

**SCHEDULE 4 SECTION 4.9**  
**SERVICE DESCRIPTIONS**  
**INDUSTRIAL INJURIES DISABLEMENT BENEFITS**

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**SCHEDULE 4 SECTION 4.9****SERVICE DESCRIPTIONS****INDUSTRIAL INJURIES DISABLEMENT BENEFITS****1 GENERAL**

- 1.1 The CONTRACTOR shall adhere to the medical and common business requirements detailed in Section 4.1 of this Schedule 4.
- 1.2 The CONTRACTOR shall use reasonable endeavours to ensure that any hospital case notes loaned from any third party are returned to the third party once all action has been completed and within ten (10) working days of receipt. The CONTRACTOR shall ensure that once all action has been completed in relation to X-Rays, the X Ray Disc is destroyed in accordance with the DWP Security Policy.
- 1.3 The CONTRACTOR shall provide advice on any appropriate disablement, diagnosis or Recrudescence questions arising on an industrial injuries disablement benefit claim in accordance with all relevant Social Security legislation as set out in Paragraph 1.1 of Section 2.4 of Schedule 2.
- 1.4 The CONTRACTOR shall not provide an opinion on any questions referred to it if the Claimant fails to attend, unless the CONTRACTOR has the Claimant's prior written consent.
- 1.5 The CONTRACTOR shall record its opinions on appropriate form(s) approved by the AUTHORITY. The forms are designed to lead the CONTRACTOR to give an opinion on the questions posed by the AUTHORITY. The CONTRACTOR shall ensure that all relevant parts of the forms are fully completed. The CONTRACTOR shall ensure that no other form(s) are used without the prior approval and consent of the AUTHORITY.
- 1.6 The CONTRACTOR shall ensure that where, during the consideration of any question, it has taken into account consultants reports, verbatim extracts of hospital case notes or other medical evidence, the report contains a record of the fact.
- 1.7 To assist in the determination of entitlement to reduced earnings allowance, the AUTHORITY shall require written medical advice from the CONTRACTOR relating to a Claimant's capacity to perform their regular occupation and/or suitable alternative work. When such advice is required at the same time that the CONTRACTOR is providing an opinion on the disablement benefit claim the CONTRACTOR shall ensure that it proceeds to complete any additional advice from which the AUTHORITY has included in the Referral Documents.
- 1.8 If the CONTRACTOR's opinion is that disablement is assessed at ninety five percent (95%) or more the CONTRACTOR shall ensure that it completes the appropriate report form to provide details of the Claimant's attendance needs and shall provide written medical advice to the AUTHORITY advising on the nature and amount of attendance needed by the Claimant.
- 1.9 The CONTRACTOR shall attach priority to, and handle urgently at all stages, Referrals where there is evidence to suggest that the Claimant is Terminally Ill.
- 1.10 The CONTRACTOR shall provide an opinion on all PD D3 Referrals, on the basis of evidence either submitted by the AUTHORITY or obtained by the CONTRACTOR where appropriate. For the avoidance of doubt the CONTRACTOR shall not arrange for an examination to be undertaken for this type of Referral, except in exceptional circumstances.
- 1.11 Where the original report is not typewritten or electronically produced by the CONTRACTOR, the CONTRACTOR shall when required by the AUTHORITY provide a typed copy on request. This may include but not be limited to, responses to requests by Claimants or their representatives for type written copies, and responses in connection with submissions to Tribunals Service.

- 1.12 Where appropriate, the AUTHORITY will provide details of existing disablement assessments that are available and will provide all previous BI8(s) for the information of the CONTRACTOR.
- 1.13 When a Claimant dies before the CONTRACTOR has given an opinion on the case, the CONTRACTOR shall immediately suspend further action and shall return all Referral Documents, including any further evidence obtained, to the AUTHORITY.
- 1.14 When the Referral is made in respect of a Claimant who is deceased, the Referral Documents will include a notice from the AUTHORITY appointing another person (the appointee) to act on the Claimant's behalf. The CONTRACTOR shall ensure that all appropriate communication in these types of Referrals is undertaken with the named appointee.

## 2. INDUSTRIAL ACCIDENT REFERRALS

### 2.1 Accident Declaration Referrals

2.1.1 The CONTRACTOR will receive the appropriate Referral Documents which will contain a variety of information and documentation which will include but is not limited to the appropriate claim form.

#### 2.1.2 SO 1 - Referral for Advice to Assist With The Determination Of An Accident Question – Service Required

2.1.2.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY. The AUTHORITY will include in the documentation a written submission, which will include specific details of the facts, which the Decision Maker has accepted, and the advice required. This advice will generally include:

- a) whether it is more probable than not that the Claimant has suffered a pathological change for the worse as a result of the claimed accident;
- b) whether the change is likely to have been caused or materially contributed to by any factor of the Claimant's work (as described in the Referral Documents).
- c) obtaining medical evidence from the Claimant's GP or hospital to confirm that the accident occurred

2.1.2.2 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.

### 2.2 Industrial Accident Assessments

#### 2.2.1 General

2.2.1.1 The CONTRACTOR will receive a completed Referral file form BI 8 from the AUTHORITY which will contain a variety of information and documentation which will include but is not limited to the appropriate claim form and the medical report(s) forms to be completed. The BI8(s) will include details of any existing disablement assessments and will be accompanied by all previous BI8(s) for the information of the CONTRACTOR.

#### 2.2.2 EI 1 Industrial Accident – Initial Assessment – Service required

- 2.2.2.1 Before an industrial accident case is referred to the CONTRACTOR for advice on the disablement questions, the AUTHORITY will normally have accepted that the Claimant has sustained an industrial accident. The Referral Documents sent to the CONTRACTOR by the AUTHORITY will include a description of the accepted industrial accident and the date it occurred. Where the AUTHORITY requires assistance in determining an accident question, a Referral will be made for advice as on paragraph 2.1 of this Section 4.9 of Schedule 4.
- 2.2.2.2 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 2.2.2.3 The CONTRACTOR shall make all necessary arrangements for a medical examination to be undertaken, to provide an opinion on the relevant loss of faculty and the disablement questions, and for full completion of the medical report form(s).
- 2.2.2.4 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.

### 2.3 Industrial Accident – Reassessments

#### 2.3.1 General

- 2.3.1.1 Before the end of the period of a provisional assessment the AUTHORITY will return the Referral file form BI8 to the CONTRACTOR. The information on the file cover will have been updated, where appropriate, by the AUTHORITY and will include all previous Referral Documents and all previous assessment forms.
- 2.3.1.2 If the CONTRACTOR's opinion is that a further assessment is appropriate it shall ensure that the opinion given on the further assessment commences on the next day following the day of expiry of the previous assessment.
- 2.3.1.3 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.

#### 2.3.2 EO 1 Industrial Accident Reassessment – Service Required

- 2.3.2.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY at least two (2) months before the end of the period of a provisional assessment.
- 2.3.2.2 The CONTRACTOR shall make all necessary arrangements for a medical examination to provide an opinion on whether the accident still results in any relevant loss of faculty, an opinion on the disablement questions and full completion of the appropriate medical report form(s).
- 2.3.2.3 If the CONTRACTOR'S opinion is that a further assessment is appropriate, it shall ensure that the opinion given on the further assessment commences on the next day following the day of expiry of the previous assessment.
- 2.3.2.4 The CONTRACTOR shall ensure that it completes all necessary actions and returns the file to the AUTHORITY at least five (5) Working Days before the expiry of the previous assessment.

### 3 **PRESCRIBED DISEASES**

#### 3.1 General

- 3.1.1 Before this type of case is referred to the CONTRACTOR to arrange for the provision of a medical report, the AUTHORITY will normally have accepted that the Claimant has worked in an employment that is prescribed in relation to the disease claimed. This may not be the case for certain Diffuse Mesothelioma (PD D3) referrals or for specific diseases when its known that the claimant is Terminally Ill.
- 3.1.2 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY completed as necessary and which will include details of the prescribed disease which has been claimed. On Referrals where the AUTHORITY has completed its prescription enquiries the documentation will include a description of the accepted prescription and a form of enquiry addressed to the Claimant's employer. The current B18(s) will include details of any existing disablement assessments that are available and will be accompanied by all previous B18(s) for the information of the CONTRACTOR.
- 3.1.3 Where appropriate the B18 will contain a variety of Referral Documents together with any relevant x-rays already held by the AUTHORITY for the information of the CONTRACTOR.
- 3.1.4 If the CONTRACTOR's opinion is that the Claimant is not suffering from the Prescribed Disease claimed, but the CONTRACTOR considers that the Claimant is suffering from an (other) PD (s), the CONTRACTOR shall provide an opinion as in paragraph 3.2 of this Section 4.9 of Schedule 4.
- 3.1.5 When the CONTRACTOR is considering a diagnosis question, in relation to a claim in respect of any PD numbered D1 (when asbestosis), D3, D8 and D9, the CONTRACTOR must advise in its opinion, which one if any is diagnosed.

#### 3.2 SI 1 Initial Assessment Prescribed Diseases (excluding the diseases numbered A10 and D12)

- 3.2.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 3.2.2 The CONTRACTOR shall make all necessary arrangements for a medical examination to provide an opinion on the diagnosis/recrudescence question and any disablement questions that arise.
- 3.2.3 The CONTRACTOR shall, in the first instance, provide an opinion as to whether or not the disease claimed is diagnosed.
- 3.2.4 Where the CONTRACTOR'S opinion is that the disease(s) claimed is/may be diagnosed the CONTRACTOR shall provide an opinion on any diagnosis or recrudescence question that arises.
- 3.2.5 Where, in the CONTRACTOR'S opinion, the PD(s) or a sequela thereof is diagnosed, the CONTRACTOR shall record the date from when the Claimant first suffered from the disease(s).
- 3.2.6 Where the CONTRACTOR'S opinion is that a first or fresh contraction of the disease is diagnosed, the CONTRACTOR shall record an opinion as to whether this is due to the nature of the Claimant's employment, for the information of the AUTHORITY.
- 3.2.7 If the opinion of the CONTRACTOR is that the disease claimed is not diagnosed, the CONTRACTOR shall advise the AUTHORITY to that effect and shall return all documentation to the AUTHORITY.

- 3.2.8 If having considered the diagnosis/recrudescence question, any disablement questions arises; the CONTRACTOR shall provide an opinion and fully complete all appropriate forms.
- 3.2.9 In respect of PD A11 Referrals, in circumstances where the clinical evidence suggests severe sensorineural damage due to vibration, the Contractor shall undertake sensorineural testing to confirm the severity of vibration damage before giving an opinion on the diagnosis or whether or not PD A11 is diagnosed.
- 3.2.10 In circumstances where the clinical evidence suggests severe sensorineural damage due to vibration, the Contractor shall undertake sensorineural testing, before giving an opinion on the diagnosis or not PD A11 is diagnosed.
- 3.2.11 To protect the customer's personal information the Contractor shall ensure that the PD A11 Lap Top computers used to undertake the PD A11 examination are fully encrypted to DWP standards to comply with DWP Security Policy in accordance with Schedule 20 of the AGREEMENT. The Lap Top must also be stored in a secure locked cabinet when not in use in accordance with the DWP Clear Desk Policy. Once the examination details have been transmitted to the AUTHORITY the customer's details must be deleted from the Lap Top within 24 hours.
- 3.2.12 Where the CONTRACTOR does not complete a PDA11 sensorineural test, if an appeal is subsequently received, the AUTHORITY may request a sensorineural test.
- 3.3 EO 1 - Prescribed Diseases (excluding the diseases numbered A10 and D12 Reassessments).
- 3.3.1 The procedures for reassessment Referrals for PDs are similar to those for Industrial Accidents, except that any form used by the CONTRACTOR to record its opinion is determined by the PD claimed.
- 3.3.2 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 3.3.3 The CONTRACTOR shall make all necessary arrangements for a medical examination of the Claimant, shall provide an opinion on whether the PD results in any relevant loss of faculty and an opinion on the disablement questions, and fully complete all of the appropriate medical report forms.
- 3.3.4 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 3.4 FN 1 - Prescribed Disease Numbered D12- initial assessment
- 3.4.1 The definition of PD D12 includes a description of the screening test (hereinafter referred to as the diagnostic screening test), which the CONTRACTOR shall apply on claims for this disease, ensuring that the equipment adheres to standards as defined by the British Society of Audiology.
- 3.4.2 Before this type of case is referred to the CONTRACTOR, the AUTHORITY will normally have accepted that the Claimant has worked in an employment that is prescribed in relation to the disease claimed. This may not have been the case if the AUTHORITY is aware that the Claimant is Terminally Ill.
- 3.4.3 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 3.4.4 The CONTRACTOR shall make all necessary arrangements for a medical examination to provide an opinion on the diagnosis/recrudescence question and any disablement questions that arise.

- 3.4.5 The CONTRACTOR shall not proceed to consider the diagnosis question for this disease until it has been established that the diagnostic screening test has been applied and shown to be compatible with the presence of the PD.
- 3.4.6 The CONTRACTOR shall provide advice based on existing evidence of a diagnostic screening test, evidence from a new test or, if a test cannot be performed, give reasons for this and provide an opinion on what the test would have shown, if applied.
- 3.4.7 If the evidence indicates that the diagnostic screening test is not satisfied the CONTRACTOR shall complete the appropriate report form and return all documentation to the AUTHORITY.
- 3.4.8 If the CONTRACTOR is of the opinion that the diagnostic screening test is satisfied, it shall complete the report accordingly and provide an opinion on the diagnosis question.
- 3.4.9 If in the CONTRACTOR's opinion the prescribed disease is diagnosed, it shall record in its report the date from which the Claimant first suffered from the disease.
- 3.4.10 If, having provided an opinion on the diagnosis question, a disablement question needs to be considered the CONTRACTOR shall fully complete all appropriate forms.
- 3.4.11 When the Claimant has an assessment of disablement in respect of the PD D1 (or where an Appeal Tribunal awards disablement benefit based on an assessment of disablement), which took account of increased disablement resulting from the effects of chronic bronchitis and/or emphysema, the AUTHORITY will include the appropriate adjustment form.
- 3.4.12 The CONTRACTOR shall ensure that the appropriate adjustment form is completed for the information of the AUTHORITY if an opinion on any assessment of disablement is given for the PD D12.
- 3.4.13 On completion of all of its necessary actions the CONTRACTOR shall return the documentation to the AUTHORITY.
- 3.5 EO 1 - Prescribed Disease Numbered D12 – Reassessments
- 3.5.1 The procedure for reassessment Referrals for PD D12 is similar to those for Industrial Accidents, except that the form used by the CONTRACTOR to record its opinion is determined by the PD claimed.
- 3.5.2 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 3.5.3 The CONTRACTOR shall adhere to the provisions set out in paragraph 2.3 of this Section 4.9 of Schedule 4 when providing this service except that the words "the disease" are substituted for the words "the accident".
- 3.5.4 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 3.6 SI 1 Prescribed Disease Numbered A10 – Initial Assessment
- 3.6.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 3.6.2 The CONTRACTOR shall make all necessary arrangements for a medical examination to be conducted to provide an opinion on the diagnosis question, based on an audiometric report. Where appropriate, the CONTRACTOR shall provide an opinion on the assessments of the level of any disablement on the basis

of the Claimant's hearing loss in accordance with the provisions and scales of assessment laid down in regulations.

- 3.6.3 If, in the opinion of the CONTRACTOR, the audiometric report indicates that the PD A10 is not diagnosed, the CONTRACTOR shall return any reports and all documentation to the AUTHORITY.
- 3.6.4 If, in the opinion of the CONTRACTOR, the audiometric report indicates that the PD A10 may be diagnosed, the CONTRACTOR shall provide an opinion on the diagnosis question and the validity of the audiometric results and, where appropriate, the disablement question.
- 3.6.5 If in the CONTRACTOR's opinion the PD numbered A10 is diagnosed, it shall record in its report the date from which the Claimant first suffered from the PD. The CONTRACTOR shall ensure that it does not record a date earlier than the date of claim.
- 3.6.6 If, having provided an opinion on the diagnosis question, a disablement question needs to be considered, the CONTRACTOR shall provide an opinion on the disablement question(s) which arise and on any relevant loss of faculty, and fully complete all appropriate medical report forms.
- 3.6.7 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.

### 3.7 Prescribed Disease Numbered A14

3.7.1 The procedures detailed in para 3.2.1 to 3.2.9 shall also apply to PD A14 referrals.

3.7.2 The CONTRACTOR shall use reasonable endeavours to obtain FME for all PD A14 referrals.

## 4 **FURTHER REFERRALS TO MEDICAL SERVICES**

### 4.1 General

- 4.1.1 The CONTRACTOR shall receive the appropriate Referral Documents from the AUTHORITY.
- 4.1.2 For the avoidance of doubt, the CONTRACTOR is required to provide an opinion as to whether or not the Claimant's condition has improved or deteriorated since the last opinion was provided.

### 4.2 SO 1 Request for Advice where Claimant's condition may have changed – Service required

- 4.2.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY
- 4.2.2 The CONTRACTOR shall make all necessary arrangements for a medical examination to be conducted to provide an opinion on all relevant questions posed by the AUTHORITY and to fully complete all appropriate forms.
- 4.2.3 On completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.

### 4.3 SO 1 Request for Advice where Claimant provides Further Medical Evidence – Service Required

- 4.3.1 The CONTRACTOR will receive the appropriate Referral Documents from the

**AUTHORITY.**

- 4.3.2 The CONTRACTOR shall provide an opinion as to whether the further medical evidence supplied warrants a change to the previous opinion provided.
- 4.3.3 If the CONTRACTOR's opinion is that the previous opinion cannot be changed it shall records its opinion on the appropriate form and return all documentation to the AUTHORITY.
- 4.3.4 If the CONTRACTOR's opinion is that the previous opinion can be changed it shall then proceed forthwith to provide an opinion on any diagnosis (where appropriate), recrudescence or disablement questions that arise on the appropriate forms.
- 4.3.5 For the avoidance of doubt, where in the CONTRACTOR's opinion a further medical examination is required in order to provide a revised opinion, because of the nature of the further evidence provided, it shall make all necessary arrangements to undertake the examination without reference back to the AUTHORITY.
- 4.3.6 On completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.

**5 REDUCED EARNINGS ALLOWANCE REFERRALS****5.1 General**

- 5.1.1 The AUTHORITY may request medical advice to assist in the determination of entitlement to reduced earnings allowance.
- 5.1.2 The CONTRACTOR shall receive the appropriate Referral Documents from the AUTHORITY. Where the standard form is not appropriate, the AUTHORITY will provide an appropriate written format which will detail the specific questions requiring medical advice.

**5.2 SO 1 Reduced Earnings Allowance Referrals – Service Required**

- 5.2.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 5.2.2 The CONTRACTOR shall answer all questions posed by the AUTHORITY.
- 5.2.3 On completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY

**6 CONSTANT ATTENDANCE ALLOWANCE AND EXCEPTIONALLY SEVERE DISABLEMENT ALLOWANCE REFERRALS****6.1 General**

- 6.1.1 The AUTHORITY may request medical advice to assist in the determination of entitlement to Constant Attendance Allowance.
- 6.1.2 When it is considering an award of Constant Attendance Allowance at a rate higher than the normal maximum, the AUTHORITY may request medical advice relating to the permanent nature of the Claimant's attendance needs to assist the AUTHORITY in the consideration of entitlement to Exceptionally Severe Disablement Allowance.

**6.2 SO1 – Constant Attendance Allowance and Exceptionally Severe Disablement Allowance Referrals**

- 6.2.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY, which will include any information relating to the attendance needs of the Claimant.
- 6.2.2 The CONTRACTOR shall make all necessary arrangements for the provision of medical advice to the AUTHORITY relating to the Claimant's attendance needs. If the CONTRACTOR'S opinion is that a medical examination is required it shall make all necessary arrangements for the examination and provision of a medical report.
- 6.2.3 When it is considering an award of Constant Attendance Allowance at a rate higher than the normal maximum, the AUTHORITY may request medical advice relating to the permanent nature of the Claimant's attendance needs to assist the AUTHORITY in the consideration of entitlement to Exceptionally Severe Disablement Allowance.
- 6.2.4 The CONTRACTOR shall ensure that all appropriate forms are completed for these types of cases.
- 6.2.5 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.

## 7 MISCELLANEOUS REFERRALS REQUIRING MEDICAL ADVICE

- 7.1 The AUTHORITY shall, from time to time, require from the CONTRACTOR written medical advice in a variety of circumstances which will include but will not be limited to:
- a) advice to help resolve conflicting medical opinion;
  - b) advice as to whether a particular medical report contains any Harmful Information; and
  - c) advice to interpret the contents of a particular medical report.
- 7.2 The CONTRACTOR will receive a Referral file from the AUTHORITY that may but will not always be accompanied by any other appropriate file. The Referral file will contain a variety of documentation dependant on the circumstances of the case. The AUTHORITY will include in the Referral Documents a written submission that will clearly set out what information is required.

## 8 "OLD CASES" REFERRALS

### 8.1 Referrals Under The Workmen's Compensation (Supplementation) Scheme

#### 8.1.1 General

- 8.1.1.1 The Scheme will be administrated in a similar manner to the industrial injuries scheme unless any Articles contained in the Workmen's Compensation (Supplementation) Scheme 1982 expressly provide otherwise.
- 8.1.1.2 When the Claimant is deceased the Referral Documents will include a notice from the AUTHORITY appointing another person (the appointee) to act on the Claimant's behalf.
- 8.1.1.3 The CONTRACTOR shall answer all questions posed by the AUTHORITY.

### 8.2 SI 1 Workmen's Compensation (Supplementation) Scheme – Claim for Lesser or Major

Incapacity Allowance for an Accident or a Disease other than Pneumoconiosis

- 8.2.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY
- 8.2.2 The CONTRACTOR shall make all necessary arrangements to provide written medical advice to the questions posed on the appropriate form included in the Referral Documents by the AUTHORITY.
- 8.2.3 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 8.3 SI 1 Claim for Lesser or Major Incapacity Allowance for Pneumoconiosis
- 8.3.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 8.3.2 The CONTRACTOR shall make all necessary arrangements for a medical examination to be conducted in order to provide an opinion on total disablement, or if the Claimant is not totally disabled, an opinion on the incapacity for work.
- 8.3.3 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 8.4 SI 1 Referrals under the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme
- 8.4.1 General
- 8.4.1.1 The CONTRACTOR shall administer the scheme in a similar manner as the industrial injuries scheme unless any Articles contained in the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983 expressly provide otherwise.
- 8.4.1.2 The CONTRACTOR will receive a Referral folder from the AUTHORITY which will include the appropriate claim form and report form to be completed.
- 8.4.1.3 If the claim is for a respiratory prescribed disease the Referral Documents may include any relevant x-rays already held by the AUTHORITY for the information of the CONTRACTOR.
- 8.4.1.4 The CONTRACTOR shall attach priority to, and handle urgently at all stages, Referrals submitted by the AUTHORITY in respect of claims based on asbestos exposure.
- 8.4.1.5 When the Claimant is deceased the Referral Documents will include a notice from the AUTHORITY appointing another person (the appointee) to act on the Claimant's behalf.
- 8.5 SI 1 Claim for Death Benefit under the Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme
- 8.5.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 8.5.2 The CONTRACTOR shall make all necessary arrangements to provide written medical advice to the questions posed on the appropriate report form included in the Referral Documents by the AUTHORITY which will generally be whether death was due to or materially accelerated by the relevant disease.

- 8.5.3 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 8.6 SI 1 Referral Relating to a Claim for Disablement Allowance of Pneumoconiosis Reference for Medical Report
- 8.6.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 8.6.2 The CONTRACTOR shall make all necessary arrangements for the provision of a written report, based on x-ray or other radiological evidence, that indicates whether or not pneumoconiosis is diagnosed.
- 8.6.3 If in the opinion of the CONTRACTOR the report indicates that pneumoconiosis is not diagnosed the CONTRACTOR shall give written advice to that effect to the AUTHORITY.
- 8.6.4 If in the opinion of the CONTRACTOR pneumoconiosis is diagnosed the CONTRACTOR shall automatically, without reference back to the AUTHORITY, make all necessary arrangements for a medical examination to be conducted.
- 8.6.5 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 8.7 SI 1 Referral Relating to a Claim for Disablement Allowance for Pneumoconiosis, Byssinosis – Service Required
- 8.7.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY.
- 8.7.2 The CONTRACTOR shall make all necessary arrangements for a medical examination to be conducted to provide an opinion on the extent of disablement from the disease claimed. If the CONTRACTOR is of the opinion that the Claimant is totally disabled, advice on the Claimant's attendance needs should be provided.
- 8.7.3 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 8.8 SI 1 Referral Relating to a Claim for Disablement Allowance for a Miscellaneous Disease
- 8.8.1 Service Required
- 8.8.1.1 The CONTRACTOR will receive the appropriate Referral Documents from the AUTHORITY
- 8.8.1.2 The CONTRACTOR shall make all necessary arrangements for completion of the appropriate medical report form included in the Referral Documents by the AUTHORITY.
- 8.8.1.3 Where the CONTRACTOR considers that the Claimant is totally disabled it shall provide advice relating to the Claimant's attendance need on the appropriate report form and advise on the nature and amount of the Claimant's attendance needs to the AUTHORITY.
- 8.8.1.4 Upon completion of all necessary actions the CONTRACTOR shall return all documentation to the AUTHORITY.
- 8.9 Miscellaneous Referrals under the Workmen's Compensation (Supplementation) or Pneumoconiosis, Byssinosis and Miscellaneous Disease Benefit Schemes
- 8.9.1 General
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- 8.9.1.1 The CONTRACTOR shall provide written medical advice to the AUTHORITY when required on a variety of circumstances which will include but will not be limited to:
- a) advice relating to the attendance needs of a Claimant to help it determine whether entitlement to Constant Attendance Allowance/Exceptionally Severe Disablement Allowance is appropriate;
  - b) advice on the Claimant's capacity for work to help it determine entitlement to Unemployability Supplement;
  - c) advice relating to total or partial incapacity and whether this results from the relevant accident/disease to help it determine certain allowances under the Workmen's Compensation (Supplementation) Scheme.
- 8.9.1.2 The CONTRACTOR will receive a Referral file from the AUTHORITY that may but will not always be accompanied by any other appropriate file. The Referral file will contain a variety of documentation dependent on the circumstances of the case. The AUTHORITY will include in the Referral Documents a written submission that will clearly set out in circumstances of the case, the reason for reference and will specify exactly what advice is required.
- 8.9.1.3 The CONTRACTOR shall answer all questions posed by the AUTHORITY.

## **9 ANALOGOUS INDUSTRIAL INJURIES SCHEME – OPERATED BY THE DEPARTMENT FOR WORK AND PENSIONS AND THE MINISTRY OF DEFENCE**

### **9.1 General**

The Service required by the AUTHORITY is the same as that for industrial injuries Referrals and the relevant actions described at Paragraphs 1 to 7.2 of this Section 4.9 of Schedule 4 shall be followed dependent on the type of Referral.

### **9.2 Department for Work and Pensions**

9.2.1 A person who is injured or contracts a prescribed disease whilst working in employment which is not employed earners employment may be entitled to an analogous benefit if they are a non-employed trainee under a government sponsored scheme.

### **9.3 Ministry of Defence**

9.3.1 A person who sustains an injury during the course of undertaking authorised cadet duties for an Army, Navy or RAF Cadet Force or a Combined Cadet Force may be entitled to an analogous benefit.

#### **9.3.2 General**

9.3.2.1 The Service required by the AUTHORITY is the same as that for industrial injuries Referrals and the relevant actions described at Paragraph 1 to 7.1.2 of this Section 4.9 of Schedule 4 shall be followed dependent on the type of Referral.

### **9.4 Analogous Industrial Injuries Scheme – Claimant has expressed Dissatisfaction with a Decision given by the Decision Maker – Service Required**

9.4.1 The CONTRACTOR will receive a completed Referral file form BI 8 from the AUTHORITY which will contain a variety of information and documentation which will

include the appropriate claim form, any previous medical advice given, any appropriate assessment forms and the Claimant's reasons for dissatisfaction.

- 9.4.2 The Analogous Industrial Injuries Scheme does not have a statutory appeals system and the CONTRACTOR shall provide a further opinion from Medical Personnel who have not previously been involved with the case and a written report as to the appropriateness of the opinion with which the Claimant is dissatisfied.