

## **Industrial Injuries Advisory Council**

### **Our History**

The first Workmen's Compensation Act passed in 1897 made no provision for industrial diseases. Subsequently, a Departmental committee identified a need for additional statutory provision and a Schedule was added to the Workmen's Compensation Act of 1906, listing industrial diseases for which compensation was available. Initially only six diseases were prescribed (Anthrax; Poisoning by lead, mercury, phosphorus, arsenic; Ancylostomiasis) in respect of specific work processes. The 1906 Act also empowered the Home Secretary to add other diseases to the Schedule, though the criteria to be applied in doing so were not specified.

The Samuel Committee was appointed to inquire into this and set out to identify diseases currently not covered by the Act which, firstly, caused incapacity for more than one week, and, secondly, were so specific to the given employment that causation could be established in each individual case. Using these criteria the Committee recommended that eighteen diseases should be added to the Schedule. Further diseases were added to the schedule later, but there were no significant changes to the scheme until the setting up of the Welfare State after the Second World War. By 1948, compensation was available for 41 diseases.

The industrial Injuries Advisory Council was established under the National Insurance (Industrial Injuries) Act 1946. Under this Act, which came into effect on 4 July 1948, a new industrial injuries scheme was established, financed by contributions from employers, employees and the Exchequer. The State, through the scheme, assumed direct responsibility for paying no-fault compensation for injury and diseases. The Council's terms of reference, set down in the Act, were to advise the Minister on proposals to make regulations under the Act and to advise and consider such questions relating to the Act that the Minister might, from time to time, refer.

The 1946 Act also contained provisions for the prescription of diseases (section 55 of the 1946 Act, now section 76(2) of the Social Security Act 1975). The Minister could prescribe a disease if he was satisfied that it ought to be treated as a risk of occupation and not as a risk common to the general population; and that the attribution of individual cases to the nature of the occupation could be established or presumed with reasonable certainty. An employee disabled by a prescribed disease would have a right to claim benefit under the Act.

In 1947, the Government appointed the Dale Committee. Part of its brief was to advise on the principles governing the selection of diseases for insurance under the National Insurance (Industrial Injuries) Act, having regard to the extended system of insurance which was about to be set up by the National Insurance Act 1948 and any other relevant considerations. The advice of the

Dale Committee included proposals that a small specialised standing committee should be appointed by the Minister to consider the prescription of diseases specifically referred to it, to review periodically the Schedule of prescribed diseases and to recommend subjects on which more research was needed. The Minister concluded that this was a suitable task for a newly established Industrial Injuries Advisory Council. In 1982 the Government widened the Council's terms of reference, allowing it to advise the Secretary of State on any matter relating to the Industrial Injury Disablement Benefit or its administration.