



S O C I A L
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A G E N C Y

Industrial Injuries Disablement Benefit and other Compensation schemes - Help if you are ill or disabled because of your job or you have certain lung diseases



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Introduction

If you have had an accident or have a disease because of your work you should read this leaflet. It will also tell you about two compensation schemes which provide lump sum payments for certain lung diseases.

What is Industrial Injuries Disablement Benefit?

This is extra money if you are ill or disabled from an accident or disease caused by work.

Accidents

We use accident to mean an incident or series of incidents at work which were not deliberate and which resulted in personal injury.

If you have an accident at work you should tell your employer at once even if the accident does not seem serious at the time. Most employers have an accident book. You should record the details of the accident in the book as soon as you can.

If you cannot report the accident yourself you should ask someone else to do it for you.

You can apply at any time for a decision on whether your accident was an industrial accident. This is not a claim for benefit. But it may be of help if you decide to claim benefit in the future because of your accident.

Diseases

More than 70 diseases are covered. Some of the most common ones are:

- asthma
- chronic bronchitis and emphysema
- deafness
- pneumoconiosis (lung disease from breathing in mineral dust), and
- Prescribed Disease A11 (formerly known as Vibration White Finger).

Asbestos-related diseases

The diseases covered are shown below.

- Pneumoconiosis (asbestosis)¹
- Diffuse Mesothelioma²
- Primary Carcinoma of the lung with asbestosis²
- Primary Carcinoma of the lung without asbestosis but where there has been extensive occupational exposure to asbestos in specified occupations²
- Unilateral or bilateral diffuse pleural thickening

If you are diagnosed with the disease¹ you can get benefit if your disablement is assessed at 1% or more.

If you are diagnosed with one of the diseases² then you will receive Industrial Injuries Disablement Benefit at the maximum rate from the start of your claim.

Can I get Industrial Injuries Disablement Benefit?

You must have:

- got the disease as a result of work,
- been employed in Great Britain,
- done certain types of work, and
- the work must have been done on or after 5 July 1948.

We may need you to have a medical check to help us decide the extent of your disablement and how long it will last.

We will not pay Industrial Injuries Disablement Benefit if you did the work that made you ill:

- when you were self-employed, or
- before 5 July 1948.

Other help available

Reduced Earnings Allowance

If you cannot do your usual job or work with similar pay because of an accident or disease caused by work, and you are suffering a disability (which began before 1 October 1990), you may be entitled to claim Reduced Earnings Allowance.

Retirement Allowance

If your Reduced Earnings Allowance is £2 or more a week, you reach State Pension age and you are not in regular employment, it will be replaced by another benefit called Retirement Allowance.

Constant Attendance Allowance

If you get Industrial Injuries Disablement Benefit at the full rate, and need daily care and attention, you may get Constant Attendance Allowance.

Exceptionally Severe Disablement Allowance

If you get one of the 2 higher rates of Constant Attendance Allowance, and need permanent or constant care and attention, you may also get Exceptionally Severe Disablement Allowance.

How do I claim?

When and how do I claim?

If you think you may get Industrial Injuries Disablement Benefit, claim as soon as you can.

If you delay, you may lose some benefit.

Claim straight away if you have an illness caused by your work.

We deal with Industrial Injuries Disablement Benefit at:

Industrial Injuries Branch
Castle Court
Belfast BT1 1SD

Phone: 02890336000

Work done before 1948

If your accident or disease was caused by work before 5 July 1948, get in touch with:

Industrial Injuries Branch
Castle Court
Belfast BT1 1SD

Phone: 02890336000

Work done as a trainee

If you were a trainee doing work-based training when you had an accident or became ill, get in touch with:

Industrial Injuries Branch
Castle Court
Belfast BT1 1SD

Phone: 02890336000

Compensation Schemes

Pneumoconiosis etc (Workers Compensation) Order 1979 Scheme

We may pay you a lump sum if you have one of the diseases listed below. This is because you have not or cannot claim damages from the employer(s) who caused the disease as they have stopped trading. The diseases covered by the scheme are:

- Pneumoconiosis
- Byssinosis
- Diffuse Mesothelioma
- Bilateral diffuse pleural thickening
- Primary carcinoma of the lung when accompanied by asbestosis or bilateral diffuse pleural thickening

The 2008 Diffuse Mesothelioma Scheme

From October 2008 we may pay you a lump sum payment if you have diffuse mesothelioma and cannot get a payment under the 1979 scheme.

- the self-employed and
- people who have got the disease other than from their employment. For example if you washed asbestos contaminated clothing, or if you lived near a factory where asbestos was used.

Note

You cannot get a payment if you have not been exposed to asbestos in the UK.

- Where you cannot get a payment under the Pneumoconiosis etc (Workers Compensation) Order 1979 we will automatically consider you under the 2008 scheme. You cannot receive a payment under both schemes.

How are claims decided?

We may contact your employer, if possible, to check the jobs you have done.

While we are checking the jobs you have done we may ask you to go for a medical check. But if we decide that the jobs you have done do not meet the rules you will not be able to get Industrial Injuries Disablement Benefit. If we decide that the jobs you have done caused the accident or disease we may ask you to attend a medical examination.

If you have a medical examination, a doctor will give an opinion on whether there is a disability resulting from the accident or disease and the level of your disability.

How much can I get?

How much you get is based on how badly you are disabled.

It can be paid 15 weeks (90 days not counting Sundays) from the first day you are disabled by the disease or accident.

How will I be paid?

We prefer to pay benefits into an account. This is the safest way. It lets you choose how and when you get your money.

Your account can be with a bank, building society or the Post Office.[®] If you do not want us to do this, contact Industrial Injuries Branch.

Will Industrial Injuries Disablement Benefit affect my other benefits?

You can receive Industrial Injuries Disablement Benefit as well as:

- Incapacity Benefit
- contribution-based Jobseeker's Allowance
- contribution-based Employment and Support Allowance, or
- State Pension.

But Industrial Injuries Disablement Benefit can affect you or your partner's:

- Income Support
- Income-based Jobseeker's Allowance
- Income-based Employment and Support Allowance
- State Pension Credit
- Housing Benefit
- Council Tax Benefit
- Working Tax Credit
- Child Tax Credit, or
- War Pension.

Partner

Throughout this leaflet we use the word partner to mean your husband, wife or civil partner, or someone you live with as if they were your husband, wife or civil partner.

Where can I find out more?

You can contact:

Industrial Injuries Branch
Castle Court
Belfast BT1 1SD

Phone: 02890336000

You can get more information from the Social Security Agency website. The address is www.dsdni.gov.uk

A confidential phone service is available for people with disabilities and their carers. Ring the Benefit Enquiry Line on 0800 22 06 74.

If you have speech or hearing problems and use a textphone call 0800 24 37 87.

Important information about this leaflet

This leaflet is only a guide and does not cover every circumstance. We have done our best to make sure that the information in this leaflet is correct as of October 2008.

It is possible that some of the information is oversimplified, or may become inaccurate over time, for example because of changes to the law.

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