

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 3rd NOVEMBER 2015**

Question

Will the Minister:

- (a) complete the table below showing the number of people claiming long term incapacity benefit from the department according to their assessed degree of incapacity over the time period together with the cost of the benefit;
- (b) advise members how the degree of incapacity is calculated and by whom;
- (c) advise members how mental incapacity is calculated, by whom, and the qualifications of the assessors?

The degree of incapacity in percentage terms	Jan 2010	Jan 2011	Jan 2012	Jan 2013	Jan 2014	Jan 2015	April 2015	June 2015	Sept 2015
100									
95									
90									
85									
80									
75									
70									
65									
60									
55									
50									
45									
40									
35									
30									
25									
20									
Total number									
Total cost of benefit									

Answer

Please note that the dates used in the table have been slightly amended from the original request in order to align to annual accounts.

For the years 2012 onwards this information is publically available through the departmental Annual Report. See

<http://www.statesassembly.gov.je/AssemblyReports/2013/R.134-2013.pdf>

<http://www.statesassembly.gov.je/AssemblyReports/2014/R.123-2014.pdf>

<http://www.statesassembly.gov.je/AssemblyReports/2015/R.111-2015.PDF>

For 2010 and 2011 historic data has been analysed¹.

The degree of incapacity in percentage terms	31-Dec 2009	31-Dec 2010	31-Dec 2011	31-Dec 2012	31-Dec 2013	31-Dec 2014	31-Mar 2015	30-Jun 2015	30-Sep 2015
100	107	105	95	111	105	102	96	90	95
95	11	11	8	14	12	20	21	22	23
90	59	61	58	57	53	53	52	52	51
85	21	21	16	17	22	21	22	22	22
80	127	126	139	139	122	124	132	133	127
75	99	94	99	117	93	89	90	94	95
70	110	119	126	134	136	122	121	117	119
65	67	66	69	72	78	72	73	73	76
60	170	186	216	237	242	239	236	222	214
55	43	49	50	52	49	61	63	62	60
50	255	294	278	301	293	309	305	305	301
45	76	97	103	116	122	132	139	135	141
40	211	240	264	292	277	293	292	293	307
35	114	151	170	193	240	262	259	260	258
30	261	292	309	297	307	327	333	342	332
25	213	240	253	278	279	301	305	319	318
20	374	404	421	443	481	511	526	523	530
Total number (excludes 5-15% awards)	2,318	2,556	2,674	2,870	2,911	3,038	3,065	3,064	3,069
Total cost of benefit Full year £000 (includes 5-15% awards)	11,107	11,901	12,635	13,416	14,567	14,858	N/A	N/A	N/A

Long Term Incapacity Allowance is paid under Article 16 of the Social Security Law to people who have a loss of physical or mental faculty which is likely to be permanent. Decisions regarding the extent of a loss of faculty are made by a medical board comprising one or two qualified medical practitioners who are publically appointed by the Social Security Minister (these being registered doctors).

Details of individual appointments are provided in Ministerial decisions, available at

<http://www.gov.je/government/planningperformance/pages/ministerialdecisions.aspx>

¹ This type of analysis may give very slightly different results compared to analysis undertaken at the time.

The law requires that the loss of faculty should be expressed as a percentage and the principles governing how incapacitation is assessed are given in the Social Security (Assessment of Long Term Incapacity) (Jersey) Order 2004. The medical board doctors receive training in how these percentages should be discerned and their decisions are guided by examples set in law. For example absolute deafness has a degree of incapacitation of 100% and loss of two fingers on one hand has a degree of incapacitation of 20%. The law allows for circumstances where the percentage degree of incapacitation can be flexed considering the individual circumstances of the case.

In the course of an assessment the medical board will consider GP reports and other medical documents, will interview and, with the claimant's permission, conduct a physical examination if appropriate. Mental incapacity is calculated in the same way, by the same pool of medical practitioners who serve on these medical boards.

The Law provides that a medical board may call for the opinion of an expert to assist them in their considerations where there are complex issues to be considered in making a determination.