

Industrial Injuries Disablement Benefit Stakeholder Reference Group

Meeting 1

16 May 2016, Victoria Quay, Edinburgh

Present

Ellen Searle, Scottish Government (chair)
David Toner, Scottish Government (facilitator)
Iain Tasker, STUC
Andrew White, SG Analyst
Elinor Owe, SG Civil Law reform
Dr Anne Braidwood, Medical Adviser
Nicola Dickie, CoSLA
Andy Drought, SG Strategic policy unit
Roddy Duncan, SG Health and Welfare reform
Phyllis Craig, Clydeside Action on Asbestos
Alun Parry, SG Programme Management Office
Jamie MacDougall, SG Ill Health and Disability policy
Mark Willis, Child Poverty Action Group
Debbie McCall, SG Fair Work policy (via VC from Glasgow)
Christine Hamilton-Rice SG Fair Work policy (via VC from Glasgow)
Tom Gorman, Welfare Rights Adviser
Liz Davidson, SG (secretariat)

Introductions

1. Members introduced themselves and explained their interest in IIDB. The Chair thanked the members for agreeing to be part of the group.

Group remit and membership

2. Members agreed the remit and membership as set out in paper IIDBAG 1/2016. Members also agreed to the proposal that meetings of the group be held quarterly, with dates agreed in advance, and mainly in Glasgow due to most members being based there.

Context

3. The Chair talked to paper IIDBAG 2/2016. She noted the need for a strong evidence based approach to proposing changes to IIDB, and the need to consider the benefit in the context of wider Scottish Government outcomes.

4. Members made the following points in the subsequent discussion

- Scheme needs radical change but in ways dependant on areas reserved to the UK Government ie requiring employers to contribute to the funding of the scheme, the definition of an employed earner
- Overall aim should be on reducing accidents and disease in the workplace – but again, key elements of Health and Safety remain reserved
- Current scheme does not take account of current working practices or occupations – is focussed on employment roles prevalent in the 1950s to 1970s
- Unfairness of the current scheme – 83% of recipients are male only 17% female
- Benefit was introduced in 1946 prior to DLA, PIP or other support allowances so the need for Constant Attendance Allowance or Severe Disablement Allowance was questioned
- Need to take account of linkages between IIDB and the Pneumoconiosis etc. (Workers' Compensation) Act 1979
- Scheme needs to be user friendly and simplified
- One member expressed the view that IIDB in its current format should not exist, that a new benefit should be designed with a clear, evidence based rationale
- GPs should be involved in the assessment process
- Any civil recovery needs to come back to Scotland and not to UK Government

What are we trying to achieve – outcomes

5. SG analysts facilitated a discussion on what IIDB should look to achieve in the long term
6. The following themes emerged.
 - IIDB should do something distinct and unique within the wider Scottish and UK social security systems
 - The need to 'start from where we are' means that there are significant differences between what can be achieved in the short and long term
 - There should be a distinction between whether the injury/disease was short term or minor compared to those with severe injuries and long term or life limiting disease
 - It was felt that of using the legal system for 'access quality legal advice alongside advice on benefits' could be unaffordable
 - Lay members would be a valuable addition to the Tribunal panels
7. The group were asked the question "What is the fundamental purpose of Industrial Injuries benefit?" Nearly all the responses said the primary purpose of the benefit was compensation for a disease or accident that occurred through the course of the person's work. The detail is set out in Annex IIDB 5/2006.

Opportunities and Issues – Scenario Planning

8. The group split into 4 sub-groups to look at what IIDB may look like in next 20 to 30 years. Detailed discussions followed and ideas generated. See Annex IIDBAG 6/2016.

Next steps and AOB

9. The Chair thanked the group for their input and noted that the next steps for policy officials would be to provide advice to new Ministers on IIDB, including on the consultation to support the Scottish social security bill. Policy officials would engage with members of the group prior to summer recess on this, and to take further views on the scenarios discussed at this meeting.

10. The long awaited report of the UK Governments review into IIDB may have a significant bearing on Minister's choices about the future of the scheme.

11. Members agreed to the proposal to establish short life working groups on IIDB to consider some aspects of IIDB in detail.

12. There was no other AOB.

Actions

- SG** To consider mechanisms for members to remain in contact between meetings
- SG** To set up short life working groups
- SG** To meet with members individually or as a group prior to summer recess on future options and the consultation
- SG** Inform members of meeting dates for the rest of 2016