

MEDICAL CERTIFICATE B
SERVING FIREFIGHTER: ILL-HEALTH/INJURY
Notes on completion

This certificate can be used in the case of a regular or retained or volunteer firefighter.

A fire and rescue authority would issue this certificate for completion by an independent qualified medical practitioner if the authority are satisfied that an injury has been received in circumstances where (subject to a medical opinion) it could be described as “qualifying” or where there is a question of doubt which can only be resolved by medical opinion. If they are satisfied that there are no grounds for considering the question of a qualifying injury, they should ask the independent qualified medical practitioner to complete Certificate A (regular firefighter) or Certificate G (retained or volunteer firefighter) instead.

The certificate should be completed as follows.

Page 1: Personal details

This section should be completed by the fire and rescue authority before issue to the independent qualified medical practitioner.

Page 1: Details of incapacity

If this section is completed by the fire and rescue authority it should be checked by the independent qualified medical practitioner to ensure it correctly matches his/her understanding of the medical condition. It may be better if completed by the independent qualified medical practitioner.

The inclusion of this section should make it clear which areas of disability are considered in order to prevent the situation where a firefighter at appeal presents different ailments to those considered in the opinion.

If the firefighter requests, and is provided with a copy of the medical opinion, the firefighter should check that the details given here are as he/she understands them.

Page 1: Details of injury/injuries

As with the “Details of Incapacity” this should clearly state which injury or injuries are being considered.

Page 2: Opinion

This is for completion by the independent qualified medical practitioner. He/she should tick all appropriate boxes, having regard to the definitions of expressions where they are provided.

If he/she does not examine the firefighter but forms his/her opinion based on written medical evidence only, the words "EXAMINED" to "AND" at the beginning of the opinion should be deleted.

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Page 2: Opinion (continued)

Point 2 refers to the duties of a regular firefighter. This is the test even in the case of a retained or volunteer firefighter. The person is to be treated as a regular firefighter under various rules for award purposes.

If the person is disabled for performing any of the duties of his/her role he/she may, nevertheless be capable of other regular employment. Point 5 asks this question so that the fire and rescue authority can determine whether or not the person would be eligible for a higher tier ill-health pension.

Page 3: Opinion

It is possible that the person may be disabled for the aspect of his/her role which requires fitness for firefighting but may be fit for other duties. The fire and rescue authority will need an opinion on this in order to decide whether the firefighter could remain in post to perform these other duties. They should supply the independent qualified medical practitioner with details of the firefighter's role and in Point 7 the practitioner should give an opinion on the extent to which the firefighter's general state of health and fitness is satisfactory to carry out the duties of his/her role.

Point 9 would not be ticked by the independent qualified medical practitioner if, in respect of Point 8, he/she states that the disablement has not been occasioned by an injury received without the firefighter's own default in the exercise of duties, etc. In such a case, the fire and rescue authority would not consider the injury to be "qualifying" for the purposes of an award, and so there would be no need for medical guidance on the extent to which the firefighter's earning capacity had been affected. This applies only where an injury pension is awarded.

Page 4: Assessment of disablement

This is for completion by the independent qualified medical practitioner only if, in respect of Point 8 on Page 3, he/she states that the disablement has been occasioned by an injury received without the firefighter's own default in the exercise of duties, etc. If not relevant, the independent qualified medical practitioner should draw a line through this section and mark "Not Applicable".

Only medical issues should be considered here, not skills, qualifications, etc. which would be taken into account for completion of the Degree of Disablement Assessment Form.

Page 5: Comments on assessment of disablement

This is for completion by the independent qualified medical practitioner only if, in respect of Point 8 on Page 3, he/she states that the disablement has been occasioned by an injury received without the firefighter's own default in the exercise of duties, etc. If not relevant, the independent qualified medical practitioner should draw a line through this section and mark "Not Applicable".

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Page 5: Comments on assessment of disablement (continued)

This section gives the medical practitioner an opportunity to elaborate on any medical issues not covered previously in the certificate.

Again, only medical issues should be considered, not skills, qualifications, etc.

Page 5: Apportionment of contribution of injury to disablement

This is for completion by the independent qualified medical practitioner only if, in respect of Point 8 on Page 3, he/she states that the disablement has been occasioned by an injury received without the firefighter's own default in the exercise of duties, etc.

If not relevant, the independent qualified medical practitioner should draw a line through this section and mark "Not Applicable".

The independent qualified medical practitioner can indicate here to what extent the injury, if it should be considered a "qualifying injury", contributed to the disability.

For example, the independent qualified medical practitioner may be of the opinion that some other injury which cannot be classed as qualifying (e.g. off-duty) was the main cause of the disability, whereas the injury which may be considered as "qualifying" simply exacerbated it.

This is important when assessing the degree of disablement. This must be done by reference to the degree to which the earning capacity has been affected as a result of the qualifying injury; if the earning capacity has been affected as a result of something else, this should be noted for assessment purposes. The independent qualified medical practitioner should give reasons for the apportionment.

Page 5: Suggested date for review

This section allows the independent qualified medical practitioner to suggest a date for review. It is for the fire and rescue authority, however, to decide when such a review should take place.

After completion of the certificate

After the independent qualified medical practitioner has completed the certificate it should be passed to the fire and rescue authority who will consider the opinion and take appropriate action. If it is decided that the firefighter should retire on the ground that he/she is permanently disabled, the authority must determine under Rule H1 whether he/she is entitled to any awards under the Firefighters' Pension Scheme and if so, which.

The authority must also determine, under paragraph 1 of Part 6 of the Firefighters' Compensation Scheme (England) 2006, if an injury award is due and, if so, the amount.

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Notes on completion (completed)

After completion of the certificate (continued)

If there is entitlement to an injury award, the degree of disablement should be calculated using "Assessment Form – Degree of Disablement".

The firefighter can request a copy of the medical opinion within 14 days of being notified of the fire and rescue authority's decision. If an injury award is to be made, and degree of disablement has been calculated, this forms part of the medical opinion and a copy of the assessment of degree of disablement should be issued to the firefighter.

If the firefighter is dissatisfied with the decision as to award under the Firefighters' Pension Scheme 1992 and believes the problem lies in the medical opinion, he/she can appeal against the opinion under Rule H2 of that Scheme

If the firefighter is dissatisfied with the decision as to award under the Firefighters' Compensation Scheme (England) 2006 and believes the problem lies in the medical opinion, he/she can appeal against the opinion under paragraph 2 of Part 6 of that Scheme.

If the firefighter is dissatisfied with the decision as to award under the Firefighters' Pension Scheme 1992 and believes the problem does not lie in the medical opinion but rather in non-medical aspects of the fire and rescue authority's decision, he/she can appeal under Rule H3 of that Scheme.

If the firefighter is dissatisfied with the decision as to award under the Firefighters' Compensation Scheme (England) 2006 and believes the problem does not lie in the medical opinion but rather in non-medical aspects of the fire and rescue authority's decision, he/she can appeal against the opinion under paragraph 3 of Part 6 of that Scheme.