

Ill Health Retirement Guidance

This leaflet is for members in the JTSF New Members Order only. This leaflet describes the procedures for making an application for a pension on the grounds of permanent ill-health or incapacity. It also includes information regarding the appeal procedures you can use if you are unhappy with the outcome.

Ill Health Retirement

Retirement on ill-health grounds involves the cessation of employment of those who, as a result of permanent ill-health or disability of mind or body are, to the satisfaction of the employer, incapable of discharging efficiently their duties.

Details of eligibility for an ill health retirement pension and the benefits provided are set out in your JTSF member's guide available on our website: www.gov.je/yourpension.

If there is a significant change in your health at any stage during an application for ill health retirement please notify your line manager or human resources officer as soon as possible.

How is an application initiated?

If you think that your ill health is serious enough to justify early retirement you should approach your line manager who will discuss with you whether you are likely to satisfy the Fund's criteria for ill health retirement.

Alternatively, your employer may have become aware of your health problems and may suggest to you that the possibility of ill health retirement is investigated.

The ill-health retirement procedures will be officially initiated from:

1. The date that you submit a formal request in writing to your employer for retirement on ill health grounds, or
2. The date that your employer initiates the procedures by submitting a formal request in writing to the Occupational Health Service.

What happens next?

The ill health retirement procedures are as follows:

- ❖ You will be asked to sign a "Consent to Medical Examination" form which gives the Occupational Health Service doctor authority to obtain all relevant medical information. You will normally then be asked to attend a consultation which may include an examination. The doctor will prepare a report giving an opinion on your current and future fitness to carry out your job.



- ❖ If the occupational health doctor (after considering all relevant information from your treating specialist/GP) considers that your ill health is unlikely to improve adequately for a return to your normal role and is serious enough to justify ill-health retirement, a recommendation will be made to your employer and the Chief Minister's Department.
- ❖ The recommendation will be considered in line with the JTSF Regulations and once satisfied that the Regulations are met and provided that you are eligible for an ill health retirement pension this will proceed. You will be informed of the outcome; a date for your retirement will be set and notified to the Pensions Scheme Administrator for implementation of your pension entitlement.

How long will the process take?

There are deadlines for the completion of each stage of the ill-health retirement process:

Target number of working days for completion

Stage 1	Consideration of your case by the Occupational Health Service	30 working days after the date that the procedures are officially initiated (note, this target date will be extended if there is difficulty in obtaining the necessary medical information from professional specialists. You will be kept informed about the process and timescales.)
Stage 2	Consideration of your case by the Employer	10 working days after stage 1 is completed.
Stage 3	Implementation of your retirement	10 working days after stage 2 is completed

For straightforward cases, the target timescale is therefore 50 working days.

In order to avoid your suffering financial hardship because of a gap between the date that your sick pay ceases and the date that your ill health retirement commences, the procedures need to be initiated officially at least 50 working days before your sick pay entitlement is due to end. It is therefore recommended that, if possible, the initial discussions between you and the employer commence well before that date.

Social Security Benefits

Does an ill health pension from JTSF qualify me for Sickness Benefit, a Disability Pension or an Invalidity Pension from the Social Security Department?

JTSF benefits are entirely separate from Social Security benefits. You will need to contact the Social Security Department to discuss your entitlement to benefits.

What happens if the Occupational Health Service does not recommend ill-health retirement?

The Occupational Health Service report may give one of the following opinions:



- ❖ Your ill health is serious enough to justify ill health retirement from your current occupation, but you are well enough to carry out a different job. If you wish to consider this, your line manager or human resources officer will investigate whether appropriate alternative employment is available. If this is not possible, your case will be referred to the Chief Minister's Department to decide whether to support ill health retirement.
- ❖ Ill health retirement is not justified at present, but your case will be kept under review. The Occupational Health Service will receive regular updates on your condition until a firm conclusion can be reached.
- ❖ Your ill health is not serious enough to justify ill health retirement. If the Occupational Health Service does not recommend immediate ill health retirement, you will be notified by your line manager or human resources officer.

How can I appeal?

First stage – informal advice

You have the right to an informal and confidential meeting with an Employment Relations Manager in the Chief Operating Office (who has not previously been involved with your case) who will discuss your case with you (referring to the Occupational Health Service report and any supporting paperwork) who will consider your case and advise you. Please email EmploymentRelations@gov.je or telephone the Human Resources Department on 440003.

Second stage of the appeal process – internal review process undertaken by the Employer's Occupational Health Service

You have the right to an internal paper review undertaken by an occupational health physician (employed by the occupational health service) who has not been previously involved with your case.

Third stage - formal appeal to the Human Resources Director

If you are still unhappy with the Occupational Health Service recommendation you may decide to make a formal appeal, you should submit it in writing together with any supporting evidence to the Director of HR, 19-21 Broad Street, St Helier, Jersey, JE2 3RR.

The HR Director is authorised by the States Employment Board to consider your appeal on its behalf, taking into account all the evidence you have supplied and all that supplied by the Occupational Health Service.

The HR Director will consider the evidence and will send you a written statement of the decision, giving reasons for it. You may be required to appear in person before the HR Director in which case you will be able to have a staff representative or workplace colleague to support you. The decision of the HR Director is final and will be adopted. **There is no further right of appeal.**

The Fund rules are contained in the applicable legislation and where there is any difference between that legislation and the information in this leaflet the legislation will prevail.

