

Proposed Scottish Employment Injuries Advisory Council Bill

Introduction

A proposal for a Bill to establish a Scottish Employment Injuries Advisory Council to shape, inform and scrutinise the social security available to people injured in the course of their employment. The consultation runs from 10 November 2020 to 1 February 2021. All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (*) require an answer. All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation Document Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

About you

Please choose whether you are responding as an individual or on behalf of an organisation. Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Representative organisation (trade union, professional association)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

GMB trade union who represents its members, many of whom work within the social care sectors within

Please select the category which best describes your organisation

the UK. Repetitive and cumulative injuries over long periods of time can affect members which may be grouped under industrial injuries and adversely impact on their lives.

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Jacqueline Young, Representative, Glasgow Branch, GMB Union

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

[REDACTED]

Aim and approach

Q1. Which of the following best expresses your view of establishing in law a new, independent Scottish Employment Injuries Advisory Council (SEIAC)?

Fully agree

Please explain the reasons for your response.

I imagine cases would be dealt with quicker as we have a smaller population than the entire UK and this could be to our advantage.

Q2. Which of the following best expresses your view of giving a statutory Scottish Employment Injuries Advisory Council the following functions?

	Fully agree	Partially agree	Neutral	Partially disagree	Fully disagree	Unsure
Scrutinise legislative proposals on the overarching design of the employment injuries assistance (EIA) system and its entitlement policy.	X					
Continually advise and recommend changes to EIA (including on policy design and entitlement)		X				

Q2. Which of the following best expresses your view of giving a statutory Scottish Employment Injuries Advisory Council the following functions?

Investigate and review emerging industrial and employment hazards	X					
Commission its own research and make recommendations	X					

Please explain the reasons for your response.

National scrutiny would be beneficial and again less industries in Scotland which would take less time to put measures and policies in place for a more effective service. Knowledge, experience and developing skills in local areas of business and services is likely to be more comprehensive.

Q3. What (if any) do you think would be the main advantages of the proposed Bill?

I think a Scottish Advisory Council Bill would be more appropriate as English and Scottish laws have their differences . Also a smaller area to cover could be more efficient and relevant to Scottish people.

Q4. What (if any) do you think would be the main disadvantages of the proposed Bill?

I would hope this would not lead to Scottish people being more disadvantaged than our Welsh, Irish and English neighbours. Although I cannot think why that would be the case.

Q5. Which of the following best expresses your view of making it a legal requirement that the SEIAC's membership includes workers with experience of being exposed to the risk of workplace injury, and their representatives, including trade unions?

Fully agree

Please explain the reasons for your response.

I agree totally as it makes good sense to have that experience and understanding of workplace issues and how to prevent where possible in the future. Trade unions are essentially health & safety representatives, therefor can bring a host of skills, experience and examples of industrial injuries within workplaces and are very serious about H&S at work. Sharing information with members and employers to make working practices as safe as possible is a priority
Workers also can be an crucial part of the resolutions as they have in depth knowledge of the risks and management of those risks.

Q6. Which of the following best expresses your experience of the current Industrial Injuries Disablement Benefit (IIDB) scheme (personally and/or professionally)?

No experience of the scheme

Please explain the reasons for your response. Please do not provide personal information or highly specific information which might identify you (if you wish to remain anonymous) or any third parties in your answer.

I have no experience of the scheme but [REDACTED] I am well aware of some industrial injuries within certain groups of workers eg, asbestosis and related illnesses.

Financial Implications

Q7. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Government and the public sector		X				
(b) Businesses		X				
(c) Individuals			X			

Please explain the reasons for your response

If breaking away from the UK Council, then there would likely be additional set up costs and legislation to complete. Policies will differ but possibly can use some of the UK policies in general without 're-inventing the wheel'.

I think the costs could be off-set when injuries within workplaces are hopefully reduced significantly.

Individuals who are affected by injuries will mostly be expected to be advantaged by this new proposed Bill.

Q8. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

I would think it could be possible to utilise some of the documents and forms already in place with some minor amendments.

Perhaps some training from existing UK staff could help keep costs down also, or there could be some staff who would relocate to Scotland for a period of time until service set up.

Equalities

Q9. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

Positive

Please explain the reasons for your response.

Given that all the protected characteristics listed under the Equality Act 2010 are included, as they are considered to be at a disadvantage through their individual circumstances at work, then all should benefit as such.

Q10. In what ways could any negative impact of the Bill on equality be minimised or avoided?

Not sure, but perhaps the cases may have a higher percentage ratio from the above protected characteristic issues which may dominate the Council workload and disadvantage others. However the cases may be prioritised by time scales to support fairness and balance of hearings.

Sustainability

Q11. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

Please explain the reasons for your response.

If high risk jobs and injuries are associated with a particular trade it might impact on that industry especially if the costs for safer working are unreasonably high.

If some groups exploit the system there could be some social issues leading to negative impact .

Strategies could help reduce these types of issues.

General

Q12. Do you have any other comments or suggestions on the proposal?

All considered, I still think it's a very good idea to have a Scottish Council and I am confident that it would be successful.