

STATES OF JERSEY



SOCIAL SECURITY MEDICAL APPEAL TRIBUNAL: RE-APPOINTMENT OF MEDICAL PRACTITIONER MEMBERS

**Lodged au Greffe on 25th February 2020
by the Minister for Social Security**

STATES GREFFE

PROPOSITION

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

in accordance with Article 34 of the Social Security (Jersey) Law 1974 and further to a process overseen by the Jersey Appointments Commission, to re-appoint the following medical practitioner members to the Social Security Medical Appeal Tribunal for a further 4-year period –

Dr. Brendan Kellett medical practitioner
Dr. Michael Richardson medical practitioner.

MINISTER FOR SOCIAL SECURITY

REPORT

1. Background

Article 6 of the [Social Security \(Determination of Disablement Questions\) \(Jersey\) Order 1974](#) provides for the constitution of the Social Security Medical Appeals Tribunal (“SSMAT”).

The SSMAT hears appeals regarding the award of Long-Term Incapacity Allowance following assessments regarding loss of faculty made by a Medical Board. The Tribunal will review all facts placed before it by the Appellant and the Minister for Social Security and may confirm, reverse or vary the decision made by the Medical Board.

The constitution of the SSMAT comprises a Chair (or Deputy Chair) holding a qualification in law, and 2 medical practitioners (selected from a panel of up to 8 members).

The medical practitioners to the SSMAT must be currently licensed to practice medicine with the UK’s General Medical Council. The assessment of award for Long-Term Incapacity Allowance is based on the determination of a loss of faculty, the degree of loss of faculty and the period of the award.

Because of the medical nature of the test, it requires the knowledge and experience of a medical practitioner. In the Tribunal, the medical practitioner is there to interpret and understand specific clinical information and its relevance in the determination.

This report recommends the re-appointment of 2 medical practitioners.

2. Tribunals

The Minister is responsible for the constitution of 3 different Tribunal panels, the Social Security Medical Appeal Tribunal (“SSMAT”), the Social Security Tribunal (“SST”), and the Income Support Medical Appeal Tribunal (“ISMAT”). Where appropriate, panel members are appointed to other Tribunals, ensuring a stronger pool available for each Tribunal.

3. Terms of appointment

The Social Security (Determination of Disablement Questions) (Jersey) Order 1974 provides that members of the Tribunal are appointed by the States on the recommendation of the Minister after consultation with the Jersey Appointments Commission, and that members are eligible for a term of re-appointment for a further 4 years, to comply with the Appointments Commission’s guidance of a maximum of 9 years served.

The Minister therefore recommends the re-appointment of –

- Dr. Brendan Kellett
- Dr. Michael Richardson.

The Minister is confident that the above individuals will continue to uphold the fairness and integrity of the tribunal system.

4. Members proposed for re-appointment

Medical practitioners to the Social Security Medical Appeal Tribunal:

Dr. Brendan Kellett graduated from the University of London in 1991, having previously attained a degree in Immunology from the same university.

He completed his foundation training at St. Thomas' Hospital, London and the General Hospital, Jersey. After a further 2 years in hospital medicine, Dr. Kellett completed the Vocational General Practitioner ("G.P.") training scheme and returned to Jersey in 1995, where he practices as a G.P.

Dr. Michael Richardson trained in Edinburgh and graduated in 1982. After completing training in various parts of England, he was appointed a consultant in the North-east of England in 1991, moving to Jersey to take up his current position in 1993.

His special areas of interest are General Internal Medicine, Care of the Elderly, Rehabilitation, Rheumatology and Osteoporosis. He is currently Clinical Director of Medicine for the General Hospital and a Royal College Tutor. He supports the Parkinson's Disease Society, and has undertaken the role of President of the Jersey Branch.

5. Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of this Proposition.