

# Ill-Health and Injury

## Firefighters and Police Pensions



19 June 2019



@LGAworkforce #LGAFirepensions

## Workshop or Conference

- Though both workshops and conferences are educational settings, conferences tend to be more formal in nature than workshops.
  - Workshops are short term training courses where participants come to enhance their skills through an expert who demonstrates new techniques rather than adopting a lecture type of style.
-

# Agenda

## Best Practice Sharing

- Legislation and Legal Background
- Employer Role in Ill-Health Process
- IQMP Role and Decision Making
- Impact of mental health on workforce issues

## Workshops

- Individual Police and Fire Workshops
  - Policy Issues
  - Procedures
  - What Next
-

# Types of member

1992 / 1987 Scheme	2006 Scheme	Special Firefighter members	2015 Scheme	Compensation Scheme
Protected standard members	Protected standard members	Protected special members	2015 only members	Benefits based on service
	Protected retained members		1992 transitional members	Protections for retained firefighters
			2006 standard transitional members	
			2006 retained transitional members	
			2006 Special transitional members	

## III-Health - Benefits

	1992 / 1987 Scheme		2006 Scheme	2015 Scheme
Lower Tier	<u>Capable</u> of undertaking regular employment	Disabled from duties of role	Permanently disabled from duties of role	Permanently disabled from duties of role
Higher Tier	<u>Incapable</u> of undertaking regular employment [B3, para 4]		Permanently disabled from regular employment	Permanently disabled from regular employment
Deferred Pension	Where permanently disabled for performing duties appropriate to former role		In opinion of IQMP / SMP the person is permanently disabled from <u>undertaking regular employment</u>	In opinion of IQMP / SMP the member is incapable of <u>undertaking regular employment</u> ...continue until deferred pension age

# Injury Pensions- Benefits

	Compensation Scheme
<b>Payment of pension and gratuity</b>	<u>Permanently disabled from the role</u> if the infirmity was occasioned by a qualifying injury.
Compensation for permanent incapacity while on duty <b>Payment of five times annual pensionable pay</b>	Permanently incapacitated for carrying on <u>any occupation</u> solely by reason of qualifying injury

## Single Source (also known as ‘One-Pot’)

- Single source ill-health means that it is the rules that are in force at the time of ill health retirement that are relevant in determining access to benefits.
  - This means that members who have been moved into the 2015 scheme (FPS 2015) from the final salary scheme would be considered for ill-health under the rules of the 2015 scheme only
-

## Single Source (also known as ‘One-Pot’)

- This is as a result of over-arching policy that applies to all public sector pension schemes. The overarching legal principle is that, unlike entitlement to ordinary retirement pension benefits, there is no legal entitlement (“accrued right”) to ill health benefits - rights only crystallise at the appropriate ‘trigger point’, which will be when the criteria of scheme rules are met, normally the point of ill health retirement itself.
-

## Single Source (also known as ‘One-Pot’)

- Normal Pension Age (NPA) of the 2015 scheme is age 60, this means when considering incapacity to NPA, this needs to be considered **to age 60**, regardless of whether a portion of pension was accumulated under the final salary rules and attracts an NPA of 55
  - Under the FPS 1992, in order to determine whether the higher tier is payable (unable to perform regular employment), the IQMP does not need to consider whether the incapacity for regular employment is permanent to NPA, this only needs to be determined at the date of the IQMP decision. However, under FPS 2006 and FPS 2015 the incapacity for regular employment does need to be permanent to NPA. Therefore, regardless of whether a portion of pension was accumulated under the FPS 1992 scheme rules, incapacity for regular employment would need to be assessed up until NPA (age 60).”
-

## Before we start...

- How would you rate your understanding of the ill-health process?

