

## Claim assessment

### Scheduled and non-scheduled conditions assessments

The Social Security (Assessment of Long-Term Incapacity) (Jersey) Order 2004 specifies **prescribed degrees of incapacity** for certain conditions.

These amounts are prescribed on the assumption that the condition has occurred in an otherwise healthy person, and that the results are uncomplicated and stable. The legislation gives the medical board discretion to increase or reduce the scheduled assessment if, in their opinion, it does not provide a reasonable assessment in a particular case.

A Tribunal of UK Social Security Commissioners has indicated that multiple injuries (not themselves constituting any specific item in the schedule of prescribed degrees of incapacity) are not to be regarded as a scheduled injury merely because they constitute an aggregate of injuries each of which is specified in the Schedule.

Therefore, the incapacity arising from a multiple injury need not be the sum of the scheduled assessments for its component injuries. For instance, if a person has lost an index finger (scheduled at 14 per cent) and two phalanges of the middle finger (scheduled at 9 per cent) the assessment need not be aggregated to 23 per cent, which would exceed the scheduled degree of 20 per cent incapacity for complete amputation of the same two fingers.

It is, however, for the medical board to determine the degree of incapacity in the particular circumstances of a case, and it may be appropriate to make additions to scheduled assessments in the presence of complications.

To assist with this guidance has been given to the medical board on **scheduled and non scheduled conditions**.

The medical board may use these as follows;

- Look for closest scheduled assessment
- Consider the disability caused by the impairment which is being assessed
- Only consider aids and appliances where they would normally be used for special senses (glasses, contact lenses, hearing aids)
- Consider with appropriate treatment currently used
- Compare this with the disability caused by the scheduled assessment

This includes notes of the type of assessments for **non-scheduled conditions** which have been given by the UK Medical Appeal Tribunals.