DIFFUSE MESOTHELIOMA PAYMENT SCHEME (DMPS)
OVERSIGHT COMMITTEE MEETING
WEDNESDAY 10TH JUNE 2026

Date: **Wednesday 10th June 2026**
Time: **2 pm to 4 pm**
Location: **Via Microsoft Teams**

ATTENDEES

Oversight Committee (OC) Members

Baroness Rita Donaghy – Chair
Laurence Besemer – Forum of Insurance Lawyers
Jerry Hague – Asbestos Victim Support Group
Nevyn Stephenson – Asbestos Victim Support Group
Shelly Asquith – Trade Union Congress
Carl Roper – Trade Union Congress
Steven McGhee – Zurich Insurance – Commercial Complex Diseases
Daniel Easton – Leigh Day - Association of Personal Injury Lawyers
Kevin Johnson – Leigh Day – Association of Personal Injury Lawyers

Department for Work and Pensions (DWP) Secretariat

Stuart Whitney
Dawn Harrison (Minutes)

TopMark Scheme (TMS) Administrator Representatives

Jodie Gaskell

Guest Observers

None

Apologies

Asbestos Victim Support Group – Nevyn Stephenson
TopMark – Christopher Burns and Donald Selvester
Trade Union Congress – Carl Roper and Shelly Asquith
Association of Personal Injury Lawyers – Kevin Johnson

AGENDA ITEMS

1 Welcome, Introductions and Apologies – Lead: Chair

The Chair welcomed everyone to the meeting and made apologies for absent members and attendees.

2 Matters Arising from the Minutes of the Meeting 6th November 2025 – Lead: Chair

There were no matters arising from the minutes of the meeting held 6th November 2025, and all agreed the content as an accurate account of the meeting. DWP confirmed that the minutes of that meeting are now available on Gov.uk.

3 Review of the Action Log – Lead: Chair

DWP proposed closure of the action points relating to the DMPS Tariff Review as all work had been completed and the amendment to the Regulations to increase the tariff by 49% came into force on 4th November 2025. All agreed.

The outstanding action points relating to the Redacted Case Exercise, Biennial Tariff Review and Identity of Protected Claims to remain with status "ongoing". All agreed.

4 Review of DMPS Scheme Administration Management Information (MI) – Lead: TopMark

A general discussion took place regarding the OC monthly MI and TopMark called out the following high-level headlines for the period 1st April 2025 to 31st October 2025.

- 346 applications received compared to 396 from the previous year
- 321 long standing applications – those that are 3 months or more with an increase of 52 from the previous year
- 187 of long-standing applications are "protected" cases
- 41% of applicants are aged 80 years like the previous year
- 84% of the overall applications are aged 70 years and over
- 10% of applications are female which is a slight increase from the previous year
- The average age of successful applicants is 77 years – an increase of 2 years from the average of the previous year
- 68% of applications have been successful
- 26% of applications have been unsuccessful
- 6% of applications have been withdrawn
- Unsuccessful and withdrawn applications are usually the result of an employer and / or insurer being successfully traced. Therefore, these applications can be pursed via the civil route.
- No First Tier Tribunal (FTT) cases recorded

The Chair thanked TopMark for the readout and queried the significant drop in the number of applications received compared to the previous year.

A member stated that overtime those industries and employment whereby people were potentially exposed to asbestos some 30 to 40 years ago were in decline or no longer existed.

Another member stated that he had not seen a decline in personal injury claims relating to negligent asbestos exposure and was surprised to see a decline in the number of applications to the DMPS over the last year. He suggested that it would be useful to compare the application figures over a two-year period to identify a trend and any possible reasons for a decline.

DWP agreed stating that in previous years the MI had evidenced a decrease in one year in the number of applications to the Scheme, then the following year a significant increase. Therefore, it was difficult to identify any specific patterns or trends regarding fluctuations in applications to the Scheme in any given period.

5 DMPS Tariff (Amendment) Regulations 2025 Letter (and response) to Sir Stephen Timms - Minister for Social Security and Disability (MfSSD) Lead: DWP

The Chair provided an explanation to everyone regarding the purpose and the content of her letter to MfSSD and that this was on the back of the wishes and recommendations made by members during the last OC meeting to review the DMPS tariff annually.

The Chair also referenced the feasibility of undertaking an annual review given the fact that it is the insurers who fund the Scheme and the impact this may have on the annual levy so they may have objected to this.

Therefore, to avoid any delays and offer a compromise regarding the timeframes for a tariff review, following consultation with DWP, the Chair took action to write to MfSSD requesting that DWP conduct a biennial review of the DMPS tariff. Furthermore, that a more in-depth review of the tariff be undertaken every five years. The Chair stated that this would involve (as with the recent tariff review) contributions from key stakeholders – mainly the personal injury lawyers and insurers.

A member raised a point to suggest that with the more in-depth review the request for relevant data from insurers and personal injury lawyers should be made at least 6 months prior to the review starting to allow for the timely preparations to submit the required data. All agreed.

DWP confirmed that a caveated response (mainly regarding timings around parliamentary business and processes) agreeing to the biennial review was received from MfSSD and this was now recorded on the action log as a biennial review to take forward with a start date towards the end of 2027 to the beginning of 2028. All agreed.

A member queried why the tariff could not be increased annually in line with the same percentages of other industrial injuries state benefits. DWP stated that within the regulations of the Scheme there is no legal requirement to increase the tariff at all.

6 Letter on behalf of the Asbestos Victim Support Group (AVSG) – Lead: AVSG

A member provided an explanation on the purpose of the letter that was sent to DWP on behalf of the AVSG following completion of the recent DMPS Tariff Review. He went on to state that following consultation with other people and peer groups, the content of the letter outlined 3 main categories where consideration to review and implement a change under the DMPS was needed to help some of the most disadvantaged people affected by exposure to asbestos;

- ***Extend the DMPS to cover public liability insurance for those who have experienced secondary exposure to asbestos.***
- ***Private medical treatment***
- ***Technical and procedural issues***

The Chair thanked AVSG for the letter and the member for the concise overview of the content. A general debate took place.

The Chair expressed her personal concerns regarding the appropriate level of intervention from the committee for what are considered for the proposed, significant changes to the scope and purpose of the DMPS that the OC members can become involved with under the remit of the OC Terms of Reference.

The Chair stated that due to the nature of the letter conflicting with the original reasons why the DMPS was established in 2014, she suggested that under the circumstances she would be happy to put forward a letter to Ministers and MPs in support of a review of the DMPS as an independent person.

DWP stated that a formal response to the letter would be supplied to the AVSG and shared with the committee. DWP informed the committee that the main points raised in the letter relating to a review of the DMPS were matters for Policy to consider and to echo the Chair's earlier point, strictly speaking do not fall within the remit of the committee.

Action Point: DWP to provide a formal response to AVSG prior to the next Oversight Committee meeting.

7 Redacted Case Exercise (RCE) – Lead: All

For the benefit of new members, the Chair provided a brief explanation of the purpose of the exercise in the main, ensuring that TopMark are administering the claims handling process and operation of the scheme effectively. 18 cases were distributed amongst members.

The Chair requested comments from members' experiences regarding the RCE. A general discussion was held and the main points called out included;

- The level of redactions was excessive making it difficult to review the details of some of the cases
- Insufficient information provided to effectively assess a claim
- Technical issues experienced by members when downloading and accessing the information
- The applicant's age was redacted even though it was requested
- Inconsistency with the level of redactions and information provided
- Lack of understanding regarding the extent to which each assigned case should be reviewed and the main points to consider

The Chair invited TopMark to provide an explanation regarding issues of redactions and accessibility.

TopMark stated that previously case redactions were undertaken by the claims handling team. However, on this occasion to save time and allow claims handlers to focus on claims administration, this function was outsourced to a separate department within the Davies Group. The case of heavily redacting claims for assessment was noted as a concern by the claims handlers who had to refer the cases back to the other department which in turn caused problems as there was inconsistency with the level of information contained in each case.

TopMark added that a new financial claims handling systems was introduced which added further complications to selection and redactions of cases.

TopMark apologised for the difficulties experienced on this occasion and said that the feedback received from members would be acted upon and improvements made in readiness for the next RCE.

The Chair acknowledged this and to conclude asked if members felt that the exercise had been conducted effectively as it would be reported on in the next published Annual Review. There was a mixed response from members.

Therefore, DWP suggested that to formally draw the exercise to a conclusion it might be useful for the,

- Chair to re review her cases when provided with sufficient information,
- for any outstanding cases yet to be reviewed by members to be submitted to DWP and
- that prior to the next meeting, to take a view from the majority of cases reviewed and circulate a summary e-mail which highlights the findings, comments and any recommendations by the Chair and members.

All agreed.

Action Points:
1) TopMark to redistribute cases to the Chair
2) Members to submit any outstanding cases to DWP
3) DWP to provide a summary account of cases reviewed and circulate to the Chair and Members ahead of the next meeting.

8 TopMark Staff Changes – Lead: TMS

TopMark confirmed one employee change. Following Sandra Williamson's early retirement, Donald Selvester will be providing DMPS senior administrative support and claims handling alongside Christopher Burns. Jodie Gaskell will continue to lead as Senior Operations Manager.

9 Any Other Business – Lead: All

A member announced his pending resignation after the next meeting and asked permission from the Chair to introduce a new member to replace him at the next meeting. The Chair agreed and will comment at the next meeting.

10 Date of Next Meeting – Lead: Chair

Tuesday 10th November 2026 at 2 pm