PROCEDURE FOR EARLY RETIREMENT: GROUNDS OF PERMANENT ILL HEALTH

INTRODUCTION

1.1 This procedure only applies to Teachers.

RETIREMENT STAGES

2.1 When a Teacher wishes to apply for Early Retirement on the Grounds of Ill Health, the Teacher should contact the Personnel Section and the following forms will be sent out:

- STSS: (INC) 1 – Ill Health Retirement Application;
- STSS: (INC) 1 – Notes for Guidance; and
- STSS: (MED) 1 – Application for Ill Health Retirement Medical Report

2.2 The Teacher should complete the STSS: (INC) 1 form and return it to the Personnel Officer.

2.3 The Teacher is required to sign either Section 2 or Section 3 of the STSS: (MED) 1 form to allow the Medical Report to be made available to the SPPA and their Medical Advisor (MA).

2.4 The application for Ill Health Retirement is required to be supported by a Report on the Teacher’s health which is covered by the STSS: (MED) 1 form. Where the Comhairle’s Occupational Health Physician is familiar with the Teacher’s medical condition, he/she should complete the Report. Where the Occupational Health Physician is not familiar with the condition, or the Teacher prefers, the form should be completed by his/her GP, Hospital or Clinical Specialist. The Report should be returned to the Personnel Officer in a sealed envelope.

2.5 The Personnel Officer will complete the STSS: (INC) 2 application and forward it to the Payroll Section who will complete Section 2 of the form (Payroll Information). In addition the Comhairle is required to submit the following information as part of the application:

- full details of sickness absences and the reason(s) for absences
- details of the job being undertaken or a full job description
- the job classification role
- details of any rehabilitation/redeployment undertaken or considered.

2.6 When all completed forms have been received by the Personnel Officer, the full application will be sent to SPPA for consideration.

2.7 The SPPA must be satisfied that the Teacher has become permanently incapable of any teaching, including part-time teaching, until normal pension age. The SPPA’s Medical Advisor (MA) will make a recommendation solely on the basis of the evidence provided by the member/employer and there will be no option for the Teacher to be seen by the Medical Advisor. It is therefore in the interest of the Teacher to ensure that all medical information in support of the application is submitted to the SPPA.

2.8 The SPPA’s Medical Advisor will consider the medical evidence submitted and make a recommendation to Scottish Ministers.

2.9 Once a decision has been reached, the Teacher will be advised directly by the SPPA and the Comhairle will also be informed of their decision at this time.
REVIEW/DETERMINATION

3.1 Any decision to reject an application for ill health retirement depends on medical advice. If the ill health application is refused, a review of the decision can be requested. As part of this review the SPPA will consult another medical advisor to confirm that all the relevant points have been considered. The SPPA will then write to inform the Teacher of the decision.

3.2 If the applicant is not satisfied with the outcome of the review they can ask for a determination which will be considered by the Director of Policy on behalf of the Scottish Ministers. The Director of Policy may also seek further medical advice, in which case he/she will use an Advisor that has not been involved in the case previously.

3.3 However, a decision to refuse ill health retirement is unlikely to be overturned unless additional medical evidence in support of the original application is supplied. Without it, the Medical Advisors can only make a recommendation based on the evidence supplied at the time of the earlier decision. The dispute process is designed to test that decisions have been made properly and taking account of relevant and appropriate evidence. In cases where a member’s health has deteriorated since the initial application, it may be appropriate for a new application to be made, as opposed to seeking a review.