

Diffuse Mesothelioma Payment Scheme (DMPS)

Oversight Committee

26 May 2016

13:00-15:00

Minutes

Attendees:

Baroness Rita Donaghy	Chair
Bridget Collier	Association of Personal Injury Lawyers
Graham Dring	Asbestos Victims Support Group Forum
Hugh Robertson	Trades Union Congress
Laurence Besemer	Forum of Insurance Lawyers
Jackie Ross	Gallagher Bassett International (scheme administrator)
Annette Loakes	DWP
Rebecca Murphy	DWP

Apologies:

Steve Bellingham	Royal Sun Alliance Insurers
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1. Welcome and introductions

The Chair welcomed members to the meeting and noted the apology.

2. Minutes and actions from the last meeting

Minutes of the October meeting were agreed.

3. AP1 - DWP to consider drafting a leaflet to raise awareness of DMPS and other Schemes.

Committee members were updated on an outstanding action to enquire about refreshing the 'Help and advice for people with mesothelioma' leaflet. DWP Communications team have agreed to update the Gov.uk website but not to refreshing the hard copy - leaflet format. The DWP Communications team will be responsible for completing this work and will ensure that any associated links are up dated where appropriate.

The Chair noted that most claimants were probably assisted and enabled via other networks, not least by their children. Members agreed there was still a need for up dated leaflets to be

placed within hospitals and for healthcare specialists. Two committee members agreed to take a further look at this issue and possibly update the leaflet through other means.

3. AP2 - DWP to provide the committee with a hard copy of the committee's annual report once published.

Committee conveyed their thanks to Stuart Whitney for providing the updated scheme management information (MI) on time and for his overall support to the Committee.

4. AP3 - DWP to investigate the potential for applicants to be disadvantaged as a result of ELTO search results not specifying dates of insurance cover

The scheme administrator reassured committee members that they have the legislative competence to re-open a claim if the customer requests a review of the original decision. In the circumstance whereby a non-specific ELTO search subsequently reveals that the insurer had not been on cover and therefore a civil claim against that insurer would prove fruitless, it is possible for a claim to be re-opened and a review of the original decision may take place. The scheme administrator has the flexibility to review the decisions in light of the new evidence.

5. AP4 - Committee to look at solicitor-led versus claimant-led applications and review respective outcomes in 2016/17 as well as conduct a further review of a small sample of cases.

Ahead of this meeting, the scheme administrator had drawn a small sample of both solicitor and claimant-led claims and observed that an equal number of reminders (for additional information etc) had been sent in both sets of cases. Also of note, was that both types of claims appeared to have equivalent success/fail claim rates.

The Committee requested 20 fully assessed and cleared cases be randomly selected for scrutiny by committee members. That the exercise should take place in January 2017. The scheme administrators agreed to facilitate this exercise.

A.P Scheme administrators to conduct a random selection of 20 cases in January '17. That papers from this selection be redacted and sent securely to members in February '17 ahead of a full meeting of members in May '17. For further discussion at October meeting.

6. Scheme MI

The committee noted the overall number of new claims to be slightly higher than the original impact assessment suggested, but that new claim success rates appeared stable.

Also of note was the reduction in the number of reviews this year. Members asked the scheme administrator about the nature of the reviews and first tier tribunals. The scheme administrator clarified that reasons for review or first tier tribunal were varied but noted that frequently the claimant would produce new evidence that if originally supplied, would have resulted in a successful claim.

7. Revised MI

The committee were shown a revised format of the original MI produced. DWP had asked the scheme administrator to revise the format of the monthly management information to make sure that performance meetings focused on the most relevant data. The committee were content and agreed that the new format was helpful.

8. Policy and operational update

- DWP asked members to note that they would be preparing the DWP annual review of the scheme during the summer. The aim to publish in the autumn;
- The next release of official statistics would be on 16 July 2016. A link to the statistics can be found here - [mesothelioma statistics](#)
- Committee members asked about the nature of the employer's liability tracing office (ELTO) searches. The administrator confirmed that cases assessed have short ELTO searches (that initially confirms or points towards possible eligibility) but that all cases require a full and comprehensive ELTO search to be conducted prior to any decision being reached on eligibility.

9. Other issues

The Chair noted that the Oversight Committee's annual report for the period 2015/16 was also due and that she would be discussing this with fellow members.

AP. Chair to discuss and agree with fellow members the contents of the committee's 2015/16 annual report

5. Committee's next meeting

Members agreed to meet again October 2016. DWP secretariat will be in contact to arrange the next meeting.