

**STATEMENT BY THE GSLP/LIBERAL OPPOSITION 105/2006**  
**6 September 2006**

This morning a Spanish frontier worker who suffered an injury at work and had been assessed as having incurred a 15% disability called at the GSLP Offices for help and advice.

The person wanted to know what procedure he had to follow to appeal against this level of assessment on the basis he claimed that the GHA doctor who is treating him told him he should ask to be re-examined by a Medical Board because the assessment that had been made was incorrect.

Since the Social Services letter that he brought with him did not state that he had a right to appeal against the decision, Joe Bossano contacted the relevant official in the Social Services Department. He explained that the affected person was in his office, and asked whether the department would confirm that the right of appeal existed and if so what was the procedure to exercise it.

The reply given was that he should telephone the secretary of the Minister for Social Services because the instructions in the department were that they were not to speak directly to Opposition members elected to the House of Assembly.

Joe Bossano pointed out that the information he was seeking should be available to any member of the public, but asked whether this could be provided to any other person in the office who was not an elected member. On receiving confirmation of this, a second telephone call was made by Mr Paul Cano who is a member of the party but not an office holder. The same procedure was followed by the department which then asked for the affected person to give his consent over the telephone. This the Spanish citizen did.

Since the question was simply to establish whether the right of appeal existed and how to go about exercising it, it seems strange that anyone's permission was needed to be able to obtain such information. After the second call, when the information sought was still not provided, the department was asked if they would provide it if the question was channeled through the Citizen's Advice Bureau. The answer was that it would then be provided, but that it would be quicker if the person affected accompanied by Mr Cano called at the offices of the Department.

As a result of the visit Mr Cano was given a photocopy of Section 37 of the Ordinance which deals with unforeseen changes following an original assessment leading to a review of the assessment.

Given that this did not address the question being asked, which was whether an appeal could be made against the original provisional assessment, the matter was referred to the Citizen's Advice Bureau who hopefully will be able to obtain the information and advise the affected person as to what his rights

are and whether an appeal procedure is in existence when a person is not satisfied with an assessment that has been made.

ENDS