

**MEDICAL CERTIFICATE E
FORMER REGULAR FIREFIGHTER:
REVIEW OF ILL-HEALTH AWARD / DEFERRED PENSION PAID EARLY
Notes on completion**

This certificate can be used for former regular firefighters only (a retained or volunteer firefighter cannot be awarded an ill-health pension without an injury award) and where –

- an ill-health pension, or
- a deferred pension paid early on ill-health grounds

is to be subject to review.

(Medical Certificate F should be used for a review of a former retained or volunteer firefighter's award or for a former regular firefighter who is in receipt of an ill-health and an injury award.)

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: Award to be reviewed

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

Page 1: Details of incapacity

This section should be completed by the fire and rescue authority in line with the details of the incapacity which gave rise to the payment of the award and any post-retirement ill-health declared by the former firefighter or indicated in medical records. It should be checked by the independent qualified medical practitioner to ensure it correctly matches his/her understanding of the current medical condition. It could be completed by the independent qualified medical practitioner if more appropriate.

The test is whether the person would be capable of carrying out the duties of a firefighter (including firefighting) at the date of the opinion and so all pre and post retirement infirmity should be taken into account.

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.

There are no questions about injury here. If an injury award is to be reviewed, Medical Certificate F should be used instead.

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Notes on completion (continued)**

Page 2: Opinion (continued)

In the list of items taken into consideration by the independent qualified medical practitioner there is a reference to a review questionnaire. A model questionnaire is provided as part of the range of medical certificates. It is not a requirement of the Firefighters' Pension Scheme Order 1992 that such a questionnaire should be issued but it would help the review process. It should be issued to the former firefighter together with an Access to Medical Records Consent Form, to be completed and returned before the commencement of the review.

In Point 2, the test of disablement is to be considered in the context of the ability to engage in firefighting. The question of capability to perform other non-firefighting duties does not arise here. That would apply only if there has been no break in continuity of appointment. There will have been such a break in the case of medical review.

In respect of Point 3, when considering if disablement is permanent, Rule A10 requires a fire and rescue authority to have regard to whether the disablement will continue until normal pension age (55). Normal pension age applies only to serving firefighters; it does not apply here. It should be remembered that if the person is found fit for performing the duties of a regular firefighter, the fire and rescue authority may allow the person to resume employment in their previous role. Consequently the important issue at the time of review is whether the person is fit for firefighting at the time of review. If the firefighter is not fit at the time the review is conducted but there is a question of "permanence" the independent qualified medical practitioner should take this into account when recommending a review date.

Point 4 applies only in the case of an award of higher tier ill-health pension. If the award of ill-health pension was made before 1 April 2006, or if a lower tier pension only was awarded after 31 March 2006, this Point will not be relevant.

There is no question about default here. That question should be investigated at the time that eligibility for the pension is established; it is not a question relevant at review.

Page 3: Suggested date for further review

Point 6 allows the independent qualified medical practitioner to suggest a date for further 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 former firefighter is capable of performing the duties of his/her former role, the authority may make an offer of employment in that role. If the offer is made, the ill-health pension is terminated, whether or not the person accepts.

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Notes on completion (continued)**

After completion of the certificate (continued)

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

If the firefighter is dissatisfied with the decision as to award and believes the problem does not lie in the medical opinion, he/she can appeal under Rule H3 of the Firefighters' Pension Scheme 1992.