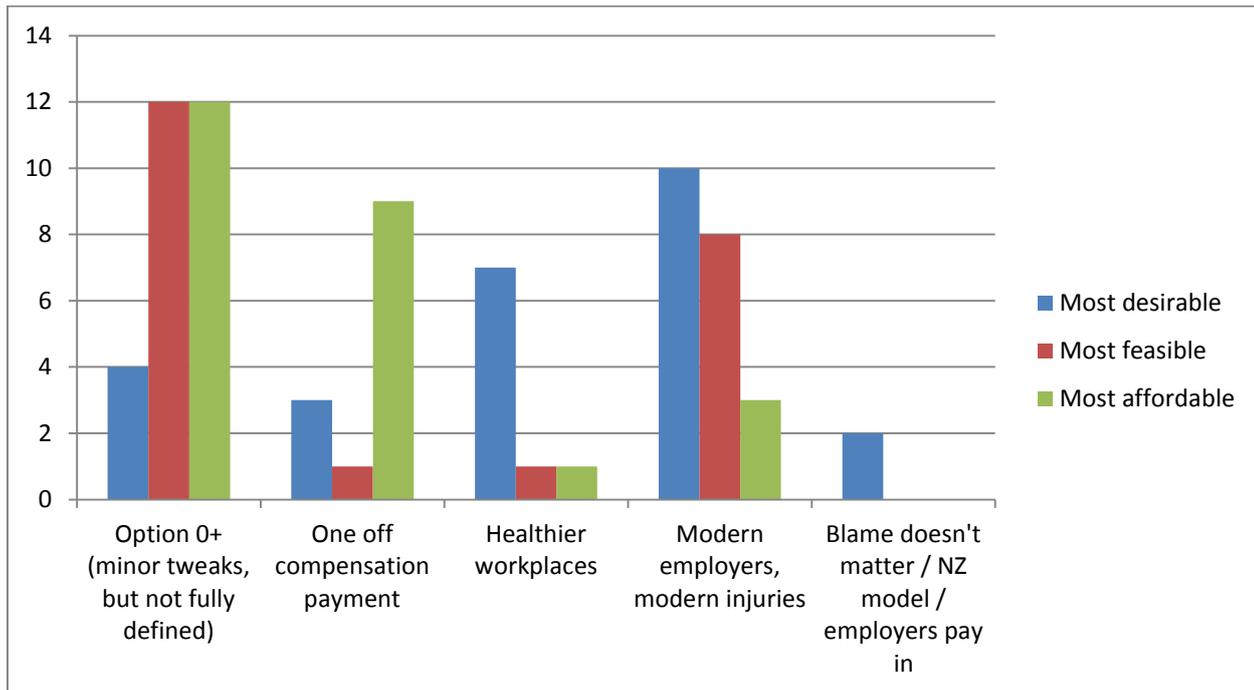


Scenarios for Industrial Injuries

#	Scenario Name	Brief synopsis
1	Option 0	DWP continues to deliver Industrial Injuries benefits under an agreement with SG
2	Option 0+	Benefits as delivered in Scotland with tweaks – e.g., improving “time bars” and linking assessments better with other disability and ill health benefits
3	One-off compensation payment	Weekly payments are replaced with one-off compensation payments to more fairly reflect the suffering and loss of earnings. Allows people to get on with life, no need for assessment to prove what they cannot do.
4	Healthier Workplaces	<p>State compensation scheme only where there is no-one to sue. State pursues compensation on behalf of the employee, benefit paid where criteria met and recouped. Feedback loop between incidents and health and safety practice.</p> <p>(alternatively, “State pursues compensation on behalf of the employee, benefit paid where criteria met. Option of benefits in kind as well as cash e.g. training and equipment for rehabilitation.”)</p>
5	Modern Employers, Modern Injuries	List of industrial injuries is overhauled and modernised.
6	Blame Doesn't Matter / New Zealand model	Employers pay small amount (proportional to size of business) into a national fund for industrial injuries. No court processes.

Scenario Appraisal

	Most desirable	Most feasible	Most affordable
Option 0	No participants	All participants	All participants
Option 0+ (minor tweaks, but not fully defined)	4	12	12
One off compensation payment	3	1	9
Healthier workplaces	7	1	1
Modern employers, modern injuries	10	8	3
Blame doesn't matter / NZ model / employers pay in	2	0	0



Scenarios for Industrial Injuries

The future

What is the name of your scenario (think bold and catchy)?

Scenario 3: One-Off Compensation Payment

What does this future look like in practice?

Queries/concerns with the scenario

- Perception of general public! Large one-off payments from public purse!
- Comes back to outcome?
- How would capital spent be reclaimed by recovery unity?
- Doesn't reflect the income replacement element
- Snap shot in time not reflective of changing position
- Unfairness potentially based on the "list" [what is on and what is off the list]
- How does it fit with continuity of income? (Capital roles?)
- Wrap around support? Improved outcomes – how would you calculate it? Live 20 years v 40 years?

Who does what?

What would have to change within Scottish Government to make this happen?

Stakeholders (trade unions etc., general public) would need to be convinced "it's not a cost saving measure"

Independent financial advice would be required. Welfare rights departments.

Good links to social security system to maximise weekly income (PIP / ESA etc)

Feedback loop to employers etc. would need to be robust (panel role!)

What would have to change outwith Scottish Government to make this happen?

Pressure on employers to support scheme

Change in attitude to "compensation culture"

What would have to change in policy and legislation to make this happen?

Funded through corporate taxation

Disregards for one-off capital – need checked to prevent applicant being worse off

Scenarios for Industrial Injuries

The future

What is the name of your scenario (think bold and catchy)?

Scenario 4: Healthier Workplaces

What does this future look like in practice?

- Stronger enforcement of health and Safety – accidents must be investigated at the time. Must feedback to improved safety in the workplace.
- Reduced number of claims over time due to improved safety in workplaces.
- Proportionality?
- SG to support advice organisations (LAs, CPAG etc) to ensure appropriate advice given around pursuing employers in courts etc.
- Use data to determine design of benefit (e.g., which diseases are most prevalent) and, for example to promote better health and safety practices in relevant industries.
- Wider offer of support, not necessarily (just) monetary payment.

Who does what?

What would have to change within Scottish Government to make this happen?

Improved data on the nature of claims to allow health and safety interventions to be correctly focussed

Seen as part of prevention scheme and communicated to public

Team of specialist Scottish Government lawyers to pursue employers

What would have to change outwith Scottish Government to make this happen?

Power to take a different approach to Health and Safety in Scotland (devolution of more powers?)
Disregarded for income-related benefits

What would have to change in policy and legislation to make this happen?

May not be a practical / legal (?) for Government to take employers to court.

Government role may be more about ensuring injured party has advice and support.

Scenarios for Industrial Injuries

The future

What is the name of your scenario (think bold and catchy)?

Scenario 5: Modern Employers, Modern Injuries

What does this future look like in practice?

What is needed:

- Evidence base for list of injuries / Needs to be a solid research /evidence base. (Research into cancers accepted in Europe but not UK). Look at the distribution of diseases. What do we mean about mental health diagnosis?

Unresolved queries about the scenario

- Is it focussing on compensation or not?
- What do people do in Scotland? Who should be covered?
- Are we producing a benefit which is empowering?
- What would the benefit be for in 25 years' time?

Who does what?

What would have to change within Scottish Government to make this happen?

List change to reflect modern and not historic

What would have to change outwith Scottish Government to make this happen?

Align with changes in Scottish Government

What would have to change in policy and legislation to make this happen?