ANNEX A

FOI DOF/2026-0056

Request

1. In light of the recent case of Mrs Caoimhe Jennings and her struggle to secure ill health retirement entitlements please confirm what safeguards you have in place to ensure that this does not happen to employees of employing departments of the NICS who are retired on ill health grounds.
2. Please provide a copy of all and any guidance in addition to the ill health retirement policy which has issued to OHS professionals and staff in your employ in the last five years in relation to the process to include guidance on timings, particular health conditions, disability, etc.
3. Please also confirm what changes have been made to the ill health retirement process to take into consideration and make allowances for the well documented difficulties individuals face in accessing GP services and specialist support due to pressures on the NHS.

DoF response

I can confirm the department holds some of the information requested.

1. The recent case relates to issues regarding the administration of the Civil Service Pension Scheme in Britian, which is been taken over by Capita from 1 December 2025.The NICS Pension Scheme is administrated in-house and employees are not impacted by the change in administrator. NICS safeguards ill-health retirement cases through a structured and medically-led process, clear employer obligations and time-bound controls. These safeguards collectively ensure transparency, consistency, and protection for employees retiring on ill-health grounds.

2. Some of the information you have requested is held by the Department but is exempt under section 21(1) of the Freedom of Information Act. Section 21 exempts information if this information is reasonably accessible to the applicant by other means. Section 21 is an absolute exemption, and the Department is not required to consider whether the public interest favours disclosure of this information. This information can be found on the Civil Service Pensions website at:

- Ill-Health Retirement
- EPN 10-2022 - Ill-Health Retirement Underpin for applications spanning the alpha transition period
- EPN 10-2022 (Addendum) - Ill-Health Retirement Underpin for applications spanning the alpha transition period and New MR1s

The following Office Memos were issued to Civil Service Pensions staff regarding Ill-health retirements, copies of these memos are attached separately at **Annex C**:

- Office Memo 11/2021 – Ill-Health Retirement from alpha having previously partially retired from the PCSPS(NI)

- Office Memo 13/2021 – Examples of upper tier ill health – hybrid and alpha members only

- Office Memo 14/2022 – Ill Health Retirement Underpin for applications spanning the alpha transition period

The following guidance has also been issued to OHS regarding the Ill-Health retirement process: -

"Medical Retirement Process

It may sometimes be helpful to employer to get the informal advice of their occupational health provider on whether the PCSPS(NI) or alpha criteria for ill health retirement are likely to be met before application is made by the employer.

Formal applications for medical retirement may be made either by the individual or by the employer. Individuals applying for medical retirement must do so through their employer. The employer is responsible for ensuring that all necessary documentation is prepared and the case is referred in a suitable form. Employers seeking medical retirement for a member must ensure that the individual is aware of the request.

Compulsory medical retirement (that is, where the person does not wish to be retired early) will only be considered if the employer indicates that the individual's service is to be terminated. The scheme medical advisor will advise on whether the individual satisfies the criteria for medical retirement. Advice concerning future attendance or performance, which may influence a decision to terminate employment, must be obtained from the occupational health provider.

The following documentation must be supplied as a minimum with each application for medical retirement. Failure to include any of the following will result in the case being returned to the employer:

- *A fully completed OHS referral form.*
- *Details of consideration given to re-deployment if appropriate should be included.*
- *Any written request from the individual for medical retirement (if available).*
- *Copies of any medical correspondence relating to the case.*
- *Job description.*
- *Sickness absence record for last five years (if under five years' service, the record to that point).*
- *Any other relevant information.*

The case will be considered by the scheme medical advisor and if the scheme criteria are met a medical retirement certificate will be issued for pension purposes. Medical retirement certificates are valid for 4 months and 10 days from the date of issue during which time the employer and the member agree a leaving date. Where it proves impractical to effect medical retirement within this timescale the case must be referred back to the scheme medical advisor with all the papers previously considered. It may be possible to issue a second medical retirement certificate on the basis of the previous papers but, particularly in cases of compulsory ill health retirement or where there has been a significant delay, it may be necessary to obtain an update on the medical condition.

In some circumstances the ill-health pension may come into payment before the date on the medical retirement certificate. For example, where a member has been dismissed whilst in the midst of the medical appeal process and medical retirement is upheld, last day of service is taken as the date of dismissal; in early payment on medical grounds cases the date of pension payment is taken from that on the person's letter of application, which is always earlier than the date on the medical advisor's certificate; and in cases of retrospective medical retirement, the pension comes into payment at the point that the person was dismissed or resigned, which again will be a date earlier than the one on the medical advisor's certificate.

If the application is rejected the applicant's employer will be advised of this.

If the scheme member is the subject of disciplinary action, details including the stage of proceedings must be provided. Medical retirement will only exceptionally be approved while disciplinary action is outstanding; exceptional circumstances might include the development of a life threatening illness unrelated to the matter in question. If disciplinary action has been taken within the previous 12 months details should be provided.

If the scheme member has an outstanding complaint with an Employment Tribunal (ET) a copy of the IT1 and the employer's response must be submitted together with any related medical evidence. If judgement has been made at an ET or an Employment Appeals Tribunal within the previous 12 months a copy must be provided.

Medical evidence may consist of a combination of occupational health assessments, GP reports, specialist reports and other relevant information such as the results of special investigations.

- ***Psychiatric** cases must have been fully investigated and have received appropriate treatment consistent with the diagnosis without effect before medical retirement can be considered. All cases should be assessed and a decision made on whether further medical evidence is necessary, e.g. GP or Consultant report. As for other types of illness, evidence of the employment adjustments made to facilitate effective*

working and documentation demonstrating the failure of such initiatives should also be provided.

- ***Musculo-skeletal** cases must also have been fully investigated and treated without improvement before medical retirement can be considered. Specialist reports from consultants in rheumatology, orthopaedic surgery or occupational medicine may be required. Formulation of an accurate prognosis is dependent on the availability of a diagnosis; cases with chronic symptoms for which no underlying pathology can be identified are therefore most unlikely to meet the scheme criteria. Once again evidence of the employment adjustments made to facilitate effective working and documentation demonstrating the failure of these initiatives should be provided.*

In general, medical evidence should be comprehensive, current and clearly indicative that the scheme criteria are likely to be met.

Serious Ill Health Commutation

Commutation is the option to give up some or all pension in exchange for a tax-free lump sum. In Serious Ill Health Commutation, the member must suffer from a serious medical condition that is expected to result in a life expectancy of less than 12 months. OHS will carry out an assessment to determine if the member has a life expectancy of less than 12 months."

3. The Department of Finance sets the overall policy and framework for ill-health retirement within the NICS. For ease of reference, you can find the policy here:

2.04 Retirement on Medical Grounds