

Industrial Injuries Disablement Benefit

Notes about claiming benefit for an accident at work or whilst on an approved employment training scheme or course

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What you need to do

Please fill in the claim form and send it back to Industrial Injuries Branch, Mail Opening Unit, PO Box 42, Limavady, BT49 4AN.

Please read these notes before you complete the claim form.

Make sure you answer all the questions in full.

If you are filling this form in with a pen, write in black ink and use CAPITAL LETTERS.

When you send the form back, please make sure you:

- sign the Declaration in **Part 11**
- send us any wage slips which cover the period of your accident
- send us a copy of the accident report/Accident Book entry (if you have this)
- send us any medical reports or letters you may have to support your claim. These could be from your Consultant, General Practitioner (GP) or other healthcare professional.

These are the types of medical test results which you may wish to include relating to your disability resulting from your accident:

- the results of scans, but not the scans themselves
- audiology
- the results of x-rays, but not the x-rays themselves
- Consultant reports.

What is Industrial Injuries Disablement Benefit?

Industrial Injuries Disablement Benefit is a payment for people who are disabled as a result of an accident, disease or event that happened at work, in connection with work, or whilst on an approved employment training scheme or course, or due to certain prescribed diseases caused by their job.

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

If you want to claim benefit for a disease, you will need to fill in form **BI100PD**, Industrial Injuries Disablement Benefit for a prescribed Industrial disease. You can get it from Industrial Injuries Branch, Mail Opening Unit, PO Box 42, Limavady, BT49 4AN. Tel. No. 0300 092 3383.

Reporting the accident to your employer or trainer

If you have an accident at work, tell your employer, trainer or someone else in authority at once, even if the accident does not seem serious at the time.

Most employers and trainers have an accident book. Record the details of the accident in the book as soon as you can. If there is no accident book, tell your employer or trainer about the accident

- by speaking to them, or
- by writing to them.

You must tell them:

- your name and address
- your job or training course
- the cause and nature of your injury, and
- the date, time and place of the accident.

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

Please provide us with a copy of the accident report with your claim. You should ask for a copy of this for your records. You will need this for your claim to Industrial Injuries Disablement Benefit.

Am I entitled to Industrial Injuries Disablement Benefit?

You may be entitled to the benefit if you are disabled because of an accident at work or whilst on an approved employment training scheme or course.

The accident must have happened because of your work or training, and it must usually have happened in the UK.

We will not pay Industrial Injuries Disablement Benefit if you were self-employed when the accident happened.

Where we ask for details of your employment we need to know when you were actually working for the company. If you were off sick at the end of your period of employment, this should show the last date you did any work for the company.

Effects on other benefits

You can still get Industrial Injuries Disablement Benefit if you are claiming:

- Contribution- based Employment and Support Allowance
- Incapacity Benefit
- Contribution- based Jobseekers Allowance
- Personal Independence Payment
- State Pension

Industrial Injuries Disablement Benefit will affect the following benefits if you or your partner are claiming them:

- Income Support
- Income - based Jobseeker's Allowance
- Income - related Employment and Support Allowance
- Pension Credit
- Housing Benefit
- Working Tax Credit
- Universal Credit

When to claim

If you became disabled because of an accident, claim Industrial Injuries Disablement Benefit straight away. You cannot be entitled to benefit for 90 days (excluding Sundays) after the date of the accident. If you delay you may lose some benefit.

Signing the form for someone else

The claim form should only be signed by someone else if

- the person who is making the claim is not mentally able to act on their own behalf, **and**
- someone is willing to act on their behalf in all social security matters, including telling us about any change in their circumstances and collecting money for them.

Someone accepted by the Department to act on a person's behalf is known as the appointee.

A person who is physically disabled but mentally able will not normally need someone to act for them.

If someone applies to act on a person's behalf we will

- arrange a visit to:
 - the person who is making the claim, **and**
 - the person who is applying to act on their behalf, **and**
- decide if the person needs someone to act on their behalf, **and**
- explain the responsibilities that the appointee would be taking on.

We will not pay any benefit until this process is complete.

If someone has the power of attorney or legal authority to act on behalf of the person making the claim, then the person with power of attorney or legal authority must

- sign the claim form, **and**
- send us a copy of the legal authority with the claim form.

The copy of the legal authority must be certified and signed by a solicitor as a true copy.

Completing the form on behalf of someone because they have died

If you are completing the form on behalf of someone who has died, please make sure you also send us a copy of the death certificate with the claim form.

About your claim for benefit

Claiming Industrial Injuries Disablement Benefit

To claim Industrial Injuries Disablement Benefit you will need to answer all questions on the form and sign the form at **Part 11**.

Send this form back to us straight away. If you delay, you could lose money.

Any benefit you can get because of this claim can be paid more quickly if you answer all the questions on this form that apply to you and your partner, if you have one.

We use partner to mean

- a person you are married to or a person you live with as if you are married to them, or
- a civil partner or a person you live with as if you are civil partners.

In **Part 3** it asks when you worked for your employer. We need to know the dates for when you were attending the work place and working there. Do not include any periods where you were employed but were not working, for example if you were off sick

If you cannot do this, get in touch with us straight away.

What happens after we get your claim for benefit

We will contact you and tell you that we have got your claim.

A decision maker will look at your claim. Decision makers are people who decide

- if the law says your accident is an industrial accident
- if the law says you are entitled to benefit or not
- how much benefit the law says you are entitled to.

To help the decision maker decide on your claim, we may need to get more information. We may need to ask people about your claim. For example, we

may contact any employer, doctor or hospital that you have told us about in the claim form.

If the decision maker decides that your accident was an industrial accident, we may ask you to go for an assessment. We will contact you and tell you where and when to go for the assessment. If you are not fit to travel or you are in hospital, we may ask the doctor or health care professional to come to you.

Please provide full details of why you need a home visit, and send us any medical evidence you already have to support this request. Do not ask or pay for new evidence.

The doctor or health care professional will provide the decision maker with information on the accident, how this has affected you and how long these effects are likely to last.

Please tell us any date and times that you may not be able to go for an assessment in the next 6 months. For example, holidays and hospital appointments. Please give us full details in Part 7 of the claim form.

If you do not come to an appointment and do not provide a good reason, you may delay your claim or have your claim to benefit closed.

If you can get Industrial Injuries Disablement Benefit, we will contact you and tell you

- how much money you can get and how we made our decision
- more about the benefit and the decision.

If you cannot get Industrial Injuries Disablement Benefit, we will contact you and tell you the reason and what to do if you disagree.

Other money you may be able to get

Reduced Earnings Allowance (REA)

If you cannot do your usual job or other work with similar pay because of an accident that happened before 1 October 1990, you may be able to claim Reduced Earnings Allowance. Ask Industrial Injuries Branch to send you a claim form **BI103**.

Constant Attendance Allowance (CAA)

If you get Industrial Injuries Disablement Benefit at the 100% rate and need daily care and attention, you may be able to get Constant Attendance

Allowance. CAA is paid at four different rates. You will be considered for CAA automatically. You do not need to make a separate claim.

If you do not have any attendance needs at the time of your Industrial Injuries Disablement Benefit award, but your condition worsens and constant attendance is required at a later date, contact Industrial Injuries Branch about making a claim for Constant Attendance Allowance.

REMEMBER - you can only claim CAA if you are already receiving Industrial Injuries Disablement Benefit at the 100% rate.

Exceptionally Severe Disablement Allowance (ESDA)

If you get one of the two higher rates of CAA and you need permanent and constant care and attention, you may also get Exceptionally Severe Disablement Allowance.

Additional payment for people if their employer has gone out of business

People who suffer from some industrial diseases caused by specific dusts can get help under the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979. You can make a claim if you cannot get damages from the employers who caused or contributed to the disease.

The diseases you can claim for are

- diffuse mesothelioma
- pneumoconiosis (including asbestosis, silicosis and kaolinosis)
- diffuse pleural thickening
- primary carcinoma of the lung if accompanied by asbestosis or diffuse pleural thickening
- byssinosis

If a person has

- suffered from one of these diseases, **and**
- has died,

their dependants can make a claim.

If you think you may be entitled to a payment, contact the Pneumoconiosis Workers' Compensation section at Industrial Injuries Branch, Mail Opening Unit, PO Box 42, Limavady, BT49 4AN.

Do not wait for a decision on your claim under the Industrial Injuries Disablement Benefit scheme before you make a claim for this additional payment. If you wait more than 12 months to claim the additional payment, we might not be able to pay you.

What if you live outside the UK, or the accident occurred outside the UK?

Usually the accident has to have occurred in the UK. But there are some exceptions to this rule.

If you live outside the UK, or the accident occurred outside the UK, please contact Industrial Injuries Disablement Branch at Industrial Injuries Branch, Mail Opening Unit, PO Box 42, Limavady, BT49 4AN. Telephone number 0300 092 3383.

Where to get help and advice about industrial accidents

If you want general information about Industrial Injuries Disablement Benefit contact Industrial Injuries Branch, Mail Opening Unit, PO Box 42, Limavady, BT49 4AN.

You can also contact an advice centre.

If you have speech or hearing difficulties you can contact us using a textphone on **0800 328 3419**. If you do not have your own textphone system, you may be able to find one in your local library or Advice Centre.

For more information about benefits and services visit our website at **www.nidirect.gov.uk**

Help with filling in the form

If you want help filling in the claim form or any part of it, phone **0300 092 3383**. They will have a copy of the claim form and they will go through it with you over the phone. Or they can fill in a claim form for you.

If they fill in the claim form for you, they will send it to you. You can then check, sign and send it back to them. If you need a form in braille or large print, tell them and they will arrange this.

How the Department for Communities (DfC) collects and uses information

The information the Department for Communities (DfC) collects from and about you depends mainly on the reason for your business with us.

We will use information about you for all of the Department's purposes, which include:

- The payment of social security benefits, grant loans and pensions;
- Child Maintenance;
- Employment and Training;
- Investigation of offences relating to social security;
- Social Security Research and Statistics.

DfC uses information to deal with enquiries and complaints, to provide DfC services, to protect public funds, and to conduct research and produce statistics to monitor and improve our services.

We will obtain information about you as the law allows from other organisations to check the information you give to us, protect public funds, and to improve our services.

DfC also shares information with other organisations as the law allows, for example to protect against crime, and with HM Revenue and Customs.

DfC uses external suppliers to help deliver some services. We also use technology to make decisions and improve our services. We will only ask you for information about your health when this is needed for a benefit or service you are using. We will keep your information secure, and make sure nobody has access to it who shouldn't.

Please look at the DfC Privacy Notice on www.communities-ni.gov.uk/privacy-notice to find out more about:

- your information rights;
- how to request a copy of your information;
- DfC's data controller details and other data protection information;
- how long DfC will keep your data for; and
- more detail about how DfC uses personal information.

