

2.5 Deputy G.P. Southern of the Minister for Social Security regarding those Income Support recipients classified at level 3 impairment:

Will the Minister inform Members of the number of recipients who were automatically awarded level 3 impairment when income support was introduced on 31st January 2008; what the annual change in the numbers of recipients has been since that date; how many have been subject to review and how many have had their award reduced under the new criteria for judging the level of impairment?

Senator F. du H. Le Gresley (The Minister for Social Security):

This is a complex subject to deal with in an oral question. The Deputy's question refers to the highest level of personal care components within the income support system, which have replaced Attendance Allowance, Adult Disability Allowance and Child Disability Allowance. At the start of income support, existing claimants of these legacy benefits were transferred automatically into one of 3 personal care levels depending on their previous benefit. 342 individuals, previously receiving Attendance Allowance, were awarded the highest personal care level 3 in January 2008, which started at £102.62 per week and is currently £145.25 per week. At the end of April 2012, this number had risen by 73 to a total of 415 individuals. The criteria for determining the level of personal care award are set out in detail in the Income Support Regulations, compared to the previous benefits, which were based on a more subjective view of the individuals needs. Personal care level 3, as with previous Attendance Allowance, is available to individuals with high personal care needs. These are individuals with significant disabilities or illnesses, many of whom are elderly with a condition that is unlikely to improve during their lifetime. While reviews are regularly undertaken, review cycles have always been determined and then undertaken on a case by case basis, depending upon the underlying reason for the award of the personal care component and the likelihood for any improvement in a claimant's condition, such that a reduced award might be a possibility. To answer the specific question posed regarding the changed status of impairment award with respect to claims back to 2008 would require a manual examination of each and every claim. I believe that the Deputy is concerned that the new, more objective tests may have resulted in a reduction in level of support for those previously awarded Attendance Allowance. However, from the analysis allowed in the short time available, the department advises me that there have only been a few cases where level 3 awards dating back to 2008 have been revised downwards, further to review.

2.5.1 Deputy G.P. Southern:

Is the Minister confident that his new method for judging the level of impairment is both effective and easy to understand by impairment holders and most importantly, is the system well understood by G.P.s (General Practitioners), because I believe that not to be the case?

Senator F. du H. Le Gresley:

Yes, I am satisfied. In answer to the Deputy's question, I would say that the new system - if it is new, it has been going for years - is a self-reporting form that asks simple questions across a range of physical, sensory and mental areas. This is checked against a clinical report from the G.P. or the consultant. Individuals can be interviewed by a Social Security doctor if the condition is complicated.

2.5.2 Deputy G.P. Southern:

Is the Minister aware that despite filling out 18 questions on the form, the emphasis placed by his department on the results is negligible and that all that goes to the G.P. is a simple request for information on the patient? There is no detail asked for there.

Senator F. du H. Le Gresley:

I am familiar with the forms and in fact I have the forms with me in case I might need to refer to them. I think it is important for this Assembly to understand that under the old Attendance Allowance system, the claimant's G.P. completed a medical report and then an independent doctor, who was paid by the department, visited the claimant to complete another medical report. This report was then presented to the Attendance Allowance Board, who decided whether the benefit was payable. So under the current system, if a member who is claiming impairment is unhappy with the decision of an officer, they can request redetermination by another officer and the final appeal is to the Income Support Medical Appeal Tribunal.

2.5.3 Deputy G.P. Southern:

Is the Minister satisfied that his appeal process is not in fact intensely long and complicated and is taxing for many recipients of impairment who obviously have impaired function?

Senator F. du H. Le Gresley:

I would have sympathy for anybody who has to resort to using a tribunal process, but the fact is that this tribunal has not sat very often to consider claims of the type that the Deputy refers to and I am sure that they would treat the applicant with all due respect.