

STATES OF JERSEY



INCOME SUPPORT MEDICAL APPEAL TRIBUNAL: RE-APPOINTMENT OF MEMBERS

Lodged au Greffe on 18th September 2013
by the Minister for Social Security

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to appoint, in accordance with Article 15 of the Income Support (General Provisions) (Jersey) Order 2008, the following persons as members of the Income Support Medical Appeal Tribunal for a further period of 5 years –

Advocate Zoë Blomfield	Chair
Dr. Brendan Loane	Medical Practitioner Panel Member
Mrs. Barbara Bedford	Panel Member
Mr. David Moody	Panel Member
Mrs. Sandra Le Monnier	Panel Member.

MINISTER FOR SOCIAL SECURITY

REPORT

1. Background

The Income Support (General Provisions) (Jersey) Order 2008 provides for the composition of the Income Support Medical Appeal Tribunal and the terms of appointment of its members.

The Medical Appeal Tribunal has been in place since the implementation of Income Support in January 2008 to hear appeals on the award of the Impairment Component under the Income Support Law. Appeals on all other aspects of Income Support are heard by the Social Security Appeal Tribunal.

From January 2013, the Medical Appeal Tribunal also hears appeals on the award of Home Carer's Allowance, a benefit paid to certain carers under the Social Security Law.

2. Medical Appeal Tribunal

The Tribunal will review all facts placed before it by the Appellant and the Minister for Social Security (or his representative), and make a determination within the appropriate aspects of the Law whether the decision is fair and reasonable.

The Tribunal may confirm, reverse or vary the decision made by the Department's Determining Officer. Hearings will be held in public unless the Tribunal considers it necessary to sit in private.

The Tribunal consists of a legal Chair, to ensure correct interpretation of legislation and one member from each of 2 Panels.

The first panel consists of Medical Practitioners. The Medical Practitioners must be currently registered to practice medicine with the UK's General Medical Council. The role of the medical practitioner will be to help the Tribunal interpret and understand specific clinical information and its relevance or not in the determination.

The second panel consists of Members with an experience in disability. Members of this Panel have experience either through their work, from having cared for someone, or because of their own situation, of the needs of someone with a disability. Panel members will use this experience to interpret the information provided and consider whether a reasonable assessment of abilities or caring needs has been made.

3. Terms of re-appointment

The Income Support (General Provisions) (Jersey) Order 2008 provides that members of the Tribunal may be re-appointed for a further term of office. The appointment of Tribunal members is in accordance with the Jersey Appointments Commission Code for Quangos and Tribunals. Re-appointment of members is accepted, providing it does not exceed a total of 10 years.

The Minister recommends that each member is re-appointed for a further term of 5 years.

4. Members proposed for re-appointment

Chair of the Medical Appeal Tribunal:

Advocate Zoë Blomfield was born and educated in Jersey. After studying business and finance she then completed a law degree at London University.

After gaining 10 years of varied practice experience in Jersey, Advocate Blomfield was sworn in as an Ecrivain of the Royal Court (Jersey Solicitor) in 2003. For several years she specialised in family law, and is also qualified to practice collaborative law. Zoë was instrumental in introducing this practice to Jersey and is a member of the UK body Resolution, which advocates a constructive, non-confrontational approach to family law matters.

Zoe now heads up Viberts' very busy Personal Law Department, which deals with employment law, personal injury, wills, probate and curatorship matters. Zoe also still maintains a family private client practice.

Zoë was made a Partner of Viberts in 2006, and in November 2006 was sworn in as an Advocate of the Royal Court. In 2010 Zoe was appointed as Viberts' Managing Partner and is responsible for the operational and strategic management of the firm.

Her experience of disability matters comes from her appointment as a Curator to a person with Cerebral Palsy, and from dealing with many elderly people for whom she is a curator.

Medical Practitioner Panel:

Dr. Brendan Loane has been a General Practitioner in Jersey since 2002 and is used to regularly assessing patients for fitness to work, as well as providing information to aid Medical Board Doctors.

Dr. Loane completed the Faculty of Occupational Medicine's Diploma in Occupational Medicine, which augments his work as an Occupational Physician for several local companies; supporting employers in assisting disabled employees in a work environment.

Lay Members Panel:

Mrs. Barbara Bedford was employed as Head of Home with the Jersey Cheshire Homes until 1998, and from then until 2007 as Senior Nurse at the Rehabilitation Clinic at Overdale.

Mrs. Bedford's experience working with people with disabilities and the elderly provides her with understanding of the impact of disabilities.

Mr. David Moody is currently employed at the States Ambulance Service, commencing in 1989 as an Operational Ambulance Paramedic and now oversees several paramedics, Ambulance Technicians and support staff. His role as Association Representative requires him to represent colleagues at disciplinary hearings.

On a personal level, he has first-hand experience in caring for someone with severe disabilities, covering issues likely to be considered by the Tribunal.

Mr. Moody is used to dealing with a wide variety of situations and people from varied backgrounds.

Mrs. Sandra Le Monnier has wide experience of disabilities and benefit claims from her own experience. Mrs. Le Monnier gave up employment as a sales assistant in March 2007 to become a full-time carer, including management of personal finances and benefit applications.

Mrs. Le Monnier has been a member of the Social Committee for St. Martin's Football Club since 1994, assisting the club with fund-raising activities.

5. Financial and manpower implications

There are no financial or manpower implications for the States arising from this proposition.