

Your complaint will be carefully considered and you will receive a reply within two months. If you are not satisfied with the reply, you can take your complaint to the Management Committee. You must do this within six months of receiving the reply. They will consider your complaint again and contact you within two months.

If you are not satisfied with the reply to your complaint, you can take the matter to The Pensions Advisory Service (TPAS) or the Pensions Ombudsman.

Q I will have no income, can I receive any of my benefits now?

A If you are over age 50*, you may be able to apply to receive alternative benefits whilst your incapacity application is being considered. If your application is successful, your benefits will be adjusted to take into account the payments you have already received. If your application is declined, you will continue to receive the benefits in payment. If you are interested in pursuing this, please contact RPMI to obtain further information.

Q How do I apply for early retirement benefits?

A When RPMI is advised that you are leaving due to ill health you will be sent a letter, an estimate of your benefits based on early retirement and an option form to return. If you have not completed an 'Application for benefits' form, your employer will be asked to send one as we cannot pay any benefits without it.

Q How soon will I receive the pension?

A Your application for benefits will be processed as soon as RPMI receive a completed 'Application for benefits' form and your option form.

* Age 55 for some members (please check with RPMI if you do not know the earliest date from which you are eligible to apply for your benefits).

Disclaimer

The information provided in this leaflet is intended for general information and illustrative purposes. It does not constitute investment or any other advice, and it is not intended to be a substitute for information and statements provided by RPMI. It should not be relied on to make investment or other decisions. RPMI gives no warranty and accepts no responsibility for the accuracy of any information provided, or for your reliance on that information. Your benefits will be worked out in accordance with and subject to the governing trust deed and rules.

Although every effort has been made to ensure that the information given in this leaflet is accurate, none of the information given can give you legal rights to benefits that differ from those provided in the pension trust and rules.

Please retain for your records

A guide for members applying for incapacity benefits

Your questions answered

Q What does 'incapacity' mean in the Fund rules?

A The rules are part of the legal documents which govern the Fund so the Trustee Company must stick to them. In the British Transport Police Force Superannuation Fund rules 'incapacity' is defined as being incapable of performing duties on account of an accident or bodily or mental infirmity which in the opinion of the Trustee on such evidence as it may require, are other than of a temporary nature. If you are unable to perform the duties of an officer but are able to perform other duties, you will be granted a standard incapacity pension. If you are unable to perform any duties, you will be granted an enhanced incapacity pension.

Q So who decides whether my condition meets the criteria of the rules?

A The Trustee Company does this through the Fund's Management Committee which will consider all the information available to it when making a decision.

Q Can you explain what things the Management Committee will consider in making its decision?

A To award an incapacity pension the Management Committee must be satisfied that the member is incapacitated and that is why they will

leave employment. Also it must be satisfied that the member meets the criteria laid down in the Fund's definition of incapacity. This includes:

- (a) the member must suffer from bodily or mental incapacity or physical infirmity;
- (b) the incapacity or infirmity must be such as to prevent the member from performing his or her duties as a police officer other than temporarily;
- (c) in addition, to be considered for an enhanced pension the incapacity or infirmity must usually be such as to prevent the member from performing any other duties other than temporarily, which in the opinion of the Management Committee are suitable for the member.

Q Can anyone apply for incapacity benefits?

A To apply you must be under your Normal Pension Age, have at least five years' Fund membership and be leaving employment because of ill health. If you have transferred benefits from another scheme, the membership, or transferred pensionable service, for these benefits also counts.

Q How do I apply for incapacity benefits?

A You need an 'Ill-health request' form which you should complete. You can get one from your employer or www.btpensions.co.uk.

Your employer will also need to complete a form.

Q Will I have to have a medical examination?

A Yes. This will be done by your employer's Medical Examiner. Further specialist advice may be sought which can take considerable time in some cases.

Q Will my application be accepted automatically?

A The Management Committee is responsible for deciding if you meet the criteria set out in the rules. Incapacity pension applications can only be accepted if you meet those criteria. If they are not met, the Management Committee will be unable to approve your application.

Q What happens if a decision can't be made immediately?

A The Management Committee may be unable to make a decision based on the medical report provided. If this happens then RPMI will pass your application to the Management Committee's Medical Adviser and write to you. It may take some months before the Medical Adviser is able to provide a report as he or she may need to obtain further reports from your own doctor or your specialist, or refer you for a specialist's opinion. The Medical Adviser may also need to examine you. When the Medical Adviser replies, the Management Committee will consider your application again.

Q It sounds as if it could be a very long time before I find out if my application has been accepted. Will anyone tell me about the progress?

A If a decision on your application cannot be made quickly we will write to you about this. We will keep you advised on the progress of your application and you should contact us with any queries.

Q When a decision has been made, how will I find out?

A We will write to you soon after the decision has been made.

Q If my application is accepted, is there anything else I have to do?

A You need to complete an application for payment of benefits form to receive payment of your benefits from the date of leaving your employment. Your employer will arrange this at the appropriate time. We recommend that this is done at the same time as your incapacity application so that payment of benefits is not delayed.

Q If my application is accepted, how are my incapacity benefits worked out?

A Please refer to your Fund booklet 'Information for members'. This tells you how incapacity benefits are worked out. If you want to know what your benefits might be we can give you an estimate. Full details of your benefits will be provided if your application is approved.

Q Is there an Annual Allowance charge for incapacity retirement?

A Not if you meet the HMRC's current description of ill-health as below. Possibly yes if you don't. RPMI will let you know if an Annual Allowance charge applies to you.

HMRC's current description of ill-health retirement is 'that you are not able to continue in your current job and are not likely to be able to take any other paid work to the extent that is significant. For example, you could undertake voluntary work or unpaid work where out of pocket expenses are reimbursed or small amounts of travelling or subsistence payments are made. Any work should be insignificant; for example it should be infrequent or only for a few days during the year and payments must be small in amount, not just as a proportion of previous pay or salary.'

Q If my application is approved, when will my benefits be paid and for how long?

A Your benefits will be paid when:

- your application has been approved by the Management Committee; and
- we have received a correctly completed 'Application for payment of benefits' form; and
- you have left employment.

In most cases, the decision will not be made until you have left employment.

If this happens your benefits will be paid as soon as possible and the first pension payment will include any back payments (to the date you left employment) which are owed to you.

The continuation of your incapacity pension may be reviewed to ensure that you still meet the conditions.

If the Management Committee has medical evidence that you have recovered sufficiently to be able to earn an income, it can decide to reduce or suspend your incapacity pension. If this happens you will receive your full

incapacity pension again when you reach age 55 and for the rest of your life.

Q If my application is turned down, what benefits can I have?

A You will be able to have the same benefits as someone who has left employment. If you are under age 50*, you can only have preserved benefits. Once you are 50*, you may apply for early payment of your benefits.

If you are aged 50* to 55 you may be able to ask for your benefits to be paid immediately (early retirement) otherwise they will be preserved. Please note that, with certain exemptions, the earliest age from which benefits may be paid was increased by the Government from age 50* to 55 in 2010.

Your benefits will be reduced because they are being paid early and can only be paid if they are at least as much as the minimum amounts required by the Department for Work and Pensions. From age 55, normal retirement benefits will be paid if you have not taken them early.

We will send you details of the benefits available if your application is turned down.

Q If I do not agree with the Committee's decision, can I appeal?

A Yes. The Fund has a two-stage procedure for sorting out complaints and disagreements. If you have a complaint, you should first write to:

Director of Administration
RPMI
PO Box 300
Darlington
DL3 6YJ