

# Audience Participation



- Firefighters: Bevan Hall
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End

# III- Health Reviews

	FPS 1992 [Part K]	FPS 2006 Standard and Special Members [Part 9]	FPS 2015 [Part 5, Chapter 4]
Ill Health review	In payment for less than 10 years and under age 60.  Authority has discretion to review at intervals as appropriate. [K1]	In payment for less than 10 years, and under SPA.  Authority has discretion to review at intervals as appropriate.  [Part 9, Para 1]	In payment for less than 10 years, and under SPA.  Authority has discretion to review at intervals as appropriate [68(1)]
Cessation of higher tier	Where firefighter found to be capable of regular employment [K1A (1)]	Where firefighter found to be capable of regular employment [Part 9, Para 2 (2)]	Where firefighter found to be capable of regular employment [69 (1)]
Cessation of lower tier	Where firefighter found to be capable of performing duties of role from which retired [[K1A (2)]	Where firefighter found to be capable of performing duties of role from which retired [Part 9, Para 2 (3)]	Where firefighter found to be capable of performing duties of role from which retired [69(3)]
Cessation of deferred ill-health	Where capable of regular employment [[K1A (5)]	Where capable of regular employment [Part 9, Para 2 (5)]	Where capable of regular employment [69 (7)]

# Medical Appeals

	FPS 1992 [Part H & Schedule 9]	FPS 2006 Standard and Special Members [Part 8, & Annex 2]	FPS 2015 [Part 12, Chapter 2]
<b>Review:</b> IQMP can review a previous decision where new medical evidence is presented [Within 28 days of new evidence]. Must provide details in writing within 14 days of decision	H1A & Schedule 9	Part 8, Para 3 & Annex 2	Regulation 153
<b>Appeal by member:</b> Within 28 days of decision (some discretion)	H2 & Schedule 9	Part 8, Para 4 & Annex 2	Regulation 154
<b>Reviewing member:</b>	Schedule 9 2B	Annex 2 (4)	Regulation 156 (8 to 11)
<b>Error of fact:</b> Can be referred back to board	Schedule 9 6A	Annex 2 (8A)	Regulation 159
<b>Costs:</b> Costs may be recovered if the opinion is that the appeal was “frivolous, vexatious or manifestly ill founded, or that the appeal is withdrawn less than 21 days of hearing date	Schedule 9 (8)	Annex 2 (10)	Regulation 161

## Guidance

- [Technical Query Log](#) 'Ill-Health Retirement' and 'Compensation'
  - [Bulletins Topic List](#) 'Ill-Health Retirement' and 'Compensation Scheme'
  - [SAB Topic List](#) 'Ill-Health'
  - [IQMP Guidance](#)
  - [Ill-Health and Injury Quick Guide](#)
  - [Calculation guidance 48-65](#)
  - [Member only page](#)
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## Advantage of early involvement of rep bodies?

- Makes sure the member is ready for the referral by meeting prior to any appointment or paper based referral.
  - Member more likely to understand the process and rights of appeal.
  - Can act on behalf of member and make a submission to the IQMP. [[Guidance procedure](#) (page 13, para 2.9)]
  - Unnecessary appeals may be avoided if opportunity to gather evidence provided
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## Medical Appeal or IDRPs

- Do you have more IDRPs over the process or appeals due to medical issues?
- [Bulletin 13](#) commented on the need to ‘not act blindly’ on acceptance of an IQMP report. While the rules determine that the opinion of the independent qualified medical practitioner is binding on the Fire Authority, they firstly determine that the Fire Authority is the ultimate decision maker.
- Therefore the Authority need to ensure processes are in place to question whether the decision has been made properly and the IQMP is in receipt of all the appropriate medical evidence.

## 3 stage IHR Process

1. The decision whether to end an employee's contract. This can only be taken by the employer. Management need to make decisions on any non medical aspects of the case before consideration for onward referral.
  2. The medical decision on whether or not the case meets the criteria within the pension scheme for ill health retirement.
  3. The employer's decision, based on the medical opinion, on the terms under which the employee should leave
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# Review of Certificates

	1992 Scheme (Protected members only)	2006 Scheme (Protected Special and Standard Members)	2015 Scheme	Compensation Scheme
Entitlement				FCS 2006 Form A
Active	FPS 1992 Form A	FPS 2006 Form A	FPS 2015 Form A	
Deferred	FPS 1992 Form B	FPS 2006 Form B	FPS 2015 Form B	
Review following new evidence	FPS 1992 Form C	FPS 2006 Form C	FPS 2015 Form C	
Degree of disablement				FCS 2006 Form B
Periodical Review				FCS 2006 Form C
Active	FPS 1992 Form D	FPS 2006 Form D	FPS 2015 Form D	
Deferred	FPS 1992 Form E	FPS 2006 Form E	FPS 2015 Form E	