

Introduction

The Industrial Injuries Scheme provides benefits for Applicants who have suffered personal injury through an industrial accident or a prescribed disease. Industrial Injuries Disablement Benefit (IIDB) is the main benefit under the Industrial Injuries Scheme. IIDB compensates Applicants who have suffered disablement from a loss of physical or mental faculty caused by an industrial accident or prescribed disease.

It is not necessary for the Applicant to prove fault on the part of the employer to claim this benefit.

Criteria

The Applicant may be able to claim Industrial Injuries Disablement Benefit if:

- The Applicant was employed when the accident or event happened. A self-employed Applicant cannot claim this benefit. There are no specific age rules and there is no requirement for an Applicant to be paying National Insurance contributions. The Applicant must simply be under a contract of employment.
- The Applicant has suffered an industrial accident or prescribed industrial disease.
- The industrial accident or prescribed industrial disease must have occurred during the course of the Applicant's employment.
- The accident or event which caused the Applicant's illness or disability happened in England, Scotland or Wales (there are some exceptions that the Applicant can ask their local Jobcentre Plus about).

If the decision maker determines that the Applicant fulfils the above criteria then the Applicant will be examined by a DWP healthcare professional who will assess the level of the Applicant's disablement in percentage terms. An Applicant will be entitled to receive IIDB if their total disablement is assessed at 14% or more.

Amount

To determine the amount of IIDB the Applicant receives, the Applicant's percentage level of disablement is rounded up or down to the nearest percentage figure in the table below.

The amounts in the table below are a guide for illustrative purposes only:

Assessed level of disablement	Aged over 18 (weekly amount)	Aged under 18 with no dependants (weekly amount)
100%	£158.10	£96.90
90%	£142.29	£87.21
80%	£126.48	£77.52
70%	£110.67	£67.83
60%	£94.86	£58.14
50%	£79.05	£48.45
40%	£63.24	£38.76
30%	£47.43	£29.07
20%	£31.62	£19.38

Payment

Industrial Injuries Disablement Benefit for accidents and related benefits are paid into the Applicant's bank, building society, Post Office or a National Savings Account that accepts direct payments.

Effect on other Benefits

If the Applicant is disabled by disease or deafness caused by work, they may be able to get other benefits - though some may be taken into account as income when applying for means tested benefits.

Other benefits under the Industrial Injuries scheme

Constant Attendance Allowance

Constant Attendance Allowance can be paid if the Applicant requires constant care and attention as a result of the industrial injury or prescribed industrial disease. This benefit is automatically considered if the Applicant's assessed percentage level of disablement is 100%. Constant Attendance Allowance is paid at four rates:

- Exceptional rate - £126.60
- Intermediate rate - £94.95
- Normal Maximum rate - £63.30
- Part-time rate - £31.65

The rate an Applicant receives depends on the extent of their disability and the amount of care they need.

Exceptionally Severe Disablement Allowance

An Applicant is entitled to this benefit if:

- They are entitled to Constant Attendance Allowance at a rate in excess of £63.30 per week; and
- They are likely to remain permanently entitled to Constant Attendance Allowance.

If an Applicant meets these criteria, they will receive £63.30 per week.

A claim for Compensation

It may be possible for an Applicant to claim compensation following an accident at work. For further information please see the 'Claiming Compensation' briefing note.

Further Information

To claim:

Industrial Injuries Benefit Delivery Centre - [0800 88 22 00](tel:0800882200)
www.direct.gov.uk

For help:

Citizens Advice Bureau - www.citizensadvice.org.uk
www.adviceguide.org.uk

About Stewarts Law

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www.stewartslaw.com

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