

FIREFIGHTERS' PENSION COMMITTEE

GUIDANCE FOR INDEPENDENT QUALIFIED MEDICAL PRACTITIONERS (IQMP)

Note by DCLG

1. The Department issued FPS Circular 8/2008 (Commentary on Ill-health retirements) on 24th October. It referred to changes being prepared to the Guidance for IQMPs issued under cover of FPS Circular 8/2007 and said:

“ 1.12 The Ill Health Review Group considered the wording of relevant parts of the Guidance for IQMPs issued under cover of FPS Circular 8/2007, issued on 5 September 2007, and agreed that the second sentence of paragraph 3.16 should be deleted (i.e. the words “Provided the member can carry out one of the duties of the role he/she cannot be permanently unfit.”). Other changes are also being made to reflect the fact that IQMPs may need to clarify issues with the fire and rescue authority before reaching a final decision, and will need to assess incapacity based on the member’s job within the role, and any other jobs within the role which are actually available for him/her to take up. This ensures that this important element of individual facts and circumstances can inform the final decision by the fire and rescue authority. “

2. Paragraph 1.13 said that the revised guidance would be issued in due course.
3. The final draft of the revised IQMP guidance is now attached and will be issued shortly.
4. The draft has been discussed with Departmental lawyers and is consistent with the judgement of the High Court in the case of Marrion & others. It will be reviewed once any judgement of the Court of Appeal in that case is received.

The Committee is invited to note.

***Communities and Local Government
November 2008***