

Pensions Appeal Tribunals (PAT) Medical Member

June 2016

Assessment Centre – Case Study

Applicant Booklet

PAT Medical Member 2016

Instructions to Applicants

You have 30 minutes to read and prepare your responses to the attached Case Study.

Please read the information attached and prepare your answers to the set questions that follow.

After your 30 minutes preparation time, the Selection Committee will allow you up to 15 minutes to respond to the set questions in the interview. They will also use this time to ask you a further unseen question on the Case Study.

When your 15 minutes question and answer time is up, the Selection Committee will move on to the interview questions. The interview questions will last for a further 25-30 minutes.

The questions asked in the Case Study are intended to primarily assess the following areas of the Personal Profile (but may also address other aspects of the Personal Profile):

Intellectual Capacity, Knowledge and Expertise

- i) Medical Expertise and the ability to deal with complex problems.
- ii) An ability to quickly absorb and analyse information and extract relevant facts in accordance with the applicable rules of evidence and procedure.
- iii) An ability to understand the underlying principles of and operate within unfamiliar areas (e.g., the law).

Personal Qualities

i) Sound judgement and decisiveness.

Understanding and Fairness

i) A commitment to justice and fair treatment.

Communication

- An ability to express and succinctly explain matters of procedure and judgement and to listen with patience and courtesy to a wide range of people, including personal litigants.
- ii) An ability to produce timely, clear and reasoned written and oral decisions.

Management Skills

 An ability to organise own and others' time and manage available resources for the effective disposal of business.

You may write notes during the 30 minute preparation time and bring them into the interview to aid you in responding to the questions.

The Case Study is provided overleaf.

Your Role

You have been asked to sit on a War Pensions Appeal Tribunal. The appellant is Private G.D. He has two appeals for consideration. Please read the following documentation and consider the question at the end.

- (1) Entitlement Appeal
- (2) Assessment Appeal
- (3) GP Report (20.01.15) Pages A-G
- (4) War Pension Medical Examination
- (5) Entry Medical Examination Report 30.05.85
- (6) Medical Board Record 23.11.87

Documentation attached.

Service History

Part-time UDR from 25/06/1985 to 21/02/1989

END OF CASE STUDY

Please prepare your answers to the set questions below:

1a) What further evidence do you need to address the issues raised regarding the rejection of the entitlement appeal and assessment of disability for the accepted conditions?

Would you uphold the S.O.S's decision?

What do you feel would be the decision of the Tribunal?

WAR PENSIONS APPEAL

Entitlement Appeal

Service Pensions Order

Surname:		Other Names:	
NI Number:		Date of Claim:	30/07/2014
Date of Decision:	02/07/2015	Date of Appeal:	13/08/2015
Scheme:	Service Pensions Order	Article:	41

Summary for issues for Determination:

This appeal is brought under Section 1(1) of the Pensions Appeal Tribunals Act 1943 ("PAT Act 1943") which applies where a decision has been made concerning a claim made under the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006 (as amended) ("SPO").

The appeal lies against the Secretary of State's decision dated 02/07/2015 rejecting Abrasion Left Medial Ankle (2013) + Left Knee Pain as being neither caused by, nor made worse by service. The Tribunal is required to consider whether the Secretary of State's decision is rightly made. (Section 1(1) PAT Act 1943).

In determining the appeal, the Tribunal is bound by any relevant terms of the SPO (Section 6(4) PAT Act 1943). The Tribunal need not consider any issue that is not raised by the appellant or the Secretary of State in relation to the appeal and shall not take into account any circumstances not obtaining at the time when the decision appealed against was made (section 5B PAT Act 1943). The appellant is required to show, on balance of probabilities, that he/she/ is disabled within the meaning of the SPO.

Terms of Reference:

The appeal lies against the Secretary of State's decision dated 02/07/2015 rejecting Abrasion Left Medial Ankle (2013) + Left Knee Pain as being neither caused by, nor made worse by service. The Tribunal is required to consider whether the Secretary of State's decision is rightly made. (Section 1(1) PAT Act 1943).

The Tribunal is asked to decide if this decision is correct and if not to substitute its own decision.

WAR PENSIONS APPEAL

Assessment Appeal

Service Pensions Order

Surname:		Other Names:	
NI Number:		Date of Claim:	30/07/2014
Date of Decision:	02/07/2015	Date of Appeal:	13/08/2015
Scheme:	Service Pensions Order	Article:	42,44

Summary for issues for Determination:

This appeal is brought under Section 5(1) & 5(2) of the Pensions Appeal Tribunals Act ("PAT Act 1943") which applies where an assessment has been made concerning a claim made under the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006 (as amended) ("SPO").

The appeal lies against the Secretary of State's decision dated 02/07/2015 awarding an interim assessment of 6-14% for Fracture Right Ulna, Lacerations Right Side of Face + Fracture Lateral Malleolus of Left Ankle, accepted as attributable to service. The Tribunal is required to consider whether the Secretary of State's decision is rightly made Section 5(1) & 5(2) PAT Act 1943).

In determining the appeal, the Tribunal is bound by any relevant terms of the SPO (Section 6(4) to the PAT Act 1943). The Tribunal need not consider any issue that is not raised by the circumstances not obtaining at the time when the decision appealed against was made (section 5b PAT Act 1943).

Terms of Reference:

The appeal lies against the Secretary of State's decision dated 02/07/2015 awarding an interim assessment of 6-14% for Fracture Right Ulna, Lacerations Right Side of Face + Fracture Lateral Malleolus of Left Ankle, accepted as attributable to service.

The Tribunal is asked to decide if this assessment is correct and if not to substitute its own assessment for the period under appeal.

Dr Linnenhall Lisbu m BT28 4LU	Street	(S) 6535 326 SO 326 SO ACTONION ACTIONED	Jes VI VC I VC	Veterans UK War Pensions Scheme Tomlinson House Norcross Thornton-Cleveleys FY5 3WP Freephone: 0808 1914 2 1 Overseas: +44 1253 8660 Textphone: 0800 169 34 5 Email: <u>Veterans-UK@mod.</u>	43 8
O N A		Antrim 07/1965		RECEIVED 2 9 JAN 2015 E BUSINESS SERVICES ROOM BLACKPOOL	~~•

Request for Medical Information

Dear Dr

War Pension is a scheme by which compensation is paid for injuries or conditions attributable to, or aggravated by, military service or specific war experiences. We are considering an award, or a review of award for your patient. We have written permission to ask you for evidence.

Will you kindly supply a report on this form, based on your knowledge of the patient and their records. A special examination is not required. Please include in your report any relevant information contained in letters or reports from hospitals or consultants.

Please note, this is not a report to which the Access to Medical Reports Act 1988 applies. The Ministry of Defence (of which the Veterans UK is a part) will show it to the patient in certain circumstances, but the patient does not have to see it before you return it to us.

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N.B. If there is any information, which you consider, might be harmful or cause distress to $\frac{1}{2}$ your patient please give this information on the last page.

As your patient's entitlement to payment of pension is involved, an early reply would be appreciated. Please sign and date your report, and return it in the envelope provided. A stamp is not required.

Yours sincerely YARWOOD TAN Mrs G Yarwood pp Medical Adviser, Veterans UK Please note:

Your fee for completing this report is now £39.09.

You have my written assurance as an officer of a government department that we hold your patient's written consent to ask you for this evidence. Please see GMC guidance "Confidentiality: Protecting and Providing Information", and 2004. Frequently Asked Questions (Q13) (A) which states that "You may, however, accept written assurances from an officer of a government department that the patient's written consent has been given".







E'Claimed Conditions

We need information regarding the following symptoms and/or conditions based in your records and knowledge of your patient. For each condition please indicate below the diagnosis, date of first consultation with the condition, the history given at the time and details of any current treatment.

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If there has been a hospital referral for any of the conditions please provide details. Copies of any relevant letters or reports would be most helpful.

Condition or symptom claimed	Diagnosis	Date first recorded with brief history
Problems left knee		
Please state date of first consultation recorded in your notes and history given at that time.		
Do you have any documentary evidence regarding any previous injuries ?	and a second sec	
If so, please give the date this information was first recorded.		
Date of referral, if any, with name of specialist and hospital number		Name and address of hospital - Copies of any relevant letters or reports would be very much appreciated (old hospital records have often been destroyed).

Please comment on any other details, including treatment, regarding the conditions listed above which you think might be helpful to us.

a leg deir and regulas pain Join Certeull Crotation,

Name: Descala

Nino.

B: Conditions already accepted as being caused or made worse by military service:

For each condition please indicate below the current problems, and any treatment or hospital referral.

If there has been a hospital referral for any of the conditions please provide details. Copies of any relevant letters or reports would be most helpful.

Condition under review	Brief history of progress since
Fracture right ulna	
Are there any significant changes in this condition ?	00
Date of referral, if any, with name of specialist and hospital number	Name and address of hospital - Copies of any relevant letters or reports would be very much appreciated (old hospital records have often been destroyed).

K	Condition under review	Brief history of progress since 1994
	Fracture left lateral malleous (1988)	no rote of those
	Are there any significant changes in this condition ?	
	Date of referral, if any, with name of specialist and hospital number	Name and address of hospital - Copies of any relevant letters or reports would be very much appreciated (old hospital records have often been destroyed).

3 (continuad) Nine: NH266702D H C: Other Information When do your patient records date from? 1. 61 Aug 165 How long has Mr Dawson been your patient? 2, 11 years Please list any other significant conditions and date of onset. З. Laguleer - persistant. Hay 2014. Please list all prescribed medication. 4. See sheet

Name: D	Nind
Harmful Information – do not copy	Ć
We will withhold certain information if would be harmful.	it appears to the adjudicating authority that its disclosure
Please give such information below:	
Are there any diagnoses of which the p	patient is unaware? Yes No
If yes, please specify, with brief reasor	ns.
use practice stamp).	Ietails overleaf / below and sign to claim your fee (please Inces, this report will be released to the patient, their legal ling on appeal in relation to the entitlement to benefit. Please print or stamp here the surname, initials and address of the person we should pay Health Centre, Linenhall St Lisburn BT28 1LU Tel: 028 92 603333 Fax: 028 92 501313
For official use I additionise pay regint of FFS (WP) Sected (10) Signatione	5. Well-

Re: G D D D 04/07/65:

This man has six entries in his notes pertaining to left knee and left ankle.

1983: Struck left knee during a hockey match. Resulted in an arthroscopy – no treatment given.

continued

]]

1984: Fell onto both knees from a ladder. Attended Accident and Emergency – X-Rays revealed no fracture.

June 2013: Inversion injury to left ankle. Attended GP – Anti-Inflammatories supplied.

November 2013: Further injury to left ankle. Attended Accident and Emergency.

May 2014: GP appointment, complaining of pain in left knee and ankle.

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Service Personnel and Veterans Agency Var Pension Medical Examination

Surname	
Other names	G .
Date of Birth	4.7.65
National Insurance Number	N H S O O O O O
Fime Examination and Interview Started	9.30 AM
Time Examination and Interview Ended	
Time Report Complete	
Date of Examination	21.5.15
Place of Examination	Belfast

Dr A

E2. Unk. 25

Doctor's Name

section 1a – Accepted disablements (as advised by SPVA on form WPA0851)

Give the history since the last WPME or leaving service (whichever is most recent). Include treatment history, by whom and where, also note if currently under active management, include all treatments, for example physiotherapy, counselling (talking therapies), osteopathy, mental health team supervision and actual or proposed surgery.

49 yr old man - last board 1990

- 1. Fracture R ulna no change client states. 2. Lacerations to face - no change client states.
- 3. Fracture L lateral malleolus client states over the years his ankle has felt weak . Sore if he has been on his feet all day . Approximately 2 yrs ago client went over on this ankle again and had swelling, bruising and soreness for months . Since then his ankle has been very sore at times. . On one occasion he collapsed at work and an ambulance was called. . He was taken to hospital and diagnosed with an ulcer inner aspect of ankle joint . The ankle was strapped and client given crutches. Following this client attended his GP and the ulcer clinic at the surgery.. He was referred fro an MRI which was within normal limits, client states. Client has not been back at work since.

The ulcer finally healed approx. 3 months ago and client has attended his GP and been told he is fit for work . However management at work feel he is not fit to do his job which involves him standing for hours each day and for 3-4 hours at a time. They have referred him to Occupational health .

L ankle is still sore on a daily basis , the skin is discoloured . Client's GP has told him his circulation is poor secondary to his fracture in service. He wears support tights . Mr Dunn takes daily medication for pain - paracetamol 2 TID, ibuprofen 2 TID and tramadol 50 mg bd and 200 mg lunch and teatime. These help .

Section 1b – Stated functional limitations/ restrictions caused by the accepted disablements

- 1. Fracture R ulna -- no problems these days .
- 2. Lacerations to face no functional effects.

3. Fracture L-lateral malleolus- sore on prolonged walking . Client does walk 1 - 11/2 miles into town slowly on a regular basis . His L ankle is sore at times . Also sore using the stairs. Client does not drive and travels by bus or train.

ection 4 – Occupational history				
Retired at pensionable age	x	Of workin	ng age but ceased working	(MING
		Due to	Free Text	NO95000
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Client has worked as a Civilian Sec sick with his L ankle ulcer for a yea	curity Officer in r and is hoping	the same co to get back	mpany for 10 yrs. He has b	een off
Live the occupational history since in Client has worked as a Civilian Sec sick with his L ankle ulcer for a year saying he is not fit. Client is very fru	curity Officer in r and is hoping	the same co to get back	mpany for 10 yrs. He has b	een off

Section 5 – Recreational and other relevant activities including frequency and time spent

Enjoys researching World War Two history. Watches rugby and is a season ticket holder for Ulster Rugby . Collects Irish and Scottish whiskey . Enjoys music

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Section 8.1 – SPVA recording of MSO

Please use this section for a detailed examination of:

• all musculo skeletal conditions noted at section 1, 2 and 8

Clinical findings should include, where relevant, joint deformity, joint instability, range of movements against normal, power, tone, reflexes, wasting and sensory changes.

If full range of movement, please tick the normal box, if abnormal, please detail the functional range of movement (e.g. for knee flexion, reduced to 90°, reduced to 45°, <45°) or comments. Further detail can be provided in the 'other comments' box overleaf.

Lower Back Examination

	Normal	Range of movement (°)/ comment
Spinal curves		
Palpation		
Forward flexion (to mid shin = normal)		
Squat and rise (full = normal)		anthory setting white as a state of a setting and a
Straight leg raising (≥70° = normal)		

Lower Limb Examination

Right Leg	Norm	nal	Range of movement (°)/ comment	/ Left leg	Norm	nal	Range of movement (°)/ comment.
Hip flexion	≥ 130°	≥ 130°	Call Andrews of the	Hip flexion	≥ 130°		
External hip rotation	≥ 45°	x	Marine and the second	External hip rotation	≥ 45°	x	
Knee flexion	≥120°	x		Knee flexion	≥120°	x	
Knee extension	Full	x		Knee extension	Full	x	
Quads Muscles		x		Quads Muscles	nest.er	x	DATE OF THE REPORT
Ankle plantar flexion	≥50°.	x	ald enjyst a pil	Ankle plantar flexion	≥50°		40 deg
Ankle dorsiflexion	≥20°	x	The second second	Ankle dorsiflexion	≥20°	x	
Hallux plantar flexion	≥40°	x		Hallux plantar flexion	≥40°	x	er satur kent
Hallux dorsiflexion	≥60°	x		Hallux dorsiflexion	≥60°	x	a instantia
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4 continued

Section 10 Mental State Examination

Use this section to record your mental health assessment if one is indicated by the conditions noted at sections 1 and 2.

Appearance:

Behaviour:

Speech:

Mood (inc appetite, weight and sleep):

Thoughts:

Perceptions:

Substance misuse:

Insight:

Cognitive function:

Memory and concentration:

Section 10 Mental Health Summary

Please describe the effects of the condition on the occupational, social and family environment.

Against each of the conditions claimed or accepted give a summary of the associated functional impairment caused by each and which is your opinion based on the findings described above. Please indicate whether any significant improvement in each condition is likely in the future and if so when. Please give your reasons.

- Lined

Where, in your opinion, the claimed effects of conditions differ from your assessment give details and identify evidence for your opinion.

- 1. Fracture R ulna no change identified .
- 2. Lacerations to face no change identified.

3. Fracture L lateral malleolus – client states over the years his ankle has felt weak and sore if he had been on his feet all day. Approximately 2 yrs ago he went over on this ankle and had swelling and bruising and pain for months. On another occasion client collapsed at work with pain in his ankle. He was taken to hospital and diagnosed with an ulcer inner aspect of ankle joint. The ankle was strapped and client given crutches which he used for 7-8 months. Following this client attended the ulcer clinic at the GP surgery.. He was referred fro an MRI which was within normal limits,. Client has not been back at work since.

The ulcer finally healed approx. 3 months ago and client has attended his GP and been told he is fit for work . However management at work feel he is not fit to do his job which involves him standing for hours each day and for 3-4 hours at a time. They have referred him to Occupational health . He feels he has not been treated fairly .

L ankle is still sore on a daily basis and he takes daily painkillers. . Client's GP has told him his circulation is poor secondary to his fracture in service.. On examination there were varicose veins lower leg with haemosiderin deposition and purple discoloration over healed ulcer with thin skin and scar tissue . Client does need to take care not to cause this to re open . He wears support stockings if on his feet a lot and has been advised not to wear steel capped boots. Mild / moderate functional effect.

Deterioration claims only

Accepted Condition	No Change Since Last Examination	Change Since Last Examination	Not Applicable
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N.B. To prevent impersonation	, the medical examiner should take positiv	ve steps to identify the p	person presenting for e	ramination, 6,-	
Reason for examination (tick box)	ENTRY A RELEASE OR D		PECIAL	1007	1
CTION 1 - This section to be c	completed by the applicant (Boxes Marke	d = by the Service Aut	horides)		100
Service No."	2. Rank/Rating*	3. Sumane (BLO	UL	6. Ship/Unit/Station	
Christian or Forename(s)		5. Regt/Corps/R		10. Married/ 11. /	100
Branch or Trud#	8. Total Full Time Service Yrs Mth	2		Single/ Widowed 19	Yrs (
Date of Birth 13. Bor	BANBRUCGY	County	14. NHSN		
t-07-1965 Civilian Occupation	16. Place of Examination.	Date	17. Enlisted on		
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mplete paras 18-21 only if you are	e being examined for entry to HM Forces				
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Has the prolicant ever suffered or is he now suffering from any of the fol	lowing; (Tick "YES" or "NO")
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35. Bedwetting since age 10	
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42b. Pain in the knee or other joints	
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16. Any other injury or illness	
SECTION 3	
47. I Certify that I have answered as fully as possible all the questions ab	NED BY THE APPLICANT/EXAMINEE out my family and personal health, and that the information I have given is true al Authorities having access to any of my previous medical history.
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This part time UDR soldier was on an operational duty near Portglenone when he fell down while climbing a fence gate to reach the helicopter. The sustained laceration of (R) cheek and painful swelling over his (R) forearm.

He was taken to the Medical Centre at RAF Aldergrove where he was initially seen and treated and was sent home with his arm in a sling.

Three days later, while on a holiday in the Isle of Man the patient noticed the right arm swollen and very painful. He went to the Nobles Hospital, Isle of Man, where x-ray showed fracture of (R) ulna. The arm was not manipulated but put in POP for 6 weeks. He has also been seen and treated at Waveney Hospital, Ballymena for his fracture

O/E: A young fit soldier. The fracture and laceration over the face is well healed. No deformity of the arm. Good power and tone with normal reflexes upper limbs.

Pulse 88/min BP 140/90 mm Hg

Printed in England for HMSO Dd.8409448 12/84 8P 2743

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