**REFUSED ON APPEAL**

 **APPLICATION FOR RETIREMENT PENSION AND LUMP SUM ON GROUNDS OF**

**PERMANENT INFIRMITY**

Name:

Address:

**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 and your appeal of the decision to refuse that application.

xxETB has assessed your appeal 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/Head of Centre is being advised of this appeal decision.

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 reasonable 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 relied upon in making the determination
* a reference to the provisions of this scheme relied upon in making the determination and, where a discretion has been exercised, a reference to those of its provisions by which such discretion is conferred
* a statement that the determination is not binding upon any person unless, upon or after the making of the determinations, the person assents, in writing, to be bound by it and
* 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 No: (01) 5677000 or <https://www.fspo.ie/>.

It is a matter for you to discuss with Principal/Head of Centre the impact of this decision not 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 as a teacher. The decision on whether or not it is appropriate for you to attend for work is a matter on which the ETB 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:**

**Telephone No:**