

# Next Steps on delivery of Employment Injury Assistance

**Easy Read**



**April 2024**

## What is a Consultation?



The Scottish Government wants to know what people think about the changes we are making.



When the Scottish Government asks people for their views it is called a Consultation. The Scottish Government would like your views on Employment Injury Assistance.

Send your answers to us by 25 June 2024.

## Introduction



The Industrial Injuries Scheme (IIS) gives money to people who have become disabled or become injured because of their job. The Scottish Government is planning to replace the IIS with a new benefit called Employment Injury Assistance which will be delivered by Social Security Scotland.



Since April 2020 the Scottish Government has been responsible for IIS in Scotland. It is being delivered by the Department for Work and Pensions (DWP) until we introduce Employment Injury Assistance. This means people continue to get the payments they need.



This has meant that we have had time to think carefully about IIS. This has taken longer than we planned due to the pandemic and other benefits we have prioritised such as Adult Disability Payment and Scottish Child Payment.



We need your help to make sure that the new benefit works well for the people who get it. There are some questions throughout this document so you can tell us what you think.

# Section 1 – The Industrial Injuries Scheme

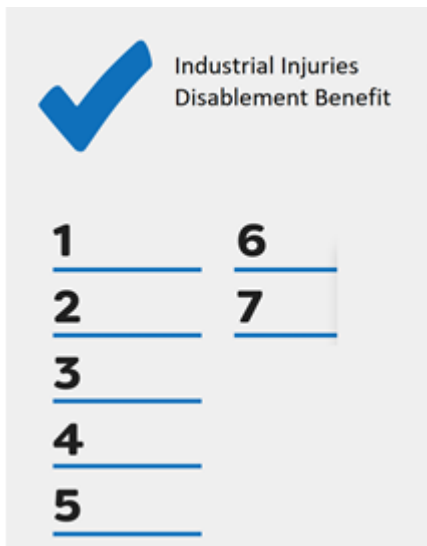
## Background



IIS was introduced in 1948 to support people who became disabled or developed a disease because of their work.



The scheme hasn't changed much since it was introduced.



The scheme has 7 benefits. The benefits which make up the scheme are listed below.



### **Open to new applications**

Industrial Injuries Disablement Benefit (IIDB)

Constant Attendance Allowance

Exceptionally Severe

Disablement Allowance

Reduced Earnings Allowance

Retirement Allowance



### **Closed to new applications but some people still receive payment**

Un-employability Supplement

Industrial Death Benefit



There are less than 1,000 new applications in Scotland per year. This number has been decreasing since 2002.

# Industrial Injuries Disablement Benefit



The main benefit in the Industrial Injuries Scheme is Industrial Injuries Disablement Benefit.



Around 21,000 people receive Industrial Injuries Disablement Benefit in Scotland.



In order to meet the eligibility criteria, someone must either: -

1. have a long-term health condition or disease that is on a list of diseases
2. be disabled as a result of an accident.

The condition or injury must have happened because of your job.



An Industrial Injuries Advisory Council (IIAC) advises the UK Government if new diseases should be added.



Members of the Council include scientific and medical professionals.



IIAC cannot provide advice to the Scottish Government.



## Challenges of the current system



There are challenges with replacing IIS. Some of these challenges are set out below.

### Gender gap



Men make up the majority of people who receive an IIS benefit.



The conditions list does not include many injuries and diseases which are more common for women.



Adding new diseases to the list takes a long time because of the research and changes to the law that is needed.

## Other disparities



People who are black or from an ethnic minority are more at risk from workplace injuries but can face additional barriers in getting benefits.



63% of those who get IIS benefits are over state pension age.

## Assessments



To get IIDB, people have to have a medical assessment to decide how much they should get. This is a very medical approach which is different to the approach the Scottish Government have taken for Child Disability Payment and Adult Disability Payment.

**Question 1:** Do you agree or disagree that the Industrial Injuries Scheme should be reformed? [agree/disagree/don't know]

Please give reasons for your answer.

## Section 2 – Taking forward delivery of Employment Injury Assistance



We want to deliver our benefits in a compassionate way while making sure we protect peoples' current payments.

### Option 1: Like for like benefit delivered with full case transfer with benefit reform to follow



The Industrial Injuries Scheme is mainly delivered using paper files.



This means that, unlike the Scottish social security system, applications are paper-based.



Files are held in multiple locations and many of these files are very old and in poor condition.



The number of files is much greater than for other benefits. This means we need to find and move paper-based files that are for people in Scotland which is difficult to do.



We will need to create a way to apply online. This could cost £39.8 million which we need to think very carefully about.



We could keep a paper-based system for applications. This would cost £13 million. However, this might not meet the principles of our Social Security Charter.



Our main priority is making sure no one loses their current payments.



However, the transfer of the Industrial Injuries Scheme would be very difficult because it is currently a paper-based system.



Moving up to 150,000 paper files will take a lot of time and will cost more than it has done to transfer other benefits from DWP.



One option would be to deliver Employment Injury Assistance on a like for like basis as IIS before May 2026. This means Employment Injury Assistance would be very similar to IIS.



We would have to work with DWP to establish a detailed timetable for case transfer.



Delivering Employment Injury Assistance now on a like-for-like basis would use time and money which can be better used in the short-term, including how to improve the benefit for the future.

## Option 2: Prioritise fundamental reform of Employment Injury Assistance



There are specific challenges for us to deliver Employment Injury Assistance.

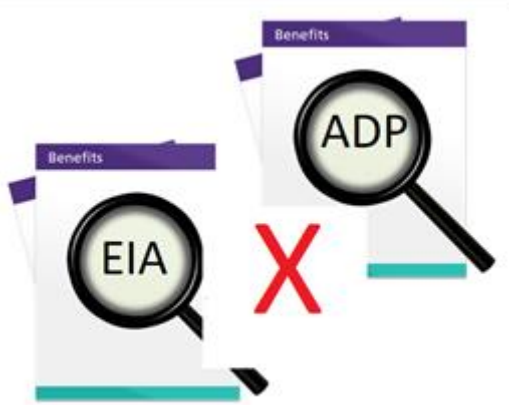


The current Scheme has about 1,000 new applications per year.



The Scottish Government believes a different approach to delivery may be needed to provide a high-quality service to clients which provides value for money.





This approach would not involve delivery in the same way as the current Scheme or case transfer.



There is a need to update who can receive the benefit and provide value for money.



This would allow us to consider the design of a new benefit that meets the needs of people in Scotland today





Developing an updated Employment Injury Assistance will involve a lot of research and talking to experts.



The first step will be creating a group with experts to inform what we do next. This is called a stakeholder advisory group.

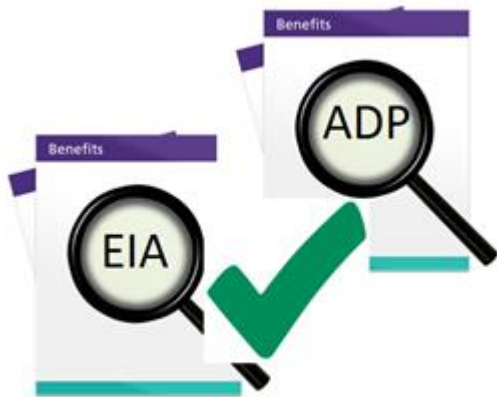
**Question 2:** Do you support Option 1 or Option 2? Which option do you think the Scottish Government should choose? Give reasons for your answers.

- A) Option 1
- B) Option 2
- C) Neither
- D) Don't know

Please give reasons for your answer.

## Section 3 – Next steps for Employment Injury Assistance in Scotland

### Option 1 Timeline



Delivery of Employment Injury Assistance on a 'like-for-like' basis to the current Scheme by early 2026.

### Option 2 Timeline



The Scottish Government's preference is to prioritise long-term changes to the current Industrial Injuries Scheme.



We would begin work immediately following this consultation to start reform.



The stakeholder advisory group would be created one month after this consultation ends. This group would begin to publish advice 9 months after the consultation ends.

**Question 3:** Please tell us if there is anything relating to the timelines set out above that you wish to provide feedback on. Please specify which timeline you are providing feedback for.

Please give reasons for your answer.

## List of questions asked

**Question 1:** Do you agree or disagree that the Industrial Injuries Scheme is not fit for purpose and should be reformed?  
[agree/disagree/don't know]

Please give reasons for your answer.

**Question 2:** Of the two options (1 – prioritise like-for-like benefit delivered with full case transfer and benefit reform to follow in the longer-term, and 2 – prioritise reform to deliver an updated benefit and a modernised approach delivery) which do you think the Scottish Government should proceed with?

Please give reasons for your answer.

- A) Option 1
- B) Option 2
- C) Neither
- D) Don't know

Please give reasons for your answer.

**Question 3:** Please tell us if there is anything relating to the timelines set out above that you wish to provide feedback on. Please say which timeline you are commenting on.

Please give reasons for your answer.

## Responding to this consultation

We are inviting responses to this consultation by 25/6/2024.

Please respond to this consultation using the Scottish Government's consultation hub, [Citizen Space](#). You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 25/6/2024.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form to:

Disability Benefits Policy Unit

Scottish Government

Area 1B (South) Victoria Quay

Edinburgh EH6 6QQ

### **Handling your response**

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

To find out how we handle your personal data, please see our [Privacy Policy](#).

### **Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public on the [Scottish Government consultation page](#). If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, we will read all responses and look at any other information to help us. Responses will be published where the person has agreed to do so. An analysis report will also be made available. This report will describe the responses to this consultation.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or at [EIAConsultation@gov.scot](mailto:EIAConsultation@gov.scot)

### **Scottish Government consultation process**

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online on the [Scottish Government consultation page](#). Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

**Annex A****Next Steps for Employment Injury Assistance****Respondent Information Form**

**Please Note** this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our [Privacy Policy](#).

Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email Address

The Scottish Government want to publish your consultation response. Which of the following do you prefer:

- Publish response with name
- Publish response only (without name)
- Do not publish response

**Information for organisations:**

The option 'Publish response only (without name)' is for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response with other people who work for the Scottish Government who may work on some of the things you discuss. They may wish to contact you again in the future, but we need you to agree to that first. Are you content for Scottish Government to contact you again related to this consultation?

Yes

No



## Questionnaire

### Question 1

Do you agree or disagree that the Industrial Injuries Scheme is not fit for purpose and should be reformed?

- Strongly agree
- Mostly agree
- Mostly disagree
- Strongly disagree

Please give reasons for your answer.

### Question 2

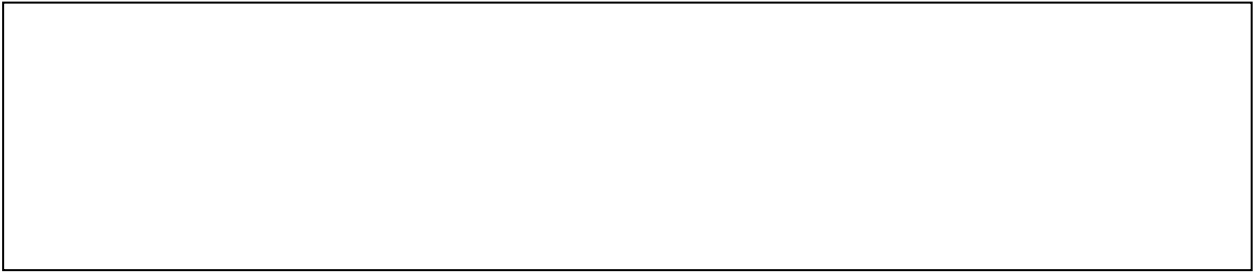
Of the two options (1 – prioritise like-for-like benefit delivered with full case transfer and benefit reform to follow in the longer-term, and 2 – prioritise reform to deliver an updated benefit and a modernised approach delivery) which do you think the Scottish Government should proceed with?

- Option 1
- Option 2
- Neither
- Don't Know

Please give reasons for your answer.

### Question 3

Please tell us if there is anything relating to the timelines set out above that you wish to provide feedback on. Please specify which timeline you are providing feedback for.





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EH1 3DG

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