

Freedom of Information request 1610/2013

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Information request

Q 1. I have heard that your department is sinking to another, all time low, by stealing industrial injuries benefits from persons injured within their workplace.

Q2. Can you explain how benefits have been removed from the people who have been awarded it?

Q3. Can you also let me know who conducts the examinations of claimants where their benefit has been withdrawn?

Q4. If an award was made for life, how can it be taken?

Q5. Who is responsible for ascertaining that new evidence has come to light?

Q6 What law has been used to steal the benefits from the rightful recipients?

DWP response

Some awards to Industrial Injuries Benefit are given for a limited period. This is because the medical advisors and decision makers consider that there may be the possibility of improvement or indeed a worsening of the disability.

In these cases, when an initial assessment for Industrial Injuries Disablement Benefit is made, the medical examiner will recommend a date when the decision should be reassessed to determine the condition of the disability. Before the provisional assessment period is due to end, the claimant is asked to attend another medical examination where any new medical evidence can be presented. When a case is re-examined the doctor giving advice to the decision maker must consider the medical issues afresh each time, reach their own conclusions on the results of the accepted accident during the period with which they are concerned and give advice accordingly. In such cases, a higher rate of benefit may be payable or indeed if the condition has improved, a lower rate of benefit may be payable and in some cases benefit may cease completely.

When a life assessment is made there is no review date set and a life time award will be made. In general, a life time award will only be reviewed if the claimant reports a change of circumstances.

However, there are instances when the Department's Compensation Recovery Unit (CRU), sends us information following a CRU appeal which provides new information on the claimants disability or illness. In these instances we ask ATOS, who carry out the medical examinations, to review the case taking the new information into account and advise us if there has been any change in the level of disability or illness. In these cases, some assessments and awards of IIDB may be affected and can result in benefit ceasing even though the customer was awarded for life initially.