

Compensation for MINERS

Newsletter

Message

I am the second Energy Minister to take responsibility for the very important issue of Coal Health Compensation since the last newsletter. I can assure you, however, that a change in Minister does not mean a change in the depth of our commitment. The Government is determined that claims from former miners and their families must be settled quickly and fairly as possible. Payments are speeding up but we need to go faster still. We have paid out over £1/2 billion.

On respiratory disease Medical Assessments now average about 1,000 each week. This is over 100% up on throughput at the time of the last newsletter. The availability of respiratory specialists to conduct the assessments had been a brake on greater volume but 299 are now involved in the Scheme compared to 228 in March. We now need to ensure that the greatly increased volumes of cases going through the medical assessment process are translated into greater volumes of offers in the weeks ahead. The Department's claims handlers, IRISC, are in the middle of a major recruitment and training exercise to allow them to process the increased volumes coming through the assessment process. I hope that solicitors are also gearing up for turning round offers speedily. Offers following the Medical Assessment Process (MAP) are at around 500 a week and rising. This is twice the level in March.

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As I learnt during my recent visits to the MAP centres in Newport and Ayr, and IRISC, the Department's claims handlers in Sheffield, the process of claims assessments is necessarily complex because it is designed to give each claimant their fair entitlement under common law. At the moment many offers



Mr Brian Wilson
Energy Minister,
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are still interim payments but the volume of full and final offers will rise substantially through the Autumn. So you can see that the process is picking up. Numbers are increasing. More money is going out. We have a complex scheme but it is starting to deliver in real volume. The Department and the solicitors are working together to accelerate progress.

On Vibration White Finger (VWF) claims, since the end of last year we have opened a further centre in Doncaster, which brings the weekly capacity of appointments to over 1020 per week. With the re-opening of centres in Edinburgh and Stoke and the opening of a new centre in Canterbury, the total number of centres has reached 18. Over 29,000 claims have been settled in full and, in addition, a further 37,000 interim payments have been made.

Progress To 23 September

	Lung Diseases	Vibration White Finger
● Claims received	163,441	127,668
● Medicals completed	37,636	64,691
● Interim payments	38,675	37,025
● Final settlements	14,768	29,013
● Total compensation paid	£201million	£363million

View from IRISC?

The IRISC operation is now located over three sites within the UK; Sheffield, Edinburgh and Cardiff. Since the last newsletter, IRISC have established a new office in Cardiff to manage and oversee respiratory diseases claims emanating from the Welsh community. The Cardiff operation currently employs 48 personnel and plans are being drawn up to increase this number to enable the smooth transfer of Welsh VWF claims by end 2001. The team have established close working relationships with the local Solicitor base.

There has been a significant recruitment drive throughout this year which has seen staff numbers at IRISC increase from 344 at the start of 2001 to 560 staff at end July (an increase of 216 staff or 63% in 7 months). Many of the IRISC staff have either worked previously in the mining industry or live in the mining community. Many have considerable experience of handling mining related accident/illnesses claims acquired over many years.



There are some basic facts to provide a feel for the size of the IRISC operation:

- IRISC receive in the order of 14,000 mail items per week.
- IRISC have recently secured additional premises in Sheffield to accommodate the increased number of staff processing the claims for former miners.
- IRISC have recently and successfully introduced a new computer system to provide enhanced capacity and response time to facilitate the handling of the increased volumes of claims.
- The extensive recruitment and training programmes are on schedule to action the increased volume of claims received.

IRISC IT staff have been heavily involved in the development of web-site technology in order to aid the electronic transfer of data and the on-line tracking of respiratory disease claims. More details about the website can be found on page 4.

VWF Update

Home Visits

- Since January, home visits have been available for claimants who are unable to travel and who have produced a letter from their GP.

Loss of Services – MAP pilot

- The MAP pilot scheme for assessing claimants with claims for assistance with “services” – such as decorating and gardening - has started. Around 1000 claimants will take part in the pilot at centres currently located in Sheffield, Gateshead, Edinburgh and Cardiff. The first assessments took place in Sheffield on 2 July. It is expected that the full MAP will be rolled out nationally early next year.

Co-defendants

- Most of the Co-defendants, companies who claimants went to work for after leaving British Coal, have now accepted the Handling Arrangement which should help to speed up the settlement of claims where a co-defendant is involved. In the meantime we will continue to progress claims where a co-defendant has agreed their respective proportion of the claim.

Respiratory Disease Update

Mobile Centres

- The first Mobile Test Unit became operational at the beginning of August. Its first destination was South Shields where it stayed for around a month. The second centre is due to go into operation in mid September. Currently a plan is being drawn up for destinations for the remainder of the year, reviewed monthly in consultation with the DTI.

Electronic Data

- The Department launched www.coalclaims.com on 30 July. This website allows solicitors to track individual claims through the entire claims process and the ability to access and use electronic claims forms.

Doctors

- The availability of respiratory specialists to conduct the assessments had been a brake on greater volume but 299 are now involved in the Scheme compared to 228 in March (49 new doctors were taken on following DTI's letter to all UK respiratory specialists).

How much?

- It is currently anticipated that the total costs of both schemes will be about £4.5 billion. Of this some £3.6 billion is expected to be compensation. However, there are many factors that could impact upon these estimates, not least the total number of claims we might end up receiving. The estimates should therefore be treated with caution.

Prioritisation

- Earlier this year we re-prioritised appointments for the most elderly and ill claimants which will enable us to assess the most needy claimants by Spring next year. In addition, in agreement with the solicitors representing the claimants, we are prioritising all claims by the widows of former miners, over other estate claims. Again this will enable the highest priority widows to have been assessed by Spring next year.

How can Solicitors help?

We know that there have been delays in settling claims. The Department continues to do everything it can to cut these delays to a minimum but sometimes hold-ups are outside our control.

So what can you as a solicitor do to make sure that a claim is not delayed any longer than it has to be.

Here are a few suggestions:

- Use the new website – www.coalclaims.com – as much as possible.
 - down load and return forms;
 - agree work histories; and
 - track claims through the scheme.
- Make sure you send in death certificates/post mortem reports for bereavement awards as soon as they become available – as we can process bereavement awards in advance of settling the full claim.
- Impress upon your clients the need to keep you informed of any change in their circumstances – including changes of address; state of health; and status.
- Ensure your clients let Healthcall and Sema know as soon as possible if they are unable to attend an appointment.

Are claims being settled?

The Department has now paid out over £1/2 billion in compensation with settlements ranging from hundreds to ten of thousands. Settlements are based on the individual tariffs agreed with the solicitors, which take into account the levels of discounting in the High Court judgments.

The following two examples show how the levels of compensation for respiratory disease can vary greatly from case to case.

Example 1:

Mr X of Gwent is 52 years old, and worked for British Coal for 25 years.

Following his Medical Assessment he was registered as being 60% disabled due to respiratory disease, of which 40% was due to working for British Coal.

Mr X smoked for 34 years, but had no other medical conditions and did not work for British Coal before 1954.

He received a full and final settlement in July of £101,000.

Example 2:

Mr Y of West Yorkshire is 77 years old, and worked for British Coal for 44 years.

Following his Medical Assessment he was registered as being 20% disabled due to respiratory disease, all of which was due to working for British Coal.

Mr Y smoked for 65 years and had worked for British Coal for 15 years before 1954.

He received a full and final settlement in May of £2,177.

Both of these claims were assessed under the Claims Handling Agreement, negotiated between the Department and the Claimants' Solicitors, which was structured to compensate all claims under the principles of Common Law.

Freephone DTI helpline 0800 0282 138