

Industrial Injury Insurance System in the UK

Keiji Muramatsu¹⁾, Tatsuhiko Kubo¹⁾, Yoshihisa Fujino¹⁾, Shinya Matsuda¹⁾

¹⁾*Department of Preventive Medicine and Community Health, School of Medicine, University of Occupational and Environmental Health, Japan. Yahatanishi-ku Kitakyushu 807-8555, Japan*

Abstract

The Industrial Injuries Disablement Benefit (IIDB) in the United Kingdom is a benefit for people with long-term incapacity for work. IIDB does not cover the self-employed, military personnel, or certain kinds of trainees. As for the payments of IIDB, “accidents at work”, “prescribed diseases” and “jobs” are defined by the Department for Work and Pensions in a list to assess the level of disablement from the accident or disease and determine the amount of benefits. Delivery of medical services, such as the medical treatment benefit in Japan, is not included in this scheme because most medical services are provided for in the scheme of the National Health Service (NHS). Prevention Projects, such as the Follow-up Medical Examination Benefits in Japan, are also not included. Benefits for people who have Pneumoconiosis (including asbestosis) are provided in the IIDB scheme.

Key words: Industrial Injuries Disablement Benefit, Pneumoconiosis Etc. (Workers’ Compensation) Act 1979, diffuse mesothelioma, payment, constant attendance allowance, reduced earnings allowance

❖ Introduction

The UK workers’ compensation insurance system previously had various benefits, and the unique benefits were gradually discontinued. Currently, the only benefit for industrial injuries remaining is the Industrial Injuries Disablement Benefit (IIDB), a benefit for people with a long-term incapacity for work ¹⁾. This paper discusses the IIDB, the basis of industrial injury benefits, as well as related benefits and deductions.

❖ Industrial Injuries Disablement Benefit

The Industrial Injuries Disablement Benefit (IIDB) provides benefits for disabilities from diseases or accidents at work. This benefit is determined by the individual’s condition related to work, and as with the

Universal Credit (UC), which combines the many previous employment-related allowances, household composition is not considered ²⁾. In addition, although it affects the amounts of Income Support (IS), income-related Employment and Support Allowance (income-related ESA), income-based Jobseeker’s Allowance (contribution-based JSA), Pension Credit, Housing Benefit, and Working Tax Credit (WTC), it does not affect the amounts of the contribution-based Employment and Support Allowance (contribution-based ESA), Incapacity Benefit (IB, repealed and replaced by ESA), contribution-based Jobseeker’s Allowance (contribution-based JSA), and State Pension. It is applied differently for accidents versus diseases. In the case of accidents, there are two requirements; the individual must have been employed at the time of the accident, and the accident must have taken place in England, Scotland, or Wales (exceptions apply). In the case of diseases, there is a positive list of prescribed diseases, and if the individual was working in an applicable job for one of the diseases on the list, they are eligible for the benefit [3]. Asbestos-related diseases are also included on this

Received: November 25, 2013

Accepted: December 11, 2013

Correspondence: K. Muramatsu, Department of Preventive Medicine and Community Health, School of Medicine, University of Occupational and Environmental Health, Japan. Yahatanishi-ku Kitakyushu 807-8555, Japan
e-mail: km@med.uoeh-u.ac.jp

Table 1 List of diseases covered by Industrial Injuries Disablement Benefit (part)

| Disease number | Name of disease or injury: conditions due to physical agents (physical cause) | Type of job: any job involving |
|----------------|---|--|
| A1 | Leukaemia (other than chronic lymphatic leukaemia) or cancer of the bone, female breast, testis or thyroid | Exposure to electromagnetic radiations (other than radiant heat) or to ionising particles where the dose is sufficient to double the risk of the occurrence of the condition. For example, people working in the nuclear industry and hospital X-ray departments |
| A2 | Cataract | Frequent or prolonged exposure to radiation from red-hot or white-hot material. For example, glass and metal workers, stokers |
| A3 | Dysbarism, including decompression sickness, barotrauma and osteonecrosis. For example, the bends | Subjection to compressed or rarefied air or other respirable gases or gaseous mixtures. For example, underwater or tunnel workers |
| A4 | Task specific focal dystonia of the hand or forearm. For example, writer's cramp | Prolonged periods of handwriting, typing or other repetitive movements of the fingers, hand or arm |
| A5 | Subcutaneous cellulitis of the hand | Manual labour causing severe or prolonged friction or pressure on the hand. For example, miners and road workers using picks and shovels |
| A6 | Bursitis or subcutaneous cellulitis arising at or about the knee due to severe or prolonged external friction or pressure at or about the knee. For example, housemaid's knee | Manual labour causing severe or prolonged external friction or pressure at or about the knee. For example, workers who kneel a lot |

Excerpted from Industrial Injuries Disablement Benefit³⁾.

list. Table 1 shows a portion of this list. The amount receivable is determined by the level of disablement. Table 2 indicates the level of disablement and amount of the benefit. Ordinarily, an individual must be recognized as having a level of disablement of over 14% in order to be eligible for the benefit.

❖ Additional Benefits and Deductions That Can Be Received

Pneumoconiosis Etc. (Workers' Compensation) Act 1979

The Pneumoconiosis Etc. (Workers' Compensation) Act 1979 stipulates that individuals with pneumoconiosis (including asbestosis, silicosis, and kaolin pneumoconiosis), byssinosis, diffuse mesothelioma, bilateral diffuse pleural thickening, or primary lung cancer who also suffer from asbestosis or bilateral diffuse pleural thickening are eligible for a lump sum payment³⁾. In order to receive payment through this

Table 2 Weekly amount of Industrial Injuries Disablement Benefit (IIDB)

| Assessed level of disablement | Weekly amount (£) |
|-------------------------------|-------------------|
| 100 | 161.60 |
| 90 | 145.44 |
| 80 | 129.28 |
| 70 | 113.12 |
| 60 | 96.96 |
| 50 | 80.80 |
| 40 | 64.64 |
| 30 | 48.48 |
| 20 | 32.32 |

Excerpted from Industrial Injuries Disablement Benefit³⁾.

scheme, the individual must satisfy all of the following conditions: they must have a dust-related disease caused by their employment, they must be receiving

IIDB for a disease on the IIDB list, they must file an application within 12 months of the IIDB payment decision, they did not (or could not) file a civil suit against their former employer because the employer suspended business, they must not be filing an action, and they must not be receiving any compensation related to the disease from their employer. Dependent family members of individuals who died from dust-related diseases may also apply. In this case, the application must be submitted within 12 months of the individual's death. Payment is conducted by Jobcentre Plus.

Diffuse Mesothelioma Payment

This scheme targets individuals who were exposed to asbestos in the UK, but were not qualified to receive an allowance through the Pneumoconiosis Etc. (Workers' Compensation) Act 1979⁴). Specifically, cases of exposure from family members (through the washing of clothes, etc.) and exposure to asbestos as a self-employed business owner are cited. In order to receive an allowance under this scheme, the individual must satisfy all of the following conditions: they must not be eligible under the Pneumoconiosis Etc. (Workers' Compensation) Act 1979, must not be receiving compensation by any means either from the business owner or a civil suit, and they must not be eligible for the compensation scheme of the Ministry of Defence. Individuals are only eligible for 1 lump sum payment.

Constant Attendance Allowance (CAA)

Individuals receiving either IIDB or the War Disablement Pension (WDP) and who require daily nursing care may apply for the CAA⁵). In order to receive the allowance, for IIDB, the individual must require daily nursing care (visiting nursing care, meal preparation, and assistance), and their level of disablement must be assessed at 100%. The amount for which individuals are eligible is indicated in Table 3, and is divided into 4 rates. Of these rates, those in the exceptional rate and intermediate rate categories are eligible to receive the Exceptionally Severe Disablement Allowance (Exceptionally SDA). The amount receivable through the Exceptionally SDA is 63.30 pounds per week, eligibility is the same as for CAA, and payments are made in lump sums.

Table 3 Weekly amount of Constant Attendance Allowance (CAA)

| Rate | Weekly amount (£) |
|-------------------|-------------------|
| Exceptional rate | 129.40 |
| Intermediate rate | 97.05 |
| Full day rate | 64.70 |
| Part day rate | 32.35 |

Excerpted from Constant Attendance Allowance⁵).

Reduced Earnings Allowance (REA)

REA is an allowance that is independent from IIDB, and can be received as REA alone or together with IIDB [6]. One of the features of REA is that even individuals whose level of disablement is assessed to be less than 14% and who are not eligible for IIDB can receive the allowance. Specifically, as long as the level of disablement is over 1%, the individual is eligible for REA. It also applies to individuals who are unable to return to their former job due to a work-related injury or work-related illness, or who are unable to receive the same level of income. However, REA only applies in cases where the accident occurred or the onset of the disease was prior to October 1, 1990. The amount for which the individual is eligible depends on the individual's income prior to the accident/disease and their current income, leading to considerable discrepancy among individuals, but the maximum amount of the allowance is up to 40% of IIDB.

❖ Conclusion

This paper discussed the workers' compensation insurance system in the UK. A particularly notable characteristic is that it details the diseases, jobs, and length of exposure to toxic substances that are covered by workers' compensation insurance. In the Japanese workers' compensation insurance system, this would be equivalent to Appended Tables 1.2 in the Ordinance for Enforcement of the Labor Standards Act, but the categorization of diseases is not as detailed as the UK. It is also interesting that the type of benefit differs according to the level of disablement in the UK and Japan. The UK workers' compensation insurance system will serve as a reference in reconsidering the workers' compensation insurance system in Japan.

❖ References

- 1) Department for Work and Pensions: Industrial Injuries Disablement Benefit – And other compensation schemes, Department for Work and Pensions, London, 2011: 11pp.
- 2) Department for Work and Pensions: Universal Credit – welfare that works. Department for Work and Pensions London 2010: 68pp.
- 3) GOV.UK: Industrial Injuries Disablement Benefit. (Last update May 2013). GOV.UK <http://www.dwp.gov.uk/> (access 29 May 2013).
- 4) GOV.UK: Diffuse Mesothelioma Payment (last update May 2013): GOV.UK <http://www.gov.uk/> (access 29 May 2013).
- 5) GOV.UK: Constant Attendance Allowance. (last update May 2013). GOV.UK <http://www.gov.uk/> (access 29 May 2013).
- 6) GOV.UK(2013): Reduced Earnings Allowance. (last update May 2013): GOV.UK <http://www.gov.uk/> (access 29 May 2013).