

# CLASSIC PLUS AND PREMIUM ILL-HEALTH RETIREMENT

## **A guide about the pension benefits that we may pay you as a member of premium or classic plus if you have to leave your job early because you are ill.**

The purpose of this guide is to give employees who work for an organisation that is covered by the Research Councils' Pension Scheme (RCPS) arrangements, a basic understanding of what Ill Health Retirement is, and how it is applied.

An ill-health retirement pension may be paid if our Medical Adviser is satisfied that you meet the qualifying conditions as set out in the scheme rules.

We have tried to keep this guide as jargon-free as possible. Technical terms are shown in bold and explained in the glossary.

## **Your questions answered**

### **What are the qualifying conditions for an ill-health pension?**

There are two conditions:

- you must have at least 2 years **qualifying service**;
- the Scheme Medical Adviser must be satisfied that you meet the criteria for an ill-health pension.

### **What are the criteria for an ill-health pension?**

There are two levels (tiers) of pension depending on the severity of your illness and the effect of this on your ability to work.

The criteria for **lower tier** ill-health retirement is that you must be prevented by ill health from doing your own or comparable job and the ill-health is likely to continue until you reach **pension age**.

To get **upper tier** you must meet the same criteria as for lower tier except that you must also be incapable of doing just about any type of employment.

- **Prevented by ill health** means having a significant incapacity. It does not mean 'unwilling', 'disinclined' or 'inconvenient' to carry out your job.
- **ill-health means** a recognised medical condition giving rise to the incapacity. Diagnosis must be supported by clinical findings.
- **doing your own or a comparable job** (lower tier) means turning up regularly to do a job in your grade (not necessarily the exact job that you have been doing).
- **doing any type of employment** (upper tier) means not only being unable to do a job in your

grade, but also any other significant job. We call this being incapable of undertaking 'gainful' employment.

- **likely** means on a balance of probabilities.

### How do I apply for an ill-health pension?

Either you or your employer can apply for ill-health retirement to be considered, but your employer must first investigate whether there are other options which will enable you to carry on working.

Applications must be made to the scheme medical adviser and these will include details of your job, your ill health and your sickness absence record. You will need to provide your doctor's details and provide consent for the scheme medical adviser to approach your medical carer(s) for additional medical evidence, if they think this is required before they make a decision.

If the scheme medical adviser is satisfied that you meet the criteria for ill-health retirement and JSS is satisfied that you meet the other qualifying conditions, your employer will then give you notice.

### What benefits do I get?

There are two levels of pension, depending on the degree of incapacity. In both cases, although your pension is being paid early, we do not reduce it for early payment.

If the medical adviser considers that your incapacity is such that you are unable to undertake any gainful employment, you will qualify for pension at the higher rate. If you meet all criteria other than this, you will qualify for pension at the lower rate.

The lower rate pension is usually based on your **reckonable service** to the date of your retirement. But if you have less than 10 years' **reckonable service** we may give you some extra years of service. If you have less than five years' service, we will double it. If you have between 5 and 10 years' service, we will make it up to 10 years. In no case, though, can the extra service be more than one half of the extra service you would have earned if you had worked through to **pension age**.

The higher rate pension will be based on all the years of service you would have had if you had carried on working to pension age.

### How are your benefits worked out?

In **premium** your pension is calculated as  $1/60^{\text{th}}$  of your **final pensionable earnings** for every year of completed **reckonable service**, including any enhanced service which you may be entitled to (depending on whether you are getting upper or lower tier benefits). In **classic plus**, the **premium** part of your pension is calculated on a  $1/60^{\text{th}}$  basis and the classic plus part on  $1/80^{\text{th}}$ .

You should read the leaflets 'premium retirement benefits' or 'classic plus retirement benefits' for details of how we calculate your pension and how we pay it to you.

### I have a 'provisional' pension award. What does this mean?

If your incapacity is such that the medical adviser is unable to decide whether or not you meet the criteria for a pension at the higher or lower rate, they may make a provisional award at whichever rate is the most appropriate to your then condition. If your award is provisional, the medical adviser will also state when it is to be reviewed. This can be any time up to five years from the award decision. At the time of review, the medical adviser will either confirm the original award or change it.

If the medical adviser reduces or removes your pension, we will give you three months' notice before we change your pension payments. If the medical adviser increases your pension, we will put the new payments into place with effect from the date of the review.

### Does my pension carry on for life?

If your pension is paid at the lower rate it will continue for the rest of your life, even if you are re-employed, but may be subject to **abatement**.

If your pension is paid at the higher rate, we will ask the medical adviser to review your case every five years. This is called a periodical review. If your condition improves so that you no longer meet the conditions for a higher rate pension, we will reduce your pension to the lower rate. We will give you three months' notice before we reduce your pension and we will not take it away altogether even if you make a complete recovery. We will stop reviewing your pension once you reach **pension age**.

### Can I appeal against the Scheme Medical Adviser's decision?

Yes. Ask JSS for details of the appeal process.

### What if I am re-employed?

If you are re-employed in the scheme your pension will carry on but it may be subject to **abatement**, even if the job you take is not itself pensionable. This means that your pension will be reduced if your new pay plus pension is more than your pay before you retired. **Abatement** applies to all pensioners who are re-employed, not just to those who have had ill-health pensions.

If your pension is at the lower rate, you cannot re-join **premium** or **classic plus**, but you would be able to have a **partnership** pension account. Your employer will give you details of your pension options if you are re-employed.

If your pension is at the higher rate, we do not expect you to be fit enough to be re-employed. In the unlikely event that you are, we will not allow you to earn any more pension.

## Glossary

**Abatement** is where your earnings on re-employment are reduced, usually partly off-setting the effects of the pension you are getting.

**Final pensionable earnings** is the amount of pay used to work out your pension benefits.

**Pension age** is the earliest age at which you may retire voluntarily and receive immediate unreduced pension benefits. Pension age for most people is 60.

**Qualifying service** is generally the calendar years you have been in the pension scheme and, if you have switched from a **partnership** pension account, will include the years when you had a **partnership** pension account. Qualifying service is not affected by whether you work full or part time.

**Reckonable service** is the service which counts towards your pension. Part-time service counts on the basis of hours worked.

## Other information

**Note:** This provides a straightforward guide to provisions for ill-health benefits in premium and classic plus. It does not cover every aspect: the full details are contained in the scheme rules which are the legal basis of the Scheme. You should note that nothing in this guidance can override the rules, and in the event of any unintentional difference, the rules will prevail.

You can obtain more information about the pension arrangements from the JSS website:

<http://jsspensions.nerc.ac.uk/default.asp>