Name

Address

Date

Ref:

**Re: Application for Ill-Health Retirement**

Dear Name,

I refer to your application for ill-health retirement pension benefit under the **INSERT NAME OF SCHEME** Superannuation Scheme 2015.

XX ETB has assessed your application for retirement pension and lump sum on grounds of permanent infirmity and has determined that your application does not meet the criteria. It has been established that you are not incapable by reason of permanent infirmity of mind or body of discharging your duties as a **INSERT GRADE**. Accordingly, your application for ill-health retirement pension benefit is not approved.

Your Principal/Manager/Head of Centre [delete as appropriate] is being advised of this decision.

It is open to you to appeal this decision. Details of the process are outlined in the document IHR info which was enclosed with the acknowledgement of your application for ill-health retirement and is available on [www. INSERT](http://www.INSERT) RELEVANT LINK

You may contact Medmark (Address: Medmark Occupational Health, 28 Penrose Wharf, Penrose Quay, Cork; Telephone number: 1890-235-711) to obtain a copy of your medical assessment report and details of suitably qualified Occupational Health Physicians who provide an appeals service to the ETB. This information may assist you in deciding to make an appeal. It is important to note that the appeal must be made on the basis of the information presented by the treating physician on the original application.

If you wish to make an appeal, you must do so within 30 days of the date of this letter, by contacting the details by email or post. You must indicate the name of the Occupational Health Physician you have chosen from the names provided by Medmark.

The appeal process entails an independent medical assessment by a suitable qualified Occupational Health Physician who makes a recommendation to the ETB. The fee for this medical assessment is borne by you but will be refunded if the appeal is successful. The ETB considers the recommendation of the Occupational Health Physician and issues a determination.

This process does not interfere with your legal rights in respect of Internal Disputes Resolution or Financial Services and Pensions Ombudsman. It is open to you to make an application for a determination in relation to a complaint or dispute through the Internal Disputes Resolution procedure in place.

**The procedure is as follows: -**

An application shall be in writing, signed by or on behalf of the actual or potential beneficiary and shall contain the following details: -

* the full name, address and date of birth of the actual or potential beneficiary
* the address to be used for service or documents in connection with the application
* a statement concerning the nature of the complaint or dispute with sufficient details to show why the actual or potential beneficiary is aggrieved
* such other information as the Minister may reasonably require.

The Minister shall make a determination in relation to the application and notify in writing the complainant of the determination within 3 months from the date on which all the details specified above are received.

The determination shall include: -

* a statement of the determination
* a reference to any legislation (other than this Scheme), legal precedent, ruling of the Pensions Board, ruling or practice of the Revenue Commissioners or other material relief upon in making the determination
* a reference to the provisions of this scheme relied upon in making the determination and, where a discretion is conferred
* a statement that the applicant should establish whether or not the complaint or dispute is one in respect of which the Financial Services and Pensions Ombudsman has jurisdiction to investigate under section 131 of the Pensions Act 1990 (No. 25 of 1990) and that further information can be found in an information booklet available from the Officer of the Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, D02 VH29. Telephone number (01) 5677000 or www.fspo.ie

It is a matter for you to discuss with your Principal/Head of Centre the impact of this decision note to award ill-health retirement pension benefit to you as it has been established that you are not incapable by reason of permanent infirmity of mind or body of discharging your duties. The decision on whether or not it is appropriate for you to attend for work is a matter on which the Committee must engage with Medmark).

It is expected that the IHR info document which was enclosed with the acknowledgement letter will address any queries you may have but if this is not so, please do not hesitate to contact me.

Yours sincerely,

**Pension Section.**

**Email: xxx**

**Telephone No: xxx**