

General Information	
Ministerial Decision Type	Approval: Budget/Contract/Resource Allocation
Report Title	Revised remuneration for Tribunal members
Minister	Social Security
Signatory	Minister
Lead Department	Customer and Local Services (CLS)
Lead Directorate	Customer Operations (CLS)
Ministerial Decision Summary: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Date decision made if different to date 'Ministerial Decision Summary' signed.	Select date.
Report and Supplemental Report Details	
Report Author	Risk & Quality Manager
Date of Report	17/07/2024
Supplementary Report Title <i>(If applicable)</i>	Insert Supplemental Report Title.
Supplementary Report Author <i>(If applicable)</i>	Insert Official Title Only.
Date of Supplementary Report <i>(If applicable)</i>	Select Date of Supplemental Report.
Ministerial Decision Report: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Relevant Case/Application/URN <i>(Only complete if making a decision related to an appeal where appropriate or allowed under legislation/case/application)</i>	Insert Relevant Case/Application.
Relevant Proposition Number <i>(Only complete if presenting Comments or if lodging an Amendment)</i>	Insert P. number.
Relevant Scrutiny Report <i>(Only complete if presenting a ministerial response)</i>	Insert S.R. number.
Associated Law(s) and/or Subordinate Legislation	Social Security (Jersey) Law 1974 and Income Support (Jersey) Law 2007
Action required if recommendation agreed	Department to take necessary action.

Resource Implications	There are additional financial and/or manpower implications. Further detail is included in the detail section of the report.
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Introduction

The Income Support and Social Security legislations provide for Tribunal members to be given such remuneration and expenses as the Minister may determine.

There are three Tribunals;

- Income Support Medical Appeal Tribunal - which hears appeals regarding the award of the impairment component of Income Support, care level assessments for claims to Long Term Care and the level of care being provided by claimants to Home Carers Allowance.
- Social Security Medical Appeal Tribunal - which hears appeals against the assessment of claims to Long Term Incapacity Allowance.
- Social Security Tribunal - which hears appeals on all other decisions in respect of Income Support, Long Term Care and Social Security matters.

On 22 March 2024 the Minister through MD-SOCSEC-2024-218 approved an increase to the levels of remuneration to be paid to panel members as follows.

Tribunal	Constitution	Remuneration daily rate
Income support Medical Appeal Tribunal	Legal Chair	£664
	1 Medical practitioner	£664
	1 lay member	£155
Social Security Medical Appeal Tribunal	Legal Chair	£664
	2 Medical practitioners	£664 each
Social Security Tribunal	Legal Chair	£664
	2 Lay members	£155 each

MD-SOCSEC-2024-218 provided that that the rates should be reviewed annually with any increase to be considered with reference to the Earnings Index and rates for other Tribunals and Courts.

Following this the Judicial Greffier proposed increasing the remuneration rates for all other Tribunals, principally the Jersey Employment and Discrimination Tribunal and the Mental Health Review Tribunal, and also that for consistency those rate should be applied across all Tribunals including the three Social Security Tribunals.

After consultation with the Bailiff the Minister has agreed to the proposal of the Judicial Greffier and as a consequence the remuneration rates for the three social Security Tribunals are now required to be increased to match those for the other Tribunals.

Recommendation

To approve the budget allocation.

Only insert text if 'Other' selected above.

Detail

Proposed rates

Tribunal	Constitution	Remuneration daily rate
Income support Medical Appeal Tribunal	Legal Chair	£800
	1 Medical practitioner	£800

	1 lay member	£300
Social Security Medical Appeal Tribunal	Legal Chair 2 Medical practitioners	£800 £800 each
Social Security Tribunal	Legal Chair 2 Lay members	£800 £300 each

Level of remuneration for the Chair/Deputy Chair

The same Chair and Deputy Chair are appointed to sit on all three Tribunals. The Tribunals powers relate to whether a decision is correct or not which in turn impacts on the award of benefit or level of contributions payable for self-employed persons.

The level of remuneration is set for the hearing time pro rater with a half day rate paid for hearings of less than 3 hours. As it is also the responsibility of the Chair/Deputy Chair to compile the Tribunals written judgements, which are then published, a further half day rate is payable to cover the additional time required for the completion of these.

Level of remuneration other panel members

The level of remuneration for the medical practitioner panel member and lay panel member is set for the hearing time pro rater with a half day rate paid for hearings of less than 3 hours.

Review of rates

It is intended that ongoing the rates will now be reviewed annually in consultation with the Judicial Greffier to maintain the consistency with the rates for the other Tribunals.

Costs

There have been 5 Tribunal hearings in the 12 months from July 2023, which based on the proposed increased rates would have cost an additional £1,399.