duties of that NHS employment.

**Accept Tier 1 with advice to give leave to reassess for Tier 2 with further medical evidence within three years of the award of benefits notification** – where the NHS Pensions medical adviser is satisfied that you meet the Tier 1 criteria, but that the nature of the condition makes it difficult to assess the longer term outcome in terms of ability to permanently undertake any regular employment of like duration.

Such a reassessment, if requested by the member and before the three year period has lapsed, would consider the condition(s) upon which the original decision was made and would be informed by further medical evidence. Neither subsequent conditions, nor deterioration related to ageing would be taken into account.

**Please note:** The three year period during which a reassessment may be sought is restricted to:

- A reassessment decision being made prior to Normal Pension Age, where this occurs within the three year period, and
- Within 12 months of any NHS re-employment, if re-employment occurs within the three year period.

**Accept Tier 2** – you meet the criteria for ill health retirement in respect of being permanently incapable of regular employment of like duration, in addition to meeting the Tier 1 condition.

**Terminal illness** – see the terminally ill factsheet on our website.

## Notification to the member

Once the initial application has been assessed and accepted, you will be advised if you meet the Tier 1 criteria or Tier 2 criteria for ill health retirement benefits by the NHS Pensions medical adviser.

The NHS Pensions medical adviser will provide an explanation in support of their decision including the reason for giving, or for not giving, leave for a reassessment within three years of the award of benefits notification.

If you have been awarded Tier 1 benefits with no leave for a reassessment within three years, you have two options depending on whether you are:

- satisfied that the Tier 1 assessment is correct
- not satisfied that the Tier 1 assessment is correct.

### If you are satisfied Tier 1 is correct

If you are happy to remain at Tier 1, you do not need to do anything other than make an application for payment of your Tier 1 benefits by completion of form AW8. Your employer should contact you about this.

### If you are not satisfied Tier 1 is correct and believe it should be Tier 2

If you think we have got it wrong and believe that you are entitled to Tier 2 right away:

- You can apply for payment of your Tier 1 benefits by completion of form AW8 whilst disputing the Tier 1 decision, by completing a DRP1 form. You should state why you think we have got it wrong and why you should be assessed as Tier 2. You do not have to send new medical evidence to dispute the decision, although this is recommended. If you have anything you want the medical advisers to consider in support of your claim it should be submitted with the completed DRP1.
- If successful, a decision to award a Tier 2 pension would take effect from the original payment date.

If you have been given the opportunity for reassessment in three years, you have three options depending on whether you are:

- satisfied that the Tier 1 assessment is correct
- not satisfied that the Tier 1 assessment is correct

- satisfied that the Tier 1 assessment is correct for now, but your accepted condition deteriorates or further supporting medical evidence becomes available within the next three years such that you think you might be entitled to Tier 2.

### **If you are satisfied with Tier 1 for now, with opportunity for review in three years**

If you are satisfied with Tier 1 plus the opportunity for reassessment to Tier 2 you should make an application for payment of your Tier 1 benefits by completing form AW8. If your condition deteriorates (or further supporting medical evidence becomes available) in the next three years, you can ask us to review your assessment to see if you qualify for Tier 2.

**Please note:** NHS Pensions or its medical advisers will not reassess your Tier 1 award without you having requested a reassessment.

You must apply for a reassessment to Tier 2 in writing, giving your reasons why you believe you are entitled to Tier 2 benefits. The NHS Pension Scheme Regulations require you to submit new medical evidence relating to the relevant medical condition(s), along with your request. You cannot ask for a review to Tier 2 if you have no new medical evidence.

If you satisfy the Tier 2 criteria at reassessment the Tier 2 pension will be paid from the date of the reassessment.

**Remember:** The three year period during which a reassessment may be sought is additionally restricted to:

- a reassessment decision being made prior to Normal Pension Age, where this occurs within the three year period, and
- within 12 months of any NHS re-employment, if re-employment occurs within the three year period.