

PROCEDURE FOR ILL-HEALTH RETIREMENT

I Procedure initiated by employees

1. Where an employee believes that she/he no longer has the health or physical capacity to continue in her/his employment the Principal or delegated alternate will discuss the matter confidentially with the employee concerned offering counselling and support as appropriate. If the employee is a teacher, then an application may be made to Teachers' Pensions for ill-health retirement benefits. If an employee is a member of the non-teaching staff then an application may be made to the appropriate superannuation authority for ill-health retirement benefits.
2. The superannuation authority/Teachers' Pensions determine whether or not the employee has become permanently incapacitated.

II Procedure initiated by the Principal (or delegated alternate)

1. Where there is evidence that an employee no longer has the health or physical capacity to continue in her/his employment, and the Principal or delegated alternate discusses the matter confidentially with the employee concerned, but the employee does not agree with this assessment, then the Principal or delegated alternate may request the employee to sign a consent form in order that confidential medical enquiries can be carried out by a qualified medical practitioner. At any time before such medical examination either the Principal or delegated alternate, or the employee, may submit to the appointed medical practitioner a statement containing evidence or other matter relevant to the examination.
2. On receipt of the medical report, the Principal or delegated alternate will consider the comments made and will inform the employee concerned of the content of the report. If the report indicates that the employee no longer has the health and physical capacity to continue in her/his employment, and the employee accepts that conclusion then an application to the appropriate superannuation authority should be made as in I.1 above.
3. Whether or not the employee accepts such a conclusion it must be put to them in writing. The Principal or delegated alternate should then arrange a formal interview with the employee concerned. The employee should be informed in writing of the interview, giving not less than 10 working days notice. The employee may be accompanied at this interview by a friend and may wish to submit medical evidence of her/his own. The Principal will decide on the basis of the medical report and any representations made by, or on behalf of, the employee, whether the employee should be dismissed for reasons of ill-health.

4. Where the employee submits medical evidence that conflicts with the medical report obtained by the Principal or delegated alternate, the Principal or delegated alternate may wish to consider obtaining a third opinion before reaching a decision. If such a third opinion is thought to be desirable, then it is most helpful if the medical practitioner to be used can be agreed by the Principal or delegated alternate and the employee (for instance if the employee is a teacher, an application to Teachers' Pensions for ill-health retirement provides a further medical opinion). Ultimately, however, the Principal or delegated alternate has to decide, making a reasonable assessment of the evidence available.
5. Where an employee refuses to give her/his consent to confidential medical enquiries being undertaken, or refuses to make available medical evidence or information sought by the medical practitioner, then the Principal or delegated alternate may decide on the case, taking into account such evidence and information as is available to her/him.
6. The Principal or delegated alternate will ensure that the employee is notified of her/his decision in writing. Where the Principal or delegated alternate decides that dismissal on the grounds of ill-health is appropriate, then the employee should be informed of the benefits that would be available and should also be informed of her/his right to appeal against the decision.

Appeals

7. Appeals should be lodged in writing within 10 working days of receipt of the letter informing the employee of the decision.
8. If the initial decision was made by the Principal then the appeal will be heard by a Committee of the Corporation. If the decision was made by a delegated alternate then the appeal may be heard by the Principal. The decision at appeal is final.
9. The appellant's ill-health retirement pension will be frozen until such time as the appeal has been heard.