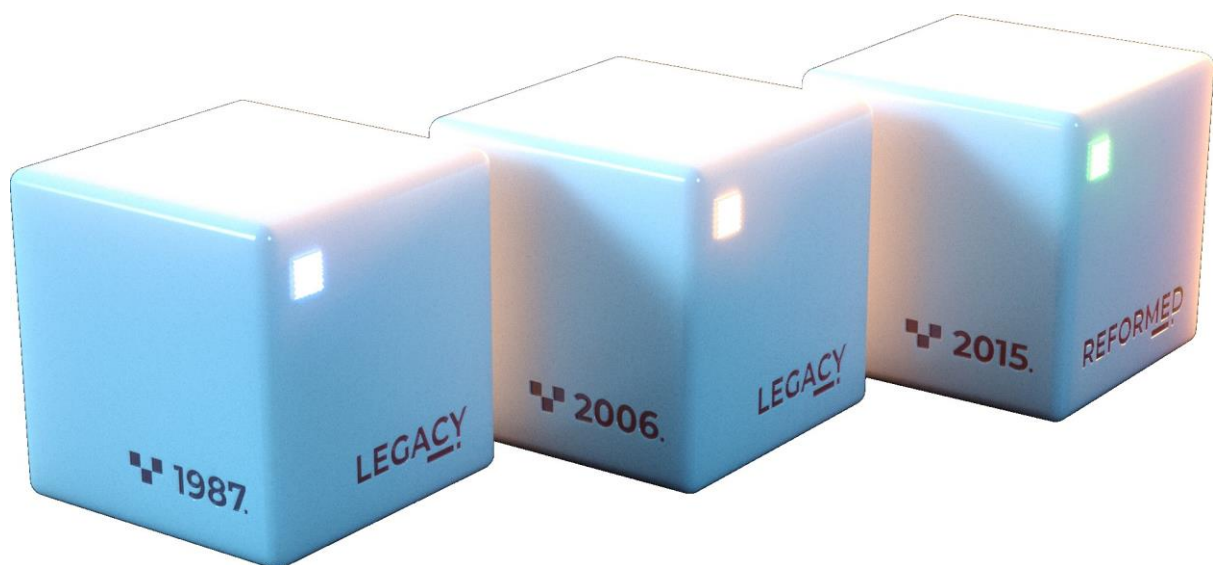


NPCC Police Pensions Member remedy factsheet

Ill-health retirements:
Between 1 April 2015 and 30
September 2023



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Ill-health eligibility

When you retired under ill-health you will have been assessed for eligibility to receive ill health benefits under the scheme you were in at the time of retirement.

The table below provides a summary of eligibility for the ill-health awards in each scheme.

Scheme	Single Tier	Lower Tier	Higher Tier
PPS 1987	Awarded if the SMP finds you permanently incapable of performing the role of a police officer.	N/A	N/A
PPS 2006	N/A	Awarded if an SMP ¹ finds you permanently incapable of performing the role of a police officer	Awarded if the SMP finds you permanently incapable of any 'regular'* employment.
PPS 2015	N/A	Awarded if an SMP finds you permanently incapable of performing the role of a police officer	Awarded if the SMP finds you permanently incapable of any 'regular'* employment.

*Regular employment means incapable of working 30 hours or more a week.

Ill-health pension awards – what is the difference?

Each ill-health award is calculated differently depending on the scheme it is awarded from.

Single tier – PPS 1987

The single tier award in the PPS 1987 enhances the service used for the calculation of the pension based on the amount of service accrued at the retirement date. The maximum enhancement is seven years' service in addition to your actual service

Lower tier – PPS 2006 & PPS 2015

An award for a lower tier ill-health pension entitles a PPS 2006 or a PPS 2015 pension to immediate payment of their pension benefits accrued to date with no enhancement in respect of service.

¹ SMP is the Selected Medical Practitioner used by your force to assess your eligibility for ill-health awards.

Higher tier enhancement – PPS 2006 & PPS 2015

For a member who is awarded the higher tier, the pension is enhanced by a proportion of salary over the remainder of service to normal pension age (60).

Because the normal pension age is higher in the PPS 2015, this can mean in some circumstances that the pension awarded from the PPS 2015 can be higher than in the PPS 1987.

Eligibility in the alternative scheme

Members who retired on ill-health will need to be provided with a choice of benefits in the alternative scheme based on their eligibility for an ill-health award under that alternative scheme.

PPS 2015

Members who were assessed under the PPS 2015 rules at the time of retirement and found eligible to receive at least the lower tier of benefits will be automatically entitled to receive ill health benefits in their legacy scheme (either PPS 1987 or PPS 2006).

PPS 2006

Members who were assessed under the PPS 2006 rules at the time of retirement are automatically entitled to benefits in the PPS 2015 at the same tier.

PPS 1987

Members who were assessed under the PPS 1987 rules at the time of retirement are automatically entitled to lower tier benefits in the PPS 2015.

Re-assessments

Who will need a re-assessment?

Members who were originally assessed under the PPS 1987 will need a re-assessment to confirm if they would be eligible to receive benefits at the higher tier under the PPS 2015.

What to expect of an assessment

The SMP will be asked to assess whether you are capable of performing regular employment which is the criteria for higher tier benefits under the PPS 2015.

This re-assessment will be carried out based on the position as at your original date of retirement and within 5 years of your date of retirement.

In order for the SMP to assess you, you will be asked to consent to a re-assessment.

By consenting to the re-assessment it is important to note that: –

- You are not being asked to make a choice about any benefits.
- You are not bound by the results of the re-assessment.
- The re-assessment cannot be used for the purposes of anything else, such as an ill-health review.

The outcome of the re-assessment cannot be a negative one: you are already eligible for the PPS 1987 benefits being paid to you and nothing will reduce the level of those pension benefits currently in payment.

The only outcome **may be** that you are eligible for higher tier PPS 2015 benefits; and in some circumstances, this may provide a higher level of benefit than those of the PPS 1987.

It will be your decision whether to accept any alternative benefits available under the PPS 2015. You do not have to choose the alternative benefits, even if they are higher.

What if I don't consent to a re-assessment?

There is no statutory deadline for an ill-health re-assessment.

However, if you do not consent to a re-assessment you cannot be deemed as eligible for higher tier benefits, therefore your choice in the alternative scheme will be awarded on the basis of eligibility to lower tier benefits only.

Can I appeal a re-assessment decision?

If you think you would meet the criteria for higher tier PPS 2015 benefits, you can appeal the SMP decision under the ordinary rules of the scheme. Before appealing you may want to consider whether the benefits paid from the PPS 2015 higher tier would be higher than those currently in payment.

Your choice

It is a requirement of the regulations that everyone who retired from the scheme between 1 April 2015 and 30 September 2023, is provided with a choice to select alternative benefits from the alternative scheme to the one under which they retired in.

This applies equally to members who remained protected in their legacy schemes.

The legislation requires this choice to be provided to members in the form of a Remediable Service Statement, known as an RSS.

Information about this choice and the documents you will receive are in the short animation 'Understanding your choices' available on the national police pension scheme website www.policepensioninfo.co.uk.

You do not have to choose the alternative benefits, even if they are higher. Once you have made your choice, you cannot revisit it.

Choices for taper members

The remedy legislation requires that once remedied, members cannot keep 'mixed benefits'² within the remedy period and must make a choice of either all legacy or all reformed benefits for the whole remedy period.

- Taper members who retired on ill-health retirement before they moved to the PPS 2015, will be given an alternative choice in the PPS 2015.
- Taper members who retired on ill-health retirement after they moved to the PPS 2015 will have 'mixed benefits' in payment. These members will be given two choices of a pension under either the relevant legacy scheme or the PPS 2015.

Can I make a choice for higher tier benefits of the PPS 2015 without undergoing an assessment?

- If you retired from the PPS 2015 or PPS 2006 your alternative will be awarded on the same tier you were eligible for at retirement.
- If you retired under the PPS 1987, you can only receive a choice for the higher tier of the PPS 2015 if you are re-assessed and the SMP decides that you are eligible for higher tier benefits.

What if I don't make a choice

Once you are given a choice you have up to 12 months from the date of your RSS to make a choice. If by the end of the 12 months you have not made a choice, then your force in their capacity as scheme manager can make a deemed election for you.

² Mixed benefits is where there is membership in both a legacy scheme (PPS 1987 or PPS 2006) and PPS 2015 during the remedy period (1 April 2015 to 31 March 2022) and that these benefits are in payment.

When will you receive an RSS?

The regulations require everyone to have received an RSS by 31 March 2025.

The NPCC, who provide co-ordination and advice to each of the 43 forces in their role as scheme manager for the police pension scheme, encourage forces to provide this choice to members as early as possible in 2024.

However, there may be reasons, such as waiting for a response from a member or waiting for an assessment, where this cannot be met.

Ill-health retirement on or after 1 October 2023

This factsheet applies only to members who were awarded ill-health retirement between 1 April 2015 and 30 September 2023 and have a pension in payment.

If you have been awarded ill-health retirement on or after 1 October 2023 your eligibility to lower or higher tier ill-health pension will have been assessed correctly under the PPS 2015. There is no requirement for any re-assessment of such cases.

If remedy applies to you, when you receive your retirement options, they will give you a choice of benefits in either the legacy or reformed scheme for the remedy period.

Legislation

The legislation that applies to dealing with ill-health for remediable service is: –

1. [The Public Service Pensions and Judicial Offices Act \(PSPJOA 2022\)](#)
 - Pensioner and deceased members: immediate choice of new scheme benefits – [Section 6 to 9](#)
 - Remediable service statements – [Section 29](#)
2. [The Police Pensions \(Remediable Service\) Regulations 2023 \(Police Scheme Remediable Regulations\)](#)
 - Remediable service statement – [Part 2](#)
 - Decisions about the treatment of remediable police service – Immediate Choice decisions – [Chapter 2 of Part 3](#)
 - Ill-Health Retirement – [Chapter 1 of Part 7](#)
3. [The Police Pensions Regulations 2015](#)
 - Annual rate of ill-health pension under this scheme – [Regulation 104](#)
 - Medical decisions: appeals and reconsideration – [Schedule 1](#)

Disclaimer

This factsheet has been prepared by NPCC using the regulations as they stand at January 2024, however they should be used only as an informal view of the interpretation of the Police Pension Scheme as only a court can provide a definitive interpretation of legislation.

This factsheet should not be interpreted as legal advice.