

9 Vaccine Damage Payments Scheme

■ 9.1 Introduction

■ 9.1.1 The Vaccine Damage Payments scheme provides a single, tax free payment for people who have suffered severe mental and/or physical disablement of 80% or more, as defined below, as a result of immunisation against one or a group of the following diseases:

diphtheria	tetanus
pertussis	poliomyelitis
measles	rubella
tuberculosis	smallpox
mumps	Haemophilus influenzae type b (Hib)

Claims can be made on the basis of combination vaccines, for instance: diphtheria, tetanus and pertussis (DTP) or measles, mumps and rubella (MMR). Claimants are asked to give details of all the immunisations they have been given.

■ 9.1.2 Claims can also be made if someone is thought to be severely disabled because their mother was immunised against any of the specified diseases while she was pregnant or if someone is thought to be severely disabled because they have been in close contact with a person who has been immunised against polio (using orally administered vaccine). The payment is **not compensation** but is designed to ease the present and future burdens of those suffering from vaccine damage and their families. The amount payable is £30,000 for claims made on or after 15 April 1991.

■ 9.2 The 80% disability test

The severity of disablement in individual cases is assessed on the same basis as for the Industrial Injuries Disablement Benefit Scheme - a widely accepted test of severity. In physical terms, 80% disablement equates to, for example, amputation below the hip or below the shoulder, or to deafness so severe that the sufferer cannot hear a shout beyond a distance of 3 feet. Similarly, somebody whose corrected vision was 6/60 in both eyes may be considered as 80% disabled. These levels of disablement are easily described and a doctor who has been given special training required to make such assessments would be able to make a balanced judgement on the overall level of disability.

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■ 9.3 Time and age limits

- 9.3.1 The disabled person must be 2 or more years old and must have been immunised in the UK or the Isle of Man unless they or someone in their family were in the armed forces and the immunisation was given as part of the armed services medical facilities.
- 9.3.2 They must have been immunised before their 18th birthday, unless the immunisation was against polio or rubella or during an outbreak given within the UK or the Isle of Man.
- 9.3.3 The claim must be made within 6 years of the date of immunisation or of the child reaching the age of 2 - whichever is the later.

■ 9.4 How to claim

Claimants can get a claim form by writing to:

Vaccine Damage Payments Unit
Department of Social Security
Palatine House
Lancaster Road
Preston
PR1 1HB

■ 9.5 The decision making process

Decisions on claims are made by the Secretary of State for Social Security on the basis of a medical officer's assessment of the percentage level of disablement and whether it is the result of the immunisation. If a claim is medically disallowed the claimant may, at any time, seek a review of the medical officer's assessments by an independent Vaccine Damage Tribunal.

■ 9.6 Further information

The Benefits Agency have produced leaflet HB3 'Payment for people severely disabled by a vaccine' about the Vaccine Damage Payment Scheme. Copies are available from BA Distribution and Storage Centre, Manchester Road, Lancashire, OL10 2PZ or the Vaccine Damage Payments Unit.