



Department
for Work &
Pensions

Triennial review of the Industrial Injuries Advisory Council

Final Report of the triennial review of the Industrial
Injuries Advisory Council as a Non-Departmental
Public Body and a Scientific Advisory Committee

12 March 2015

Executive summary

1. The Industrial Injuries Advisory Council (IIAC) is a Non-Departmental Public Body (NDPB) that provides expert scientific advice to the Secretary of State for Work and Pensions and the Department for Social Development in Northern Ireland about the Industrial Injuries Scheme. This Scheme provides no-fault benefits to employed earners who become sick or injured as a result of their job.
2. Cabinet Office requires Department's to review the function, controls and governance arrangements of their NDPBs triennially. IIAC is also subject to review as a Scientific Advisory Committee (SAC) every three years according to guidance from the Government Office for Science (GO-Science). We consider combining both reviews to be an appropriate approach, providing value for money for the taxpayer.

Stage One

3. The first stage of this review challenged the continuing need for IIAC; questioned whether its functions are necessary and that it remains appropriate to be delivered by government.
4. Following completion of Stage One of the review, we conclude that IIAC provides valuable, high quality, well-respected scientific advice to government about the Industrial Injuries Scheme. The functions IIAC carries out continue to play a vital role in ensuring the Scheme is based on credible, up-to-date scientific evidence. Other delivery options for these functions were considered, but retaining IIAC as a NDPB remained the most appropriate option, offering cost-effective advice of a high calibre, in an independent and transparent way which is generally valued by stakeholders. IIAC meets each of the 'three tests' for remaining as a NDPB and we recommend that it should be retained in its current form.

Stage Two

5. Cabinet Office guidance requires that where the outcome of Stage One of the review is that the NDPB should remain, the Department should review and ensure the body's control and governance arrangements are in accordance with the recognised principles of good corporate governance.
6. We have examined the governance of IIAC, and its working practices as a NDPB and a SAC, and conclude that the Council demonstrates good compliance with the principles and reflects a proportional approach expected from a scientific advisory body. We recommend the following measures to strengthen compliance with best practice for NDPBs and SACs:

Recommendations

- IIAC should remain as a NDPB (Recommendation 1).
- Members are aware of their responsibilities under the Cabinet Office's Code of Conduct for board members of public bodies. However, we recommend that clear rules and systems should be established to enable Ministers to remove members due to poor performance or conduct, should this be necessary (Recommendation 2).
- The IIAC Chair and IIAC members are clear about their roles and responsibilities from information contained in the induction pack and from job specifications during recruitment. In the interest of best practice we recommend that terms of appointment clearly defining the roles and responsibilities of IIAC members and the Chair, which are agreed to and signed off by the individual, should be implemented (Recommendation 3).
- The Secretariat maintains regularly updated records registering the interests of members, claims for fees and expenses and a rolling programme of IIAC's work. For transparency, we recommend that this information is published and updated annually (Publication of register of interests - Recommendation 4; Publication of claims for fees and expenses – Recommendation 3); Publication of IIAC's rolling programme of work – Recommendation 6).
- We suggest that these recommendations are implemented within the next six months.

Dr Pui-Ling Li and Dr James Bolton
12 March 2015

Introduction

Aims of the review

7. Triennial reviews are a Cabinet Office requirement for reviewing the function of Non-Departmental Public Bodies (NDPBs), the appropriateness of the bodies' delivery mechanisms and their governance arrangements. The Industrial Injuries Advisory Council (IIAC) was last reviewed in 2012 and is now due for its second triennial review.
8. Triennial reviews have two purposes:
 - a) To provide a robust challenge of the continuing need for individual NDPBs – both their function and form, employing the 'three tests' discipline; and
 - b) Where it is agreed that a particular body should remain as a NDPB, to review the control and governance arrangements in place to ensure that the public body is complying with recognised principles of good corporate governance.
9. Triennial reviews usually have two stages, addressing these principal aims.
10. Stage One of the review identifies and examines the key functions of the Council, assesses how those functions contribute to the core business of the DWP, and considers whether the functions are still needed. Where the functions are still needed the review considers alternative delivery options to determine how the functions might be delivered more effectively and/or efficiently.
11. If it is recommended that the NDPB should remain, Stage Two considers compliance with the recognised principles of good corporate governance.
12. The review was carried out in line with Cabinet Office guidance "Guidance on Reviews of Non Departmental Public Bodies", revised in 2014. This guidance states that all reviews should be conducted in line with the following principles:
 - **Challenge** Reviews must be challenging. They should take a first principles approach to whether the function of a body is still needed, and if it is what the best form for delivery of that function is. Reviews should not just seek to evidence the status quo. They should be robust and rigorous and provide evidence for all recommendations. They must consider issues of efficiency, including the potential for efficiency savings¹, and make relevant

¹ More detail is given on this in Annex B from the Triennial Review Guidance.

recommendations. They should consider the performance of the body, and whether it could provide better value for money, including in terms of the body's contribution to economic growth². A description of how the review will be structured to meet this aim should be set out clearly in the Terms of Reference, which will be agreed between the department and Cabinet Office.

- **Proportionality** Reviews must not be overly bureaucratic and should be appropriate for the size and nature of the NDPB being reviewed. Where appropriate, reviews of similar bodies should be combined or clustered to ensure the maximum benefit in terms of streamlining the review process, identifying synergies across departments and NDPBs, and considering efficiency.
- **Contextual** Reviews should not be undertaken in silos, but should wherever possible be integrated with other departmental policy initiatives, efficiency reviews, landscape reviews, and seek to look across departmental boundaries to cluster reviews of bodies to further enable informed discussions about potential efficiencies.
- **Pace** Reviews must be completed quickly to minimise the disruption to the NDPB's business and reduce uncertainty about its future. Reviews should normally take no more than six months. Timetables, including start and completion dates, for individual reviews will be agreed with Cabinet Office at the beginning of each review.
- **Inclusivity** Reviews must be open and inclusive. The NDPB being reviewed must be engaged and consulted at both an Executive and a Non-Executive level³. Users and stakeholders must have the opportunity to comment and contribute. Parliament must be informed about the commencement and conclusions of reviews. Departmental Select Committees must be given the opportunity to input.
- **Transparency** All reviews must be announced formally, both to Parliament and to the public. All review reports must be published once clearance has been given by the Minister for the Cabinet Office. The results of reviews must be announced to Parliament.

13. The Council is also due to be reviewed as a Scientific Advisory Committee (SAC) as required by the Government Office for Science (GO-Science), and so, in the interests of proportionality and value for money, these reviews are being combined. GO-Science requires Departmental triennial reviews of their SACs to

² As committed to in the Government's response to the Heseltine Review into economic growth – available at <https://www.gov.uk/government/publications/governments-response-to-the-heseltine-review-into-economic-growth>.

consider compliance with the [Code of Practice for Scientific Advisory Committees](#) and the [Principles of Scientific Advice to Government](#). Compliance of IIAC as a SAC was considered during Stage Two of the combined review.

³This is, in the main, a requirement for larger NDPBs. Smaller bodies won't necessarily have both Executive and Non-Executive representation.

Background to the Industrial Injuries Advisory Council

Industrial Injuries Scheme

14. The Industrial Injuries Scheme provides state compensation that can be paid to an employed earner because of an occupational accident or prescribed disease. The principal benefit is Industrial Injuries Disablement Benefit (IIDB), and there are other payments and allowances that come under the definition of Industrial Injuries benefits. IIDB is 'no-fault', tax-free, non-contributory and administered by the Department for Work and Pensions (DWP). It is paid in addition to other incapacity and disability benefits, but is taken into account when determining the level of payment for income-related benefits.

Role of IIAC

15. IIAC is a scientific advisory NDPB that provides advice to DWP Ministers and the Department for Social Development in Northern Ireland about the Industrial Injuries Scheme. The Council's role is purely advisory, it has no power or authority to become involved in individual cases or in the decision-making process, and has no executive or administrative functions.

Remit of IIAC

16. The Council's statutory remit is set out in Section 171 of the Social Security Administration Act 1992. The Act states that the Secretary of State may refer questions relating to the Industrial Injuries Scheme or its administration to the Council for consideration and advice, and that the Council may also give advice on any other matter relating to such benefit or its administration. Additionally, where the Secretary of State proposes to make regulations regarding the Industrial Injuries Scheme or its administration, he shall refer the proposals to the Council for its advice. Schedule 6 of the Act sets out the constitution of the Council.

IIAC Membership

17. Members are appointed by the Secretary of State for Work and Pensions. Statutory legislation sets out that the Secretary of State shall determine the number of members of the Council. Currently there are [17 members](#), including a Chair, all of whom have been appointed by open competition in line with the Nolan principles and guidance from the Office of the Commissioner for Public Appointments.

18. It is formed of independent members with relevant specialist skills, currently including medical practitioners, academics, scientists and lawyers. Legislation also requires an equal number of representatives of employees and employers.

IIAC Secretariat

19. IIAC has a Secretariat, supplied by the DWP consisting of an IIAC Secretary, a Scientific Advisor and an Administrative Secretary. This team also provides the Departmental sponsorship function for IIAC.

IIAC Meetings

20. IIAC meets four times a year. Its permanent sub-committee, the Research Working Group (RWG), also meets four times a year. Members attend a meeting open to the public at different geographical locations every year. Where warranted by IIAC's work programme, specific sub-committees may be set up to address a particular issue, such as the Medical Assessments Working Group which meets on an ad-hoc basis.

Expenditure

21. IIAC does not have its own budget. Funding is provided from Departmental resources. The expenditure for IIAC in 2013/14 was £48,000. IIAC members receive a fee for attending meetings.

Full Council meetings:	IIAC Chair	£262
	IIAC member	£142
Sub-committee meetings:	RWG Chair	£182
	RWG member	£142

22. Travel expenses are also payable in accordance with DWP rates and conditions.

23. Staff costs of £80,300 per year for the Secretariat team are provided and paid for by the DWP.

The Review – method of enquiry

Announcement of the review

24. IIAC's triennial review was announced by Written Statement by DWP's Minister of State for Disabled People, Mr Mark Harper MP, on 16 January 2015. The combined triennial review of IIAC as a NDPB and a SAC has been carried out in line with Cabinet Office and Go-Science's respective requirements.

Lead reviewers

25. This review has been led by Dr Pui-Ling Li, the Chief Medical Officer and Chief Scientist at the DWP and Director of the Medical Advisory Team and Dr James Bolton, Deputy Director of the Medical Advisory Team. Both are independent of the Departmental sponsorship team responsible for IIAC, and of IIAC itself. They were supported by a small review team.

Stage One

Stage One review process

26. Stage One of the review identified and examined the key functions of IIAC, and considered whether these functions remained necessary. Where the functions were considered necessary, a range of alternative options for delivery of IIAC's functions was reviewed. Finally, the review assessed whether the Council passed one or more of the Government's 'three tests' for remaining as a NDPB:

- 1) Does IIAC perform a technical function?
- 2) Is political impartiality needed?
- 3) Is there a need for independent delivery of IIAC to establish facts with integrity?

27. Cabinet Office guidance states that reviews should be appropriate for the size and nature of the NDPB in question and should offer value for money. Given IIAC's small size, its purely advisory role with no executive or administrative functions or duties, and the small burden it imposes on public resources the Department considers that review by two DWP senior civil servants independent of IIAC's sponsorship arrangements provides a proportionate and appropriate review without the need for a challenge group.

28. The terms of reference for the review are at Annex A.

Evidence and Stakeholder Engagement

29. The first stage of the review gathered information and evidence from stakeholders. Consultation took place by issuing a call for evidence on the www.gov.uk/iiac website and by sending the call to specific stakeholders who had been actively engaged with IIAC's work recently. A proportionate consultation exercise ran from 16 – 30 January 2015. A list of stakeholders consulted, which included the Work and Pensions Select Committee is at Annex B. This approach was agreed with Cabinet Office. Eleven responses were received in reply to the call for evidence.

30. In addition to written responses, the review team also conducted an interview with the Chair of IIAC and invited comments from all other IIAC members and Departmental officials. Four responses were received from Departmental officials, and ten from Council members.

Results

Are the functions of the body still necessary?

31. The Industrial Injuries Scheme remains a part of DWP core business. Under the statutory requirements of the Scheme the Secretary of State for Work and Pensions must decide a) which diseases and relevant occupations should qualify for payment; b) if the individual claimant's disease or accident was caused by their work as an employed earner, and c) the extent of the disablement caused by the disease or accident.
32. To provide advice about the Industrial Injuries Scheme, particularly whether the list of occupational diseases and exposures are appropriate and up-to-date with current research evidence, requires expert knowledge of complex scientific and technical areas. The Secretary of State must be confident that the advice he is given is robust, reliable and accurate, being based on high quality scientific evidence and expert opinion whilst taking into account administrative practicalities.
33. IIAC's independent members are experts in the fields of occupational medicine, epidemiology, statistics, respiratory medicine, rheumatology and personal injury litigation. We are satisfied that the members are highly respected experts in their fields, many of whom are nationally and internationally recognised leaders.
34. Stakeholders were unanimous in their agreement that there was a continued need for IIAC to provide independent and expert scientific advice about the Industrial Injuries Scheme. The following comments and evidence in support of the on-going need for IIAC's functions to continue were received:
 - "the key statutory functions of the Industrial Injuries Advisory Council (IIAC) are as relevant today as they were when they were originally established under the National Insurance (Industrial Injuries) Act 1946" (*EEF*).
 - "This is an important function: the labour market constantly changes, creating new risks (and sometimes new diseases). At the same time, the state of scientific knowledge continually changes" (*TUC*).
 - "We believe the function of IIAC remains necessary. This Council has a technical function which needs external expertise to deliver, its job needs to be done with political impartiality and it needs to act independently to establish facts with integrity. It has demonstrated this in the way it has improved the situation for Mesothelioma victims/Lung Cancer victims, for example by removing the 90 day rule and ending the requirement to attend a medical" (*Asbestos Victims Support Group Forum*).
35. The review concludes that there is an on-going need for the function that IIAC currently delivers.

Is there an alternative delivery model?

36. Cabinet Office guidance sets out a checklist of delivery options that department's must consider when reviewing the functions of a NDPB. The review team considered alternative delivery options for IIAC as set out below:
37. Abolish - Whilst the Industrial Injuries Scheme remains part of DWP's core business, there is a requirement for the existence of a body to provide independent, impartial and transparent advice to the Secretary of State for Work and Pensions and the Department for Social Development in Northern Ireland about the Industrial Injuries Scheme. The Industrial Injuries Scheme, in particular the list of prescribed diseases and occupational exposures requires scientific expertise to ensure benefits are directed appropriately based on high quality, up-to-date, robust and reliable evidence. New research about the risks of diseases from occupational exposures is continually emerging. IIAC's work involves not only considering whether new diseases and their exposures should be added to the list of prescribed diseases eligible for Scheme benefits, but whether the current list requires amending due to the existence of new data. Stopping the provision of expert advice could lead to legal challenge, potential inequitable treatment of claimants and eventually, a Scheme out-of-step with current science. If IIAC did not do this, some other body would have to.
38. Move out of central government - This delivery option would see the functions of IIAC delivered by others, such as the voluntary, public or private sector. IIAC's function requires expert scientific advice that Ministers can be confident is based on robust and reliable evidence. One stakeholder highlighted that there were "no existing provider (or providers) in the sectors that could deliver this specialised function and it is difficult to envisage that anyone would wish to take it on" (*Thompson Solicitors*). Another stakeholder thought this model was theoretically possible "if a sufficiently independent status for this agency can be identified for this task" (*Peabody Trust*). It is unclear whether this option would generate efficiency savings with stakeholders suggesting that there was "a high chance that the service would become more expensive and less efficient" (*Thompsons Solicitors*) and that the "costs might be considerable" to set up this method of delivery (*Peabody Trust*).
39. Commercial model – According to suitability criteria suggested by Cabinet Office guidance IIAC is not a candidate for delivery of its functions via a commercial model. IIAC does not receive funding and/or revenue of at least £10m; IIAC does not have its own budget. Stakeholders were also opposed to delivery of IIAC's functions via a commercial model citing the potential loss of independence, transparency and impartiality. Stakeholders overwhelmingly agreed that the Council provided real value for money in obtaining high calibre, expert scientific advice. One stakeholder noted that the "current IIAC model means that the Government is able to acquire large amounts of valuable scientific information at very low cost. This could not be done commercially" (*EEF*).

40. Bring in-house – Bringing IIAC’s functions in-house would see government officials within the DWP providing advice about the Industrial Injuries Scheme, a model for which administrative savings could be perceived. However, as the advice would be provided by government experts, it would risk losing the credibility IIAC has as a provider of independence and impartial scientific expertise. A stakeholder suggested that IIAC’s functions “could not be ‘brought in-house’ and at the same time have a voice that is independent of government” (*Society for Occupational Medicine*). Additionally, stakeholders raised concerns that there was not the “expertise internally to carry out the work currently undertaken by IIAC” (*Professor David Coggon*). This model could potentially lead to an increased risk of legal challenge and conflict with trade unions and other stakeholders. In particular, the TUC noted that “The TUC and trade unions have confidence in the independence of IIAC and we know from our discussions with business organisations that they share this confidence” and that “when IIAC judges that a disease does not meet the criteria for prescription unions accept that the decision has not been made to cut costs or restrict the scope of the Industrial Injuries Scheme” (*TUC*).
41. Merge with another body – There are no scientific advisory NDPBs that fulfil a similar role to IIAC in consideration of occupational diseases, epidemiology and social security. Departmental officials particularly noted that the experience and expertise of IIAC in providing scientific advice together with in-depth knowledge of the Industrial Injuries Scheme was especially helpful. Merging with another body without IIAC’s skills would risk losing this helpful and productive relationship.
42. One of IIAC’s functions is to consider sets of regulations to implement recommendations made by the Council and accepted by Ministers. IIAC currently considers regulations approximately once a year. The remit of the Social Security Advisory Committee (SSAC), another NDPB sponsored by the DWP, is to examine social security legislation that the Secretary of State intends to bring forward and one stakeholder suggested that a merger with SSAC could be considered (*Peabody Trust*). However, another stakeholder was of the view that whilst SSAC was an obvious candidate it already had a heavy workload (*TUC*) and it is unclear to the reviewers whether it would have the capacity to take on the additional role.
43. Less formal structure – Creating ad-hoc working groups of experts co-opted for particular reviews would provide a less formal structure for IIAC. However, given the breadth of IIAC’s work programme this would be unlikely to enable it to fulfil its functions effectively or efficiently. Furthermore it would be unlikely to be as cost-effective as IIAC’s current delivery model as a NDPB. Stakeholders noted that a less formal structure was “not appropriate to deliver results with the transparency required by such sensitive matters” (*Giovanni Leonardi, Public Health England*) and “would also lead to the loss of a degree (perhaps a substantial degree) of independence” (*TUC*).

44. Delivery via a new Executive Agency – IIAC currently has no executive functions. Setting up an executive agency is usually only considered viable for bodies which employ more than 100 staff, as such this delivery model is not considered appropriate.
45. Continued delivery by a NDPB – This model would see IIAC continue the delivery of its functions on its existing basis (subject to any changes to address operational recommendations arising as a result of the triennial review). The review concluded that this was the preferred option – providing highly respected expertise, independence and credibility with a broad range of stakeholders in an extremely cost-effective way. Stakeholders overwhelmingly favoured this option. One stakeholder cited that “such expertise is in short supply and hard to come by” and that it was “doubtful that (the Government) could acquire such a large amount of scientific advice at such a low cost way in any other way” (*Society for Occupational Medicine*). The sentiments of this view were replicated by several stakeholders.
46. However, two respondents suggested that whilst IIAC was necessary and should continue as a NDPB, they felt that they had concerns that the way IIAC considered prescription was too restrictive (*Asbestos Victims Support Groups Forum* and the *UK National Hazards Campaign*). The Asbestos Victims Support Groups Forum voiced concerns about IIAC’s methods of operation stating that “the bar is often set too high for establishing the link between work and industrial diseases” and that the “system was too slow and inflexible”. The Forum also noted that they had been unable to outline all of its concerns in their submission due to the short consultation period. IIAC must fulfil statutory requirements when considering prescription, such that it must be ‘more likely than not’ that the disease is due to the exposure. The reviewers considered these comments from stakeholders primarily reflected constraints imposed by the legislative framework of the Scheme (paragraph 60) rather than IIAC’s role as a NDPB and a SAC. However, we would encourage the Forum to write a full submission to IIAC detailing its concerns, which the Council could respond to directly.

The Three Tests

47. As mentioned previously, a body must meet one or more of three tests to exist as a NDPB:
- 1) *Does IIAC perform a technical function which needs external expertise to be delivered – for example, a function that could not be delivered in a department by civil servants, and where it would not be appropriate to recruit staff with the necessary skills to the department to undertake the function?* IIAC performs a technical function requiring a broad range of scientific and medical expertise to deliver its remit of providing advice to the Secretary of State for Work and Pensions about the risks of occupational diseases and injuries in the context of the Industrial Injuries Scheme. IIAC meets this test.

- 2) *Do IIAC's activities need to be, and be seen to be, delivered with absolute political impartiality – for example where political involvement, or perceived involvement, could adversely affect commercial considerations, growth of the financial markets, or could lead to criticism of impartiality?* The Industrial Injuries Scheme provides benefits to employed earners who become sick or injured as a result of their work. The Scheme was brought into existence to combat the adversarial, and costly, nature of compensation by civil litigation between claimants (and their representatives, such as trade unions) and employers. IIAC provides a function that needs to be, and is perceived to be judging from the stakeholders comments, delivered with absolute political impartiality. IIAC meets this test.
- 3) *Does IIAC need to act independently of Ministers to establish facts and/or figures with integrity?* It is clear from the responses to the call for evidence that IIAC's status as an independent scientific advisory body is well-respected and provides confidence that its advice is based on high quality, impartial, scientific evidence within government, academia and both representatives of employers and employees. IIAC meets this test.

Conclusions of Stage One

48. The review has concluded that IIAC's functions are necessary to provide up-to-date, scientifically robust advice to the Secretary of State for Work and Pensions and the Department for Social Development in Northern Ireland about the risks of occupational diseases in the context of the Industrial Injuries Scheme. Its continued delivery as an independent, expert scientific advisory body remains the most efficient and effective way to deliver the Council's functions. IIAC passes each of the three tests required to retain its status as a NDPB. IIAC provides an efficient and effective service whilst offering excellent value for money and should continue to exist as an advisory NDPB.

Recommendations of Stage 1

Recommendation 1. IIAC should remain as a NDPB.
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Stage Two

49. The outcome of the first stage of the review was to recommend that IIAC's function is still required and that delivery as an advisory NDPB remains appropriate.

50. The review then went on to consider the control and governance of IIAC as part of the second stage of the review. Stage 2 considered:

- IIAC's compliance with the:
 - Principles of Good Corporate Governance for Advisory NDPBs; and
 - Code of Practice for Scientific Advisory Committees and the Principles of Scientific Advice to Government
- IIAC's efficiency

Compliance with the Principles of Good Corporate Governance for Advisory NDPBs

51. Stage Two of the review followed Cabinet Office's standard "comply or explain" approach when assessing IIAC's compliance, such that areas of non-compliance were identified and an explanation given about why an alternative approach had been adopted. Details about the review's consideration of IIAC's adherence with the principles of good corporate governance can be found at Annex C.

52. In summary, IIAC demonstrates good compliance with the principles of good corporate governance in relation to its accountability, communication, conduct and behaviour and the roles and responsibilities of the Chair and its members. The following recommendations were made, which we suggest should be implemented within the next six months:

Recommendation 2. Clear rules and systems should be established to enable Ministers to remove members due to poor performance or conduct should this be necessary.

Recommendation 3. Terms of appointment outlining the roles and responsibilities of IIAC members and the Chair and agreed and signed off by the individual, should be drafted and implemented.
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Recommendation 4. IIAC's register of interests should be published annually.

Recommendation 5. The record of claims for fees and expenses for the Chair

and members should be published annually.

Compliance with the Code of Practice for Scientific Advisory Committees and the Principles of Scientific Advice to Government

53. The second stage of the review also examined IIAC's working practices as a SAC, and whether these were in line with the GO-Science's Code of Practice for SACs (the 'Code') and the Principles of Scientific Advice to Government guidance (the 'Principles').

IIAC's working practices in formulating scientific advice

54. The Council's approach to formulating its scientific advice to Ministers shapes its working practices, and is explained below.

55. The RWG is the Council's permanent sub-committee which undertakes the detailed scientific examination of evidence before reporting to the full Council. The RWG meets independently of the full Council four times a year. The Secretariat includes a scientific adviser at senior scientific officer grade to provide scientific support necessary to facilitate IIAC's functions as a SAC.

56. IIAC's method of enquiry is clearly set out in its terms of reference (as recommended during the first triennial review of IIAC in 2012). The work programme consists of both reactive and proactive elements. IIAC interprets its reactive remit liberally and reviews items not only requested by the Secretary of State, but also by Members of Parliament, the DWP, medical specialists, trade unions, health and safety officials, victim support groups and attendees of IIAC's Public Meetings, and Council members themselves. IIAC's terms of reference state that "this reactive element is an essential on-going component of the work, valued by stakeholders, and which makes the Council accessible and open to reasonable enquiry, adaptable, and an intelligent user of information".

57. Much of the Council's work is proactive, being self-generated through horizon scanning and monitoring of research publications. Council members are experts in their fields and bring their own practical knowledge and research, experience and awareness of risks at work to bear on deciding which areas to examine.

58. When the Council begin a review the scientific adviser will undertake a comprehensive focused literature search for research evidence published in high quality, peer-reviewed, international medical and scientific journals. It is usual practice to place a call for evidence in the newsletters of the Society for Occupational Medicine and the Faculty of Occupational Medicine and on the IIAC

pages on gov.uk. IIAC may also request evidence, data and expert opinions from specific specialists in the relevant fields (e.g. academic researchers, trade union or industry officials) and may ask them to attend a meeting of the Council or RWG. Unpublished, or 'grey', literature is also considered by the Council.

59. IIAC does not have a research budget to fund scientific studies, although in the past it has been able to bid for funding to commission literature reviews or data analysis on specific topics by external academic experts. For example, in 2012/13 IIAC commissioned a review comparing medical assessments within the IIDB Scheme with similar schemes internationally after making a successful bid for £25,000 of Departmental funding.
60. In general the Council seeks consistent population-based (epidemiological) evidence from different studies, ideally of different research designs, from the UK and elsewhere, to confirm a link between an occupation and a disease. The standard of proof usually required by the Council (a greater than doubled risk of a disease occurring in an exposed group of workers compared to a suitable comparator group) is derived from legislative requirements and case-law, and is clearly explained in the Council's reports. Two stakeholders queried the standard of proof used by IIAC (paragraph 46) but as these standards reflect the Council's compliance with the statutory requirements of the Scheme, the reviewers suggest that these mark comments about the IIDB Scheme rather than IIAC per se.

Scientific Advisory Committee Purpose and Expertise

61. The Code and Principles specify that the committee should have clear roles and responsibilities, demonstrate independence and objectivity and contain the appropriate balance of expertise which is maintained. The future expertise required to fulfil the functions of the SAC should be anticipated.
62. Roles and responsibilities - The roles and responsibilities of IIAC are clearly defined in legislation and the Council's terms of reference. The terms of reference for IIAC are updated triennially and are cleared by the Council, offering a periodic formal opportunity for members to discuss the committee's role and activities. IIAC reports formally to the Secretary of State for Work and Pensions and DWP Ministers in line with statutory requirements. The Chair reports on a day-to-day basis to the sponsoring department through the Secretariat.
63. Balance and maintenance of expertise – There is a good balance of expertise within the Council (see paragraph 33) as evidenced during interviews with the Chair. The IIAC Chair is an adept leader who facilitates open discussions to capture the broad range of members' views. IIAC's decision making is evidence-based and a clear audit trail showing how its recommendations are reached is recorded in the minutes of the meetings and in the final reports. Reports are fully cited and

referenced and experts consulted are listed to provide further transparency in the Council's decision making. Stakeholder comments were unanimously complimentary about the level and balance of expertise on the Council. The Chair and the Secretariat discuss and agree the relevant areas of expertise required in advance of appointments to ensure that a complimentary balance of experts is maintained to effectively carry out IIAC's on-going and future work programme.

64. Members are leaders in their field and regularly maintain their professional training and development. The Secretariat provides learning opportunities for new and existing IIAC members as appropriate (e.g. induction pack, visits to IIDB offices).
65. Independence and objectivity – The Principles make clear the importance for scientific advisors to have independence and the expectation that they will operate free of influence from the sponsoring department or Ministers. Evidence from the Chair and IIAC members suggests that this is the case. The Chair commented that IIAC's work was led by the evidence without pressure or influence from the DWP or its Ministers. One respondent suggested that IIAC was "delivering a scheme under political restraint not to prescribe very many conditions" (*UK National Hazards Campaign*) but this was not reflected in the comments received from other stakeholders, such as the General Secretary of the TUC who stated that "unions accept that (IIAC's) decision has not been made to cut costs or restrict the scope of the Industrial Injuries Scheme" (*TUC*).
66. Appointments for the Chair and IIAC members are highlighted to a wide range of stakeholders and are made in accordance with the Commissioner for Public Appointments Code of Practice using clearly defined criteria.
67. IIAC demonstrates a commitment to operational openness and transparency by holding annual Public Meetings at geographical locations around the UK. IIAC is currently discussing further ways to promote these principles by trialling opening a regular business meeting of the full Council in March 2015.
68. IIAC has a number of regular observers from the DWP (medical, policy, operational and legal), representatives from Devolved Administrations (the Department for Social Development in Northern Ireland), the Health and Safety Executive and the Ministry of Defence, who operate a similar occupational disease and injury benefit compensation scheme for the Armed Forces. Stakeholder comments suggested that there was a good working relationship between Departmental and other observers that was mutually beneficial and should continue.

Membership

69. The Code provides guidance about members' rights and responsibilities, remuneration and expenses and declarations. These issues have already been addressed comprehensively elsewhere in this report (Annex C; Role of the Chair and members sections).
70. Liabilities and indemnity for members – The Cabinet Office Model Code of Practice for Board Members of Advisory NDPBs provides advice about the personal liabilities of individual members against legal proceedings by a third party due to fraudulent or negligent statements. The Government has indicated that individual board members who have acted honestly, reasonably, in good faith and without negligence will not have to meet out of their own personal resources any personal civil liability which is incurred in execution or purported execution of their board functions. This is already the position for IIAC.

Committee Support and Departmental Relationships

71. Role of the Secretariat – The IIAC Secretariat consists of a Secretary, Scientific Advisor and Administrative Secretary containing an appropriate balance of 'generalists' who understand policy development and 'specialists' to fulfil the technical functions necessary to support the Council. The Secretariat is provided by the DWP but the Secretariat is aware of the requirement for impartiality and the need to guard against bias in fulfilling its duties. The roles and responsibilities of the Secretariat are in line with those outlined in the Code and are clearly defined in each team members' objectives. Comments from IIAC members and the Chair indicated they were content with the support received from the Secretariat.
72. Relationship with the sponsoring department, Departmental CSA and Ministers – The Chair of IIAC and its members have good working relationships with a range of Departmental stakeholders. A DWP medical policy official attends all meetings of Council and the RWG. An IIDB policy official and an IIDB operational official also attend IIAC meetings. The Secretariat holds pre-meetings with Departmental stakeholders ahead of Council and RWG meetings to ensure early identification of potential issues; the Secretariat feeds back any issues identified to the IIAC Chair.
73. One of the recommendations of the 2012 triennial review was that the Chair should meet annually with the Minister. This has been implemented and the Chair has met with Minister each year since 2012; the next meeting is scheduled for July 2015. The Chair meets with the DWP CSA regularly. The performance of IIAC is discussed during these meetings. Both the Minister and the Departmental CSA have open invitations to attend IIAC meetings.

74. Relationship with the Chairs of other SACs – The Chair of IIAC attends GO-Science events to discuss common interests and to network with other SAC Chairs.
75. Role of other officials – IIAC is aware of the role of Departmental representatives and other officials that attend meetings. Officials attending IIAC meetings are aware of their roles as observers, and provide valuable input whilst respecting the Council's independence.

Working Practices

76. Working practices – The Principles set out that that SACs should operate from a presumption of openness. IIAC complies with this by publishing its agendas, minutes and reports, from those providing advice to Ministers through to information notes. Information notes detail preliminary reviews of evidence, or where limited evidence exists, where publication of a full report was not appropriate but where dissemination of information about occupational risks could potentially be helpful to the wider academic or health and safety community for the purposes of prevention.
77. Minutes of meetings and reports are prepared in accessible language as far as possible. Lay summaries explaining technical aspects are included in the minutes of meetings (this was a recommendation implemented as a result of the 2012 triennial review). Reports contain glossaries of technical terms and IIAC is mindful to use language understandable to the lay reader in the main text where possible. The Secretariat's Scientific Advisor identifies relevant available research. Where IIAC identify gaps in the evidence, it makes a call for evidence or a call for research to be undertaken, or has bid for Departmental funding to commission a literature review or to analyse existing data. IIAC's commissioned reviews are published.
78. Early identification of issues – IIAC has systems in place to enable early identification of scientific issues relating to the Industrial Injuries Scheme through consideration of its Biannual Abstracts booklet. This booklet contains a search of peer-reviewed national and international scientific research literature published in the previous six month period relating to occupational diseases and injuries, focusing on areas of current and past interest to IIAC. Council members, through their own professional networks, are aware of emerging research and highlight these issues as appropriate.

79. Reporting of risk and uncertainty – The Code recommends that SACs should aim to have a transparent and structured framework to examine, debate and explain the nature of the risk. All Council reports that contain recommendations to Minister refer to the statutory framework underpinning IIAC’s decision making. IIAC’s scientific approach to decision making is clearly explained at each Public Meeting. IIAC bases its decisions on all the available evidence, and clearly highlights areas where there are gaps in the knowledge base or a degree of uncertainty. IIAC does not make recommendations to Minister unless it is satisfied that the legal requirements necessary for prescription have been met.
80. Procedures for arriving at conclusions – The Council work is evidence based and the rules governing prescription are clearly defined. The Chair encourages open and frank discussion, with every Council member being given the opportunity to provide their views. The standard procedures taken during reviews are clearly outlined in IIAC’s terms of reference, and include seeking comments and opinions from external stakeholders and experts where necessary.
81. Dealing with dissenting views in committee – IIAC sets great store by gaining consensus agreement, if at all possible, for the Council’s conclusions. Divergences of opinion are recorded impartially and unattributably in the minutes of the meeting. The Chair ensures that issues, including dissenting issues, raised by members are investigated as far as possible by seeking additional evidence or obtaining expert opinions to provide a basis for consensus.
82. Communication with the public – IIAC communicates with the public by publishing a range of information (see paragraph 76) on the gov.uk/iiac webpage and via its annual Public Meeting (see paragraph 83). Stakeholder comments suggested that Public Meetings were a valued form of communication with IIAC. The Council’s Secretariat responds to all emails, telephone calls and letters, clearing the content with the Chair or members as necessary.
83. Open meetings – IIAC’s Public Meeting is focused on providing attendees with information about the Council’s role, remit, scientific approach to decision making and to provide an overview of recent review topics. Sufficient time is allotted to question and answer sessions, and there is also an open forum where any issue may be raised. Feedback collected by the Secretariat during the Public Meetings is overwhelming positive.
84. IIAC is trialling holding an open business meeting of the Council in March 2015 in the spirit of openness, transparency and engaging with stakeholders. This step is welcomed by the reviewers.

85. Public consultation – It is usual practice for IIAC to make a call for evidence for reviews about occupational diseases that may lead to recommendations to Ministers about changes to legislation. The Secretariat publicises these calls as widely as possible to ensure that relevant parties, including academics, centres of scientific excellence and learned societies are made aware of the consultation. Records are kept of the responses and a list of experts or stakeholders consulted is published in IIAC reports.
86. Peer review – Depending on the nature of the review, IIAC asks external experts for comments about its draft reports prior to publication. All of IIAC's reports contain a full list of references which are cited appropriately in the text to provide sufficient detail to allow others to review the Council's decision making.
87. Information exchange – IIAC members, through their own professional networks, provide information relevant to IIAC, including relevant international committees. A Ministry of Defence (MoD) official attends both IIAC and RWG meetings as an observer to provide a link between the Industrial Injuries Scheme and the War Pensions Scheme and the Armed Forces Compensation Scheme, including relevant reviews undertaken by the Independent Expert Medical Group, a MoD scientific NDPB.
88. Dealing with confidential information – Predominantly IIAC handles research literature that is already in the public domain. The Council has no access to DWP data systems. Where confidential statistics are provided to the Council by the Department, members are made aware of the confidential nature of the data and the information is handled according to DWP policies. The Secretariat asks experts or stakeholders who provide confidential data to the Council to ensure that the information is redacted and/or anonymised. The Secretariat deals with any information sent to the Council uninvited according to DWP policies and legislation on handling confidential information.
89. Engaging the broader academic community – IIAC members comprise of national and international experts in their fields, as such their networks for engaging with the wider academic community are broad, well established and provide a valuable source of information and evidence. The responses from the stakeholder consultation support this.
90. Handing disagreement with sponsoring body or Ministers – On rare occasions the Government does not accept IIAC's recommendations; this last occurred in 1995. The Council accepts that policy decisions are based on a range of factors in addition to its own advice as evidenced by comments from the Chair and Council members.

Communication and Transparency

91. Publication of documents – Openness from the outset about risks and concerns can sometimes prevent difficult situations from arising later on. IIAC’s policy on the publication of its documents is outlined in its terms of reference. IIAC publishes its agendas, minutes, calls for evidence, annual reports, commissioned reviews, terms of reference and reports of reviews.
92. The Code states that committees should publish their programmes of work and, unless there are reasons to the contrary, should also consider publishing supporting documentation used in the formulation of its advice. IIAC already fully identifies its sources of evidence by providing research citations for published research, or by indicating the source of unpublished information. The Council has a document outlining its programme of work, which is regularly updated by the Secretariat and cleared by IIAC. We recommend that the Council’s rolling programme of work is published annually.

Recommendation 6. IIAC should publish its rolling programme of work annually.

93. Working papers – The Code suggests bodies consider publishing interim working papers. IIAC’s draft Command papers containing recommendations to Minister would not be suitable for early publication. The draft working papers for reviews which detail IIAC’s position on a topic (position paper) or provide a preliminary analysis of the evidence (information note) could potentially be routinely published, but due to the large number of reviews IIAC undertakes the reviewers are wary that the additional administrative burden on the Secretariat and Departmental IT team would be disproportionate for a small, advisory body.
94. Communication with the media – The Code suggests that generally the Chair would act as spokesperson for the SAC in media engagement and when responding to requests for media statements. IIAC’s work is not high profile and there are no records of any requests for media engagement or media statements in the past. However, in the event that such a request was made the Chair would act as a spokesperson and is aware that the Department offers media training for such eventualities.

Efficiency

95. Efficiency is a key driver in the triennial review programme, marking a more explicit focus on examining the efficiency and effectiveness of public bodies. A

review of efficiency proportionate to the size, role and remit of IIAC has been considered as detailed in the table below.

Efficiency driver	Assessment
Property	IIAC does not hold any property. No efficiency savings can be proposed.
Shared services	<p>The Department has recently begun to bring its NDPB sponsorship and Secretariat teams together in order to find efficiencies in the way this type of support is provided by DWP staff. Changes to the Secretariat administration and sponsorship team recently mean that appointments will now be undertaken by central sponsorship administrative team. This will free up some of the Administrative Secretary's time. However, there are only two or three appointments or re-appointments annually and these were already clustered to maximize efficiency savings.</p> <p>The Secretariat has reduced by approximately one third in size over the last 12 months and its staffing requirement was reviewed when it joined a new Sponsorship Division. It is not considered that it could function effectively with less resource. IIAC members were content with the current Secretariat resources, but one member suggested there had not yet been "sufficient time to evaluate the impact of recent reductions in staffing".</p>
Procurement of common goods and services	IIAC does not procure common goods or services.
Areas subject to Cabinet Office Spending Controls	Advertising is under Cabinet Office Spending Controls. IIAC adheres to DWP policy placing restrictions on advertising by using the IIAC webpages on gov.uk, free trade and industry, academic or professional body's newsletters or social media sites and through stakeholder networks.
Major Projects	IIAC does not undertake work that would fall under this category.
Workforce	IIAC does not employ its own staff. The DWP provides a Secretariat to support the Council in its work.
Commercial Relationships/ Technology infrastructure/ Construction/ Fraud, Error and Debt	IIAC is a small, advisory body and as such efficiency issues of commercial relationships, technology infrastructure, construction and fraud, error and debt are not relevant.

Reported savings	IIAC has no separate budget.
Digital by default	<p>The IIAC website has recently been brought under the gov.uk umbrella. IIAC members are generally content with the changes to the website. IIAC operates in the spirit of 'digital by default' by publishing a variety of information online. Historical reports are also available online or in electronic format upon request. The Secretariat has reduced the number of paper copies required for publication to the minimum, relying instead on digital distribution.</p> <p>Stakeholders, the Council's Chair and its members were generally happy with IIAC's current digital presence. The Council and the Secretariat are currently considering ways to further engage stakeholders through digital means.</p> <p>A stakeholder stated that "any technology which can improve the quality and efficiency of service delivery should be considered" but highlighted that "money spent on providing IIAC's core functions must not be jeopardized" (<i>Thompsons Solicitors</i>).</p> <p>The TUC response pointed out that record-keeping for claims and assessments for the Industrial Injuries Scheme is largely paper based. Only limited data are available electronically and the respondent noted that this was "largely a Departmental issue, but it feeds through to IIAC, which has to think carefully before asking for information about the operation of the Scheme" (<i>TUC</i>).</p>
Comparison of administration costs for similar bodies in 2013/14	<p>IIAC expenditure = £48,000 (2012/13) Staff costs = £80,300</p> <p>Council for Science and Technology expenditure = £50,000 (2013/14) Staff costs = £130,000</p> <p>Veterinary Products Committee expenditure = £71,000 (2012)</p>

Conclusions

96. We have considered IIAC as a NDPB and a SAC and are satisfied that:

- There is a continuing need for the provision of independent, expert, scientific advice to the Secretary of State for Work and Pensions and the Department for Social Development in Northern Ireland about the Industrial Injuries Scheme in accordance with primary legislation.
- IIAC provides valuable, high quality, well-respected scientific advice to the Government about the Industrial Injuries Scheme and its functions play a vital role in ensuring Scheme benefits are based on credible, up-to-date scientific evidence.
- Following a review of other delivery options, IIAC continue to carry out its functions as it offers cost-effective advice of a high calibre, in an independent and transparent way.
- IIAC meets each of the 'three tests' for remaining as a NDPB and should be retained in its current form.
- The Council demonstrates good compliance with the principles of good corporate governance. There is good accountability for IIAC. It operates in a transparent and open way, communicating and engaging with both internal and external stakeholders, as well as the wider academic community.
- IIAC is an efficient and effective body providing high quality advice that is well respected by a broad range of stakeholder whilst offering value for money to the taxpayer.
- The current sponsorship arrangements work effectively and are appropriate for IIAC to fulfil its functions efficiently.

Recommendations

97. Following the results of our review of IIAC we recommend that:

Recommendation 1. IIAC should remain as a NDPB.
Recommendation 2. Clear rules and systems should be established to enable Ministers to remove members due to poor performance or conduct should this be necessary.
Recommendation 3. Terms of appointment outlining the roles and responsibilities of IIAC members and the Chair and agreed and signed off by the individual, should be drafted and implemented.
Recommendation 4. IIAC's register of interests should be published annually.
Recommendation 5. The record of claims for fees and expenses for the Chair and members should be published annually.

Recommendation 6. IIAC should publish its rolling programme of work annually.

98. We suggest that these recommendations are implemented within the next six months.

Annex A: Terms of Reference of the Review

Terms of Reference

Triennial Review for the Industrial Injuries Advisory Council (IIAC) as an Non-departmental Public Body (NDPB) and as a Scientific Advisory Body

Objective:

All public bodies are required to be reviewed every three years. In accordance with Cabinet Office guidance 'Triennial Review: Guidance on reviews of Non-Departmental Public Bodies' (revised in 2014), the IIAC review will have two principal aims, represented by two stages:

- Stage 1 - To provide a robust challenge of the continuing need for IIAC – both its function and form; and
- If it is agreed that IIAC remain as a NDPB, to proceed with Stage 2 by reviewing:
 - i. Its capacity for delivering more effectively and efficiently, including identifying potential for efficiency savings and its ability to contribute to economic growth; and
 - ii. The control and governance arrangements in place to ensure that IIAC and the DWP are complying with recognised principles of good corporate governance. This should also include an assessment of IIAC's performance.

Scope:

Within this context, the review will consider:

- Whether the functions are still required;
- Whether delivery of the functions continue to contribute to wider government policy (including economic growth);
- Whether IIAC's governance structure effectively supports the delivery of these functions or whether an alternative delivery model is more suitable (the review will consider a variety of different delivery models);
- Whether commercial opportunities are being maximised and what can be done to increase commercial functions in the future;

- The 'counterfactual' – that is, the effects of not delivering the functions. Whether IIAC's corporate governance and management arrangements are sufficiently robust and transparent;
- What IIAC's admin costs are and how they compare against a/the benchmark(s) for other similar organisations in the UK and internationally; consider cost of running the estate; ICT; Corporate Services; HR and energy. What options are there for additional savings e.g. shared services with other arms-length bodies. The review should also consider the proportion of spend that goes through centralised procurement arrangements to determine if the best use is made of central procurement;
- Whether IIAC's services are digital by default as set out in the Government Digital Strategy;
- How IIAC contributes to the transparency agenda and the Department's Open Data Strategy, assessing whether further steps could be taken;
- The services that are subject to spending controls;
- The accountability, governance and sponsorship arrangements as appropriate following recommendations at Stage 1;
- A review of the Sponsorship relationship, ensuring it is appropriate and fit for purpose.

Ministerial sign off:

The Department for Work and Pensions Minister of State for Disabled People will have oversight of the Review. Cabinet Office and Government Office for Science officials will comment on the report before Ministerial sign off and both Cabinet Office and Department for Work and Pensions Ministers will be asked to agree the report and recommendations before publication.

Review Team:

A review team has been set up that is independent of IIAC and the sponsor team. The review team consists of Dr Pui-Ling Li and Dr James Bolton as lead reviewers, and Ms Pauline Convery as administrative support.

Methodology:

Stakeholder and IIAC consultation, review of documents and comply or explain (Stage 2).

Timing:

The review will start in January 2015 and is expected to publish its recommendations by March 2015 (Annex 1).

Stakeholders:

The review team will send a letter asking for opinions and evidence from a range of stakeholders (Annex 2).

Significant deliverables:

- Written Ministerial Statement announcing the commencement of the review;
- Terms of reference;
- Consultation letter;
- Final Report

Annex B: List of Stakeholders Consulted

Work & Pensions Select Committee
Departmental Board

Employees

- TUC
- NUM

Employers

- CBI
- Federation of Small Businesses

Professional interest

- HSE
- ATOS Healthcare
- Maximus
- Tribunal Service

Scientific & Academic interest

- Institute of Occupational Medicine
- Society for Occupational Medicine
- Professor Sir Anthony Newman Taylor, Imperial College
- Professor David Coggan, University of Southampton
- Professor Giovanni Leonardi, Public Health England

Welfare Rights

- Asbestos Victims Support Groups Forum

OGD

- Department of Social Development in Northern Ireland

The call for evidence was also published on gov.uk/iac for broader stakeholder consultation. An interview was held with the Chair of IIAC and comments were requested from IIAC members and Departmental stakeholders.

Annex C: Compliance with the Principles of Good Corporate Governance

In undertaking reviews departments should employ the standard “comply or explain” approach to corporate governance. This section details, against each principle of the code, whether the body complies or not; and where it doesn’t, it explains why.

IIAC Adherence to the principles of corporate governance for advisory NDPBs		
Description	Comments	Compliance assessment
Principle: Accountability		
The Minister is ultimately accountable to Parliament and the public for the overall performance, and continued existence, of the advisory NDPB.	<p>IIAC is an advisory body comprised of members appointed by the Minister for Disabled People on behalf of the Secretary of State for Work and Pensions in accordance with the Code of Practice for Public Appointments.</p> <p>Ministers are accountable to Parliament and the public for the overall performance and continued existence of IIAC. The Minister is asked to agree to IIAC’s advice, in the form of command and position papers, and their annual report being published, ensuring openness and transparency in their work.</p> <p>Minister meets with the Chair of IIAC to discuss the Council’s performance, as recommended by the 2012</p>	Comply

	triennial review.	
Supporting provisions		
The Minister and sponsoring department should exercise appropriate scrutiny and oversight of the advisory NDPB. This includes oversight of any public monies spent by, or on behalf of, the body.	The Council does not have a budget of its own but has funding allocated out of Departmental resources. Scrutiny of IIAC's activities is undertaken by the sponsoring department through the routine monitoring of governance arrangements, the Council's annual report and day-to-day oversight by the IIAC Secretariat. Scrutiny and oversight of IIAC's expenditure and claims for travel and subsistence is provided by the IIAC Secretariat. Oversight of all expenditure on behalf of the body is undertaken by the Private Pensions and Stewardship Directorate.	Comply
Appointments to the advisory NDPB should be made in line with any statutory requirements and, where appropriate, with the Code of Practice issued by the Commissioner for Public Appointments.	All IIAC's appointments are made in line with legislative requirements and the Office of the Commissioner for Public Appointments' Code of Practice. Appointments are by open competition against clearly defined criteria.	Comply
The Minister will normally appoint the Chair and all board members of the advisory NDPB and be able to remove individuals whose performance or conduct is unsatisfactory.	The Minister for Disabled People appoints all IIAC members, including the Chair. The Code of Conduct for Board members of Public Bodies is included in an induction pack for members. In this pack members are advised that it is their responsibility to be familiar with, and comply with, all the provisions of the Code. Annual appraisals are conducted to ensure that performance and conduct are reviewed.	Explain

	Processes to enable the Secretary of State for Work and Pensions to remove individuals based on unsatisfactory performance or conduct are not defined. We recommend that clear rules and systems be established to enable Ministers to remove members due to poor performance or conduct should this be necessary. (Recommendation 2)	
The Minister should meet the Chair on a regular basis.	The IIAC Chair meets with the Minister on an annual basis. The Minister has also attended IIAC meetings at the invitation of the Chair.	Comply
There should be a requirement to inform Parliament and the public of the work of the advisory NDPB in an annual report (or equivalent publication) proportionate to its role.	IIAC publishes an annual report on its activities, which is placed in the House libraries and available from its webpages on gov.uk.	Comply
The advisory NDPB must be compliant with Data Protection legislation.	IIAC is compliant with Data Protection legislation. The Secretariat ensures that any information passed to them from the Department or other stakeholders has been redacted.	Comply
The public body should be subject to the Public Records Acts 1958 and 1967.	IIAC is compliant with the Public Records Acts. The Secretariat ensures records are kept up-to-date and that registered files are stored appropriately.	Comply
Principle: Roles and responsibility		
The Departmental Board ensures that there are appropriate governance arrangements in place with the advisory NDPB.	Governance arrangements for IIAC are overseen by the Council's Secretariat and as a part of wider DWP arm's length bodies governance arrangements. Regular updates are included in reports for the Departmental	Comply

	Board on IIAC's governance arrangements by the Secretariat, as recommended during the 2012 triennial review.	
There is a sponsor team within the department that provides appropriate oversight and scrutiny of, and support and assistance to, the advisory NDPB.	Oversight and scrutiny of IIAC is provided by the Director of the Private Pensions and Stewardship Directorate. The IIAC Secretariat provides day-to-day support and assistance to the Council and fulfills the sponsorship role.	Comply
Supporting provisions		
The Departmental Board's agenda should include scrutiny of the performance of the advisory NDPB proportionate to its size and role.	IIAC's performance report forms part of the wider arm's length bodies reporting to the Departmental Board.	Comply
There should be a document in place which sets out clearly the terms of reference of the advisory NDPB. It should be accessible and understood by the chair and members of the advisory NDPB. It should be regularly reviewed and updated.	IIAC has clear terms of reference which are published on IIAC's page on gov.uk. The Chair and Council members understand the terms of reference and review and update them triennially, or as often as required. It was last updated in January 2015.	Comply
There should be a dedicated sponsor team within the sponsor department. The role of the sponsor team should be clearly defined.	The Department provides IIAC with a Secretariat, consisting of a Secretary, Scientific Advisor and Administrative Secretary who act as the sponsorship team. The roles of the sponsorship team are clearly defined in the team's objectives and in guidance issued to all DWP's sponsor teams. Line management for the sponsorship team does not reside within the Secretariat.	Comply
There should be regular and ongoing dialogue between the sponsoring department and the advisory	Regular and ongoing dialogue occurs frequently with Departmental officials and Ministers as appropriate.	Comply

NDPB.	Departmental officials attend all meetings of the full Council and Council's permanent sub-committee as observers. IIAC regularly seeks the advice and opinions of wider Departmental stakeholders during the course of its work.	
There should be an annual evaluation of the performance of the advisory NDPB and any supporting committees – and of the Chair and individual members.	The performance of IIAC members is assessed every year through self-assessment signed off by the Chair or face-to-face appraisals. Appraisal of the Chair is conducted annually by a Senior Civil Servant. An annual report on the Council's performance is published.	Comply
Principle: Role of the Chair		
The Chair is responsible for leadership of the advisory NDPB and for ensuring its overall effectiveness.	The Chair leads the Council in a way that ensures IIAC adheres to the Code of Practice for NDPB and the Code of Practice for SACs in providing IIAC's functions. Evidence for his effectiveness can be seen in his appraisal record and in IIAC's annual reports.	Comply
Supporting provisions		
The advisory NDPB should be led by a non-executive Chair.	IIAC's Chair is an independent scientific expert.	Comply
There should be a formal, rigorous and transparent process for the appointment of the Chair. This should be compliant with the Code of Practice issued by the Commissioner for Public Appointments. The Chair should have a clearly defined role in the appointment of non-executive board members.	Appointment of the IIAC Chair is by open competition with clearly defined criteria, in a process overseen by an independent assessor in accordance with the Commissioner for Public Appointments' Code of Practice. The Chair is a member of the recruitment panel with a clearly defined role in the appointment of IIAC members.	Comply.

<p>The duties, role and responsibilities, terms of office and remuneration (if only expenses) of the Chair should be set out clearly and formally defined in writing.</p>	<p>The terms of office and remuneration are outlined in the role specification prior to appointment and in the Chair's induction pack.</p>	<p>Comply</p>
<p>Terms and conditions must be in line with Cabinet Office guidance and with any statutory requirements. The responsibilities of the Chair will normally include:</p> <ul style="list-style-type: none"> - representing the advisory NDPB in any discussions with ministers; - advising the sponsoring department and ministers about member appointments and the performance of members; - ensuring that the members have a proper knowledge and understanding of their role and responsibilities. The Chair should ensure that new members undergo a proper induction process and is normally responsible for undertaking an annual assessment of non-executive board members' performance; - ensuring that the advisory NDPB, in reaching decisions, takes proper account of guidance provided by the sponsoring department or ministers; and - ensuring that the advisory NDPB carries out its business efficiently and effectively; and representing the views of the advisory NDPB to the general public, when required. 	<p>The roles and responsibilities of the Chair are outlined in the role and person specification during the recruitment process and in the induction pack for new members.</p> <p>The IIAC Chair:</p> <ul style="list-style-type: none"> - represents IIAC in any discussions with Ministers; - undertakes an annual appraisal in conjunction with the IIAC Secretary to review members' performance and is part of the interview panel for recruitment of new members; - agrees the induction pack for new members prepared by the Secretariat; - ensures IIAC's advice and recommendations take account of Departmental guidance and Ministers as reflected in the minutes from Council meeting and in IIAC's publications; - provides focused leadership to proceed IIAC business efficiently and effectively both during and in between meetings and overseeing its forward work programme; and - represents IIAC's views to the general public 	<p>Comply</p>

	effectively during the Council's Public Meetings.	
Principle: Roles of other members		
The members should provide independent, expert advice.	IIAC membership comprises independent academic, medical and legal experts. Legislation also requires an equal representation from employers and employees. The spread of expertise within the IIAC membership enables robust, respected, independent expert advice to be provided to the Secretary of State for Work and Pensions and the Department for Social Development in Northern Ireland about the Industrial Injuries Scheme.	Comply
Supporting provisions		
There should be a formal, rigorous and transparent process for the appointment of members to the advisory NDPB. This should be compliant with the Code of Practice issued by the Commissioner for Public Appointments.	Appointment of IIAC members is by open competition with clearly defined criteria. The process includes an independent panel member in accordance with the Commissioner for Public Appointments' Code of Practice.	Comply
Members should be properly independent of the department and of any vested interest (unless serving in an ex-officio or representative capacity).	Members are required to declare any relevant interests and conflicts of interest upon appointment and this information is registered. Members are asked to state any new conflicts of interest at the start of each Council meeting. The register of relevant interests and conflicts of interest is updated as required.	Comply
Members should be drawn from a wide range of diverse backgrounds, but should have knowledge and expertise in the field within which the body has been set up to advise ministers. The advisory NDPBs as a whole should have an appropriate balance of	During the appointment process, the Secretariat seeks applications from as diverse a field as possible and includes in its application pack the DWP Diversity and Equality Policy Statement. IIAC members are drawn from a wide range of	Comply

<p>skills, experience, independence and knowledge.</p>	<p>backgrounds including academic and clinical experts in epidemiology, occupational medicine, statistics, respiratory medicine and rheumatology, lawyers and health and safety officials and representatives from a number of trade unions. The members of IIAC are highly-respected figures and, in several cases nationally and internationally recognized experts in their fields. There is an appropriate balance of skills, experience and knowledge across the Council which is reflected in the high quality, robust advice provided by IIAC as evidenced in the responses from stakeholders during the review consultation.</p>	
<p>The duties, role and responsibilities, terms of office and remuneration of members should be set out clearly and formally defined in writing. Terms and conditions must be in line with Cabinet Office guidance and with any statutory requirements.</p>	<p>The duties, role and responsibilities and remuneration of members are set out in the application pack to candidates and in induction material provided to new starters. Members' fees are determined by the Secretary of State for Work and Pensions and expenses are paid in line with DWP policy.</p> <p>To safeguard compliance with good corporate governance, accountability and transparency, and to provide a lasting record of reference for existing members the reviewers recommend that that terms of appointment clearly outlining the roles and responsibilities which are agreed and signed by the individual should be drafted and implemented. (Recommendation 3)</p>	<p>Comply</p>
<p>All members must allocate sufficient time to the</p>	<p>The time commitment required of IIAC members is</p>	<p>Comply</p>

<p>advisory NDPB to discharge their responsibilities effectively.</p>	<p>outlined as part of the recruitment pack for new members to ensure that successful candidates have capacity to take on the role. A record of attendance and participation in IIAC's meetings and meetings of its permanent sub-committee meetings is kept by the Secretariat. A review of attendance forms part of members' annual appraisal process.</p>	
<p>There should be a proper induction process for new members. This should be led by the Chair. There should be regular reviews by the Chair of individual members' training and development needs.</p>	<p>Upon appointment members receive an induction training pack covering IIAC's role, remit, function and process for decision making. The Chair holds informal discussions with each new member at the start of their appointment. Members are offered relevant learning opportunities, such as visiting medical assessment and benefit delivery centres.</p>	<p>Comply</p>
<p>All members should ensure that high standards of corporate governance are observed at all times. This should include ensuring that the advisory NDPB operates in an open, accountable and responsive way.</p>	<p>The Council publishes its reports which provide evidence of members' impartiality, integrity and objectivity in relation to the advice they provide. Members follow the Seven Principles of Public Life as set out by the Committee on Standards in Public Life. Moreover, they comply with the Code of Practice for SACs, operating in an open transparent and independent way. In addition to the material published on gov.uk/iac website, IIAC also holds Public Meetings to facilitate open dialogue and demonstrate transparency in its decision making to its stakeholders.</p>	<p>Comply</p>
<p>Principle: Communications</p>		
<p>The advisory NDPB should be open, transparent, accountable and responsive.</p>	<p>IIAC publishes the reviews it conducts as Command papers, position papers and information notes. Evidence</p>	<p>Comply</p>

	<p>in reports is referenced and a glossary of terms is included for clarity. The Council holds an annual Public Meeting. Its reviews are based on requests from a wide range of stakeholders, horizon scanning exercises undertaken by the Council and items raised by individual members based on their own research knowledge and interests.</p>	
<p>Supporting provisions</p>		
<p>The advisory NDPB should operate in line with the statutory requirements and spirit of the Freedom of Information Act 2000.</p>	<p>IIAC operates in line with the statutory requirements and spirit of the Freedom of Information Act 2000. Details about how to make a Freedom of Information request are provided on the IIAC page on the gov.uk website. Agendas, minutes from meetings, IIAC reports detailing its advice to Ministers, and reports detailing findings from reviews which do not result in recommendations for changes to the Industrial Injuries Scheme are all published online.</p>	<p>Comply</p>
<p>The advisory NDPB should make an explicit commitment to openness in all its activities. Where appropriate, it should establish clear and effective channels of communication with key stakeholders. It should engage and consult with the public on issues of real public interest or concern. This might include holding open meetings or annual public meetings. The results of reviews or inquiries should be published.</p>	<p>IIAC is committed to openness in all its activities. It publishes its agendas, minutes, and reports. Its reports are fully referenced and contain a list of experts consulted to provide an audit trail of the evidence considered. The Council promotes openness within its technical reports for lay readers by including glossaries of scientific terms and by providing lay summaries in its minutes.</p> <p>IIAC holds an annual Public Meeting which provides an opportunity for stakeholders and any other interested parties to discuss issues of concern with the Council.</p>	<p>Comply</p>

	These meetings also provide an opportunity for the Council to discuss its role and responsibilities and communicate examples of recent reviews. The proceedings from these annual Public Meetings are also published on the IIAC presence on the gov.uk website.	
The advisory NDPB should proactively publish agendas and minutes of its meetings.	IIAC publishes its agendas and minutes on its webpages on gov.uk.	Comply
There should be robust and effective systems in place to ensure that the advisory NDPB is not, and is not perceived to be, engaging in political lobbying. There should also be restrictions on members attending Party Conferences in a professional capacity.	This requirement is met. IIAC bases its evidence on the scientific evidence available to it. Members are required to declare any political activities on an annual basis. Conflicts of interest are an agenda item at every meeting of the Council and its permanent sub-committee, the RWG. The Secretariat ensures members are aware of the up-to-date guidance for arm's length bodies in relation to political events.	Comply
Principle: Conduct and behaviour		
Members should work to the highest personal and professional standards. They should promote the values of the advisory NDPB and of good governance through their conduct and behaviour.	Members are experts in their own fields and operate to high personal and professional standards, keeping their professional training and professional memberships up-to-date. They are aware of their responsibilities as members of the Council. These are set out in their Code of Conduct and operate in accordance with the Nolan Principles.	Comply
Supporting provisions		
A Code of Conduct must be in place setting out the standards of personal and professional behaviour	The Code of Conduct for the standards of personal and professional behaviour expected from IIAC members is	Comply

<p>expected of all members. This should follow the Cabinet Office Code. All members should be aware of the Code. The Code should form part of the terms and conditions of appointment.</p>	<p>included in the induction pack. The information in the pack also makes members aware of the Cabinet Office Code of Conduct.</p>	
<p>There are clear rules and procedures in place for managing conflicts of interest. There is a publicly available Register of Interests for members. This is regularly updated.</p>	<p>Conflicts of interest are an agenda item at every meeting of the Council and its permanent sub-committee, the RWG. A register of members' interests is maintained by the Secretariat and updated regularly and is available on request.</p> <p>We recommend that IIAC's register of interests is published annually. (Recommendation 4)</p>	<p>Explain</p>
<p>There must be clear rules in place governing the claiming of expenses. These should be published. Effective systems should be in place to ensure compliance with these rules.</p>	<p>Travel and subsistence is payable within DWP guidelines as outlined in the IIAC Induction Pack and published in the Council's annual report. The Secretariat ensures compliance with these rules and keeps a record of claims.</p> <p>Claims for fees and expenses are not currently published. We recommend that this information should be published annually. (Recommendation 5)</p>	<p>Explain</p>
<p>There are clear rules and guidelines in place on political activity for members and that there are effective systems in place to ensure compliance with any restrictions.</p>	<p>Members are required to declare any political activities on an annual basis. The parameters of these activities are clearly defined and the declarations are monitored for compliance by the Secretariat.</p>	<p>Comply</p>
<p>There are rules in place for members on the</p>	<p>There are no other rules in place for members on the</p>	<p>Explain</p>

<p>acceptance of appointments or employment after resignation or retirement. These are enforced effectively.</p>	<p>acceptance of appointments or employment after resignation or retirement. IIAC's decision making is based on the evidence, the vast majority of which is already published. IIAC does not handle commercially sensitive data.</p> <p>Furthermore, introducing restrictive measures for future appointments or employment following membership of IIAC could act as a deterrent for new applicants to the Council. The independent members originate from a narrow pool of expertise. IIAC has been successful at attracting high calibre expertise, but restrictions introduce an additional risk which the reviewers suggest is unnecessary.</p>	
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Annex D: Responses to the consultation

Name of stakeholder
Asbestos Victims Support Groups Forum UK
Professor David Coggon, University of Southampton
EEF The Manufacturers' Organisation
Professor Giovanni Leonardi, Public Health England
National Union of Mineworkers
Peabody Trust
Society for Occupational Medicine
Professor Sir Anthony Newman Taylor, Imperial College London
Thompsons Solicitors
TUC
UK National Hazards Campaign