



Social Security Reform Co-operation Project  
中国·欧盟社会保障合作项目

# 英国工伤咨询委员会的作用

## Role of the UK Industrial Injuries Advisory Council

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I·I·A·C·

# 工伤残保险 (1)

## Industrial Injuries Disablement Benefit

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- **委员会向部长建议英国行业工伤保险计划**

IIAC advises Ministers about the UK Industrial Injuries Scheme

- **工伤保险计划向参保人对由于工作中的事故 / 疾病造成的伤残提供国家补偿金**

Scheme provides State compensation for people disabled by accident/disease at work

- **工伤保险计划是 1948 年建立的，此前的赔偿计划一直是基于雇主的失职，过程复杂又耗时，大多数索赔案件都要通过律师解决**

Introduced in 1948 because previous compensation schemes involving employers had been based on negligence, were very slow, complicated, and most of the proceeds went to the lawyers.

# 工伤残保险 (2)

## Industrial Injuries Disablement Benefit

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- 无过失原则 “ No-Fault”
- 无需家庭状况调查 Non-means tested
- 免税 Tax free
- 没有缴费 Non-contributory
- 补偿失去工作能力，但是不补偿收入损失  
Compensates for loss of faculty, not loss of earnings
- 每周支付：数额根据伤残严重程度  
Weekly payments: Amount depends on severity of disability –
  - 100% 伤残： 1568 人民币      100% disabled = £143.60 (1,568 yuan)
  - 20% 伤残： 314 人民币      20% disabled = £28.72 (314 yuan)

# 工伤咨询委员会

## The Industrial Injuries Advisory Council (1)



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- **建立于 1948 年 - 向负责工伤保险计划的国务秘书提出独立的专业建议**  
Established 1948 - gives expert independent advice to the Secretary of State on the industrial injuries scheme.
- **委员会包括 16 名成员**  
Council has about 16 members including –
  - **专家来自职业医学，流行病学，毒理学和律师**  
*experts in occupational medicine, epidemiology, toxicology and lawyers,*
  - **雇主和雇员代表**  
*and representatives of employers and of employees*
- **委员会花大量时间修改更新疾病名单，方便参保人及时申请待遇**  
IIAC spend most of their time considering changes to the list of diseases for which people can get benefit.

# 工伤咨询委员会

## The Industrial Injuries Advisory Council (2)

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- 委员会寻找科学证据证明人们从事高风险行业将要面临的特殊疾病

IIAC look for scientific evidence showing that people in certain jobs have a much higher risk of getting particular diseases.

- 一旦他们找到有力的科学证据，就会向部长建议修订疾病名单，部长拥有最后决定权（例：2009年7月，考虑到井下作业的煤矿工人，将膝关节骨性关节炎增加到疾病名单）

If they find convincing scientific evidence, they recommend changes to Ministers who make the final decision. (e.g. In July 2009 osteoarthritis of the knee was added to the list of diseases in respect of underground coal miners.

- 咨询委员会网站：[www.iiac.org.uk](http://www.iiac.org.uk)  
IIAC Website: [www.iiac.org.uk](http://www.iiac.org.uk)

# 咨询委员会如何建议增加疾病列表

## How does IIAC recommend which diseases go on the list? (1)

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- 咨询委员会设有调查工作组 – 每年在咨询委员会全体会议之间召开 4 次工作组会议

IIAC has a Research Working Group (RWG) – meets 4 times a year, in between full IIAC meetings.

- 所聘用的科学顾问的工作为：  
Scientific Adviser employed to:

- **调查特殊疾病，寻找科学依据**  
*search for scientific evidence on specific issues and*
- **每 6 个月监控一次依据**  
*monitor evidence generally every 6 months*

# 咨询委员会如何建议增加疾病列表

## How does IIAC recommend which diseases go on the list? (2)

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- **调查小组认真思考细节，邀请发言人，要求提供依据**  
RWG considers the literature in detail and invites speakers, requests evidence.
- **依据的标准化 – 咨询委员会需要大量的同行科学审查研究**  
Standard of evidence – IIAC require robust, peer reviewed scientific work, more than one study if possible.
- **调查小组起草报告，委员会讨论通过后，提交部长审议**  
RWG draft a report , IIAC discuss and agree it, then submit it to Minister

# 咨询委员会对疾病和工作做哪些测试？ What test does IIAC apply to diseases and jobs? (1)

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- **议会议案执行测试**

An Act of Parliament sets out the test

- **规定（条例）的附表列出了疾病和与疾病相关的岗位**

A schedule in regulations lists the diseases and the associated jobs

- **只有当从事某项工作就“几乎被确定”会患某种疾病时，这种疾病才会加入到列表**

A Disease can only be added to the list (“prescribed”) if the risk of someone getting the disease from their job can be presumed ‘with reasonable certainty’.

# 咨询委员会对疾病和工作做哪些测试？ What test does IIAC apply to diseases and jobs? (2)



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- 咨询委员会认为，这种特殊的工作意味着其导致发病的风险必须至少是一般人群发病风险的两倍。

IIAC interprets this as meaning that particular jobs must have at least twice the risk of a disease than the general population.

- 咨询委员会原则适用于流行病学

IIAC Applies epidemiological principles

- 列表上共有 70 种疾病（咨询委员会网站上有列表）

Over 70 diseases on the list (Schedule is on IIAC's website)

- 但大多数赔偿都支付于事故伤害，而不是疾病

But, most payments are made for accidents, not diseases.

# 咨询委员会建议如何执行？

## How are IIAC's recommendations implemented?



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- **不是由咨询委员会决定 - 他们仅仅提供建议**  
It is not IIAC's decision – they only give advice.
- **由部长决定 - (通常情况下同意)**  
Ministers decide – (Usually agree)
- **部长 / 英国工作和退休金部考虑的因素是：**  
Factors that Ministers/DWP consider:
  - **成本 / 申请工伤的数量**  
*Cost/number of claims*
  - **有实际的医疗测试吗？**  
*Is there a practical medical test?*
  - **劳动和退休金部和医疗顾问如何应付变化？**  
*How DWP and medical advisers cope with the change?*
  - **政治问题**      *Political issues*
  - **变化发生的时间？**  
*When any change should take place.*

# 咨询委员会建议如何执行？

## How are IIAC's recommendations implemented?

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- **部长负责修改包括疾病列表的规定（条例），同意咨询委员会的变革建议，由国会最终通过并颁布。**

Ministers amend the Regulations containing the list of diseases, agree the changes with IIAC and clear through Parliament.

- **加益就业中心和 ATOS 保健负责安排索赔申请的确认和评估**

Jobcentre Plus and ATOS Healthcare make arrangements to decide and assess claims

# 条件

## Conditions

- **咨询委员会的建议通常会有一定的前提条件 – 尤其是对于患病人数很多的疾病**

IIAC recommendations often come with conditions – especially for the diseases common in the population at large.

- **比如：** For example:
  - **患病时间（例如：井下矿工得膝关节骨性关节炎至少 10 年，慢性支气管炎和肺气肿至少 20 年**  
*Length of time in certain jobs (e.g. at least 10 years underground for knee osteoarthritis in miners, at least 20 years underground for Chronic bronchitis and emphysema)*
  - **残疾的程度 – 例如由振动白指受影响的手指**  
*Extent of the disability – e.g. fingers affected by vibration white finger*
  - **例如，指定动作反复弯曲和掌为腕隧道症候群腕背屈。**  
*Specified movements e.g. repeated palmar flexion and dorsiflexion of the wrist for Carpal Tunnel Syndrome.*

# 报销是如何确定的？（1）

## How are claims decided?

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- 参保人填写工伤申请表，然后送交加益就业中心（工作和退休金部的机构）

Customer fills in a claim form and sends it to Jobcentre Plus (a DWP Agency)

- 决策者决定申请人是否满足申请资格和职业资格条件（例如，在英国居住和生存，而他们也做了相关的工作）

Decision-maker decides if entitlement and occupational conditions are met (e.g. residence and presence in UK, and that they have done the relevant work)

- 医学顾问（阿托斯保健）面对面评估每份申请：

Medical Adviser (ATOS Healthcare) assesses each case face to face:

# 报销是如何确定的？ (2)

## How are claims decided?

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- 同意诊断 / 预后  
To agree diagnosis/prognosis
- 提出建议的伤残水平（以 % 表示）（考虑到现有的伤残和不是由工作所致的伤残）  
To recommend a % disablement assessment (taking account of existing disablement and disablement not caused by work)
- 决策者写信通知参保人，决定支付或不支付，以及支付期限  
Decision Maker writes to customer with the decision to pay or not to pay, and for how long
- 如果没有支付，参保人可以要求再行研究决定，也可以提出上诉。  
Customer can ask for the decision to be looked at again, and can also appeal.

# 近期的活动 (1)

## Recent activity

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### 膝关节骨性关节炎的煤矿工人

### Osteoarthritis of the knee in coal miners

- **咨询委员会建议加入 2008 年 8 月的列表，已经加入到 2009 年月的列表 - 申请量很大，成功率很低。**

IIAC recommended adding to the list in August 2008, added to the list in July 2009 – lots of claims, low success rate.

- **从因照射到双乙酰所致的阻塞性细支气管炎**

Bronchiolitis obliterans from exposure to diacetyl

- **咨询委员会建议加入列表 - 非常罕见的，申请即使有也很少。**

IIAC recommended adding to the list – very rare, few claims if any.

# 近期的活动 (2)

## Recent activity

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- **杰尼托从尿镉暴露癌症**  
Genito-urinary cancer from exposure to Cadmium
- **咨询委员会建议不加入列表 - 证据不足**  
IIAC recommended not adding to the list – insufficient evidence
- **喉癌接触石棉**  
Laryngeal cancer from exposure to asbestos
- **咨询委员会建议不加入列表 - 证据不足**  
IIAC recommended not adding to the list – insufficient evidence

# 与其他利益相关者的关系 (1)

## Relationship with other Stakeholders

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**咨询委员会是一个非行政机构 - 不参与决策过程。但它涉及广泛的利益相关方。**

IIAC is a non executive body – with no role in the decision-making process. But it deals with a wide range of stakeholders.

**•部长 - 他们决定是否接受咨询委员会的建议，控制工伤保险计划的未来**

Ministers – they decide whether or not to accept IIAC's recommendations, and control the future of the scheme

**•工作和退休金部负责制定政策**

Department for Work and Pensions has policy responsibility for the scheme,

- **赞助咨询委员会和它的秘书处。**

sponsors IIAC and provides its Secretariat.

## 与其他利益相关者的关系 (2)

# Relationship with other Stakeholders

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- **加益就业中心（工作和养老部行政机构）**  
Jobcentre Plus (An executive agency of the DWP)
  - **管理制度，审批申请**  
administers the scheme, and decides claims.
- **阿托斯保健 - 私人公司**  
ATOS Healthcare – a private company
  - **有合同提供医疗咨询意见，包括面对面的所有索赔医疗评估**  
has the contract to provide medical advice, including the face to face medical assessment of all claimants
- **法庭服务 The Tribunal Service**
  - **劳动和养老金部的独立部门与司法部配合负责听证和对决定不服上诉的处理**  
Independent of DWP and working to the Ministry of Justice, hears and decides appeals against decisions

# 与其他利益相关者的关系 (3)

## Relationship with other Stakeholders

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- **卫生和安全执行局（HSE）的（工作和退休金部的执行机构）目标是提高工作场所安全**

The Health and Safety Executive (HSE) (an Executive Agency of DWP) aim to improve workplace safety

- **学者，调研员，专家和科学工作者**

Academics , Researchers, experts and scientists

- **根据主题向咨询委员会提供证据和资料**

Provide evidence and information to IIAC depending on the subject

- **市民和他们的代表，从国会议员到个人和群体的代表。**

The public and their representatives – From MPs to individuals and representative groups.

# 工伤预防与卫生和安全执行局 (HSE) ( 1 )



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## Prevention and Health & Safety Executive

- 确保雇员健康和安全生产是雇主的首要责任；

Health and safety at work is primarily the employers responsibility.

- 卫生和安全执行局的使命是预防因公死亡，受伤及其它卫生方面的疾病 - 卫生和安全执委会即是行动的促进者也是实施者；

Health and Safety Executive's (HSE) mission is to prevent death, injury and ill health from work – HSE is an enabler and an enforcer.

- 与地方政府部门一起，卫生和安全执行局负责传达和执行政府相关政策，执行欧盟卫生和安全的相关规定；

With local authorities, HSE is responsible for delivery and enforcement of Government Policy, and implementation of EU health and safety directives.

# 工伤预防与卫生和安全执行局 (HSE) (2)

## Prevention and Health & Safety Executive



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- 卫生和安全执行局的工作主要负责高风险行业（如：采矿、工厂、建筑工地），而当地政府部门负责低风险行业（如：酒店、办公室、商店）；

HSE covers high risk industries (e.g. mines, factories, building sites) and local authorities cover lower risk industries (e.g. hotels, offices, shops).

- 卫生和安全执行局派遣长期观察员参加咨询委员会和调查工作组的相关会议；

HSE send a permanent observer to IIAC and RWG meetings.

- 卫生和安全执行局为咨询委员会的回顾性报告提供相关信息，并为其很多重要报告中也提供工伤预防措施章节。

HSE contribute information to IIAC's reviews, and usually add a paragraph on prevention to most IIAC reports.

# 工伤保险制度的未来 (1)

## Future of the Scheme

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- 作为英国最早的国家福利之一，工伤保险制度现在是否还适用？

It is amongst the oldest UK welfare state provisions – is it up to date?

- 2007 年政府曾考虑过这项制度的未来规划，但最终决定保留现状。

In 2007 the Government consulted on the future of the scheme, but decided to keep it in its present form.

- 2008 年政府曾考虑是否将现有的按周支付改为一次性支付，但最后决定保留现状。他们认为：

In 2008 the Government consulted on whether to replace weekly payments with lump sums, but decided not to change. They said:

# 工伤保险制度的未来 ( 2 )

## Future of the Scheme

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**- 我们有足够的理由继续为因工致残的人提供特殊服务，而且我们相信现有的工伤保险计划能为这些人提供最好的服务。**

*We believe that there remains a strong case for continuing to provide particular support for people whose disability arises from work and we think the current Industrial Injuries Disablement scheme is the best way to do this.*

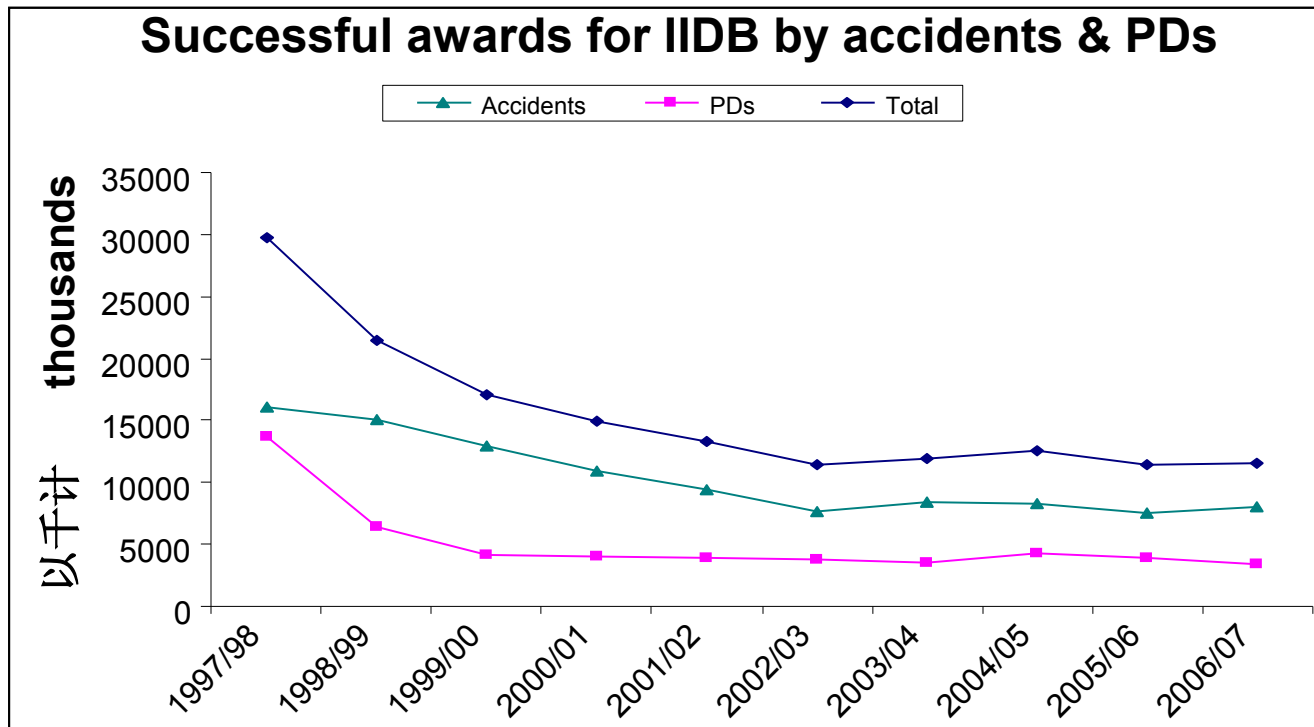
- **对政府未来几年的支出节流的需求将引发下一轮的改革话题**

The need for public spending savings over the next few years may raise the subject of reform once again.



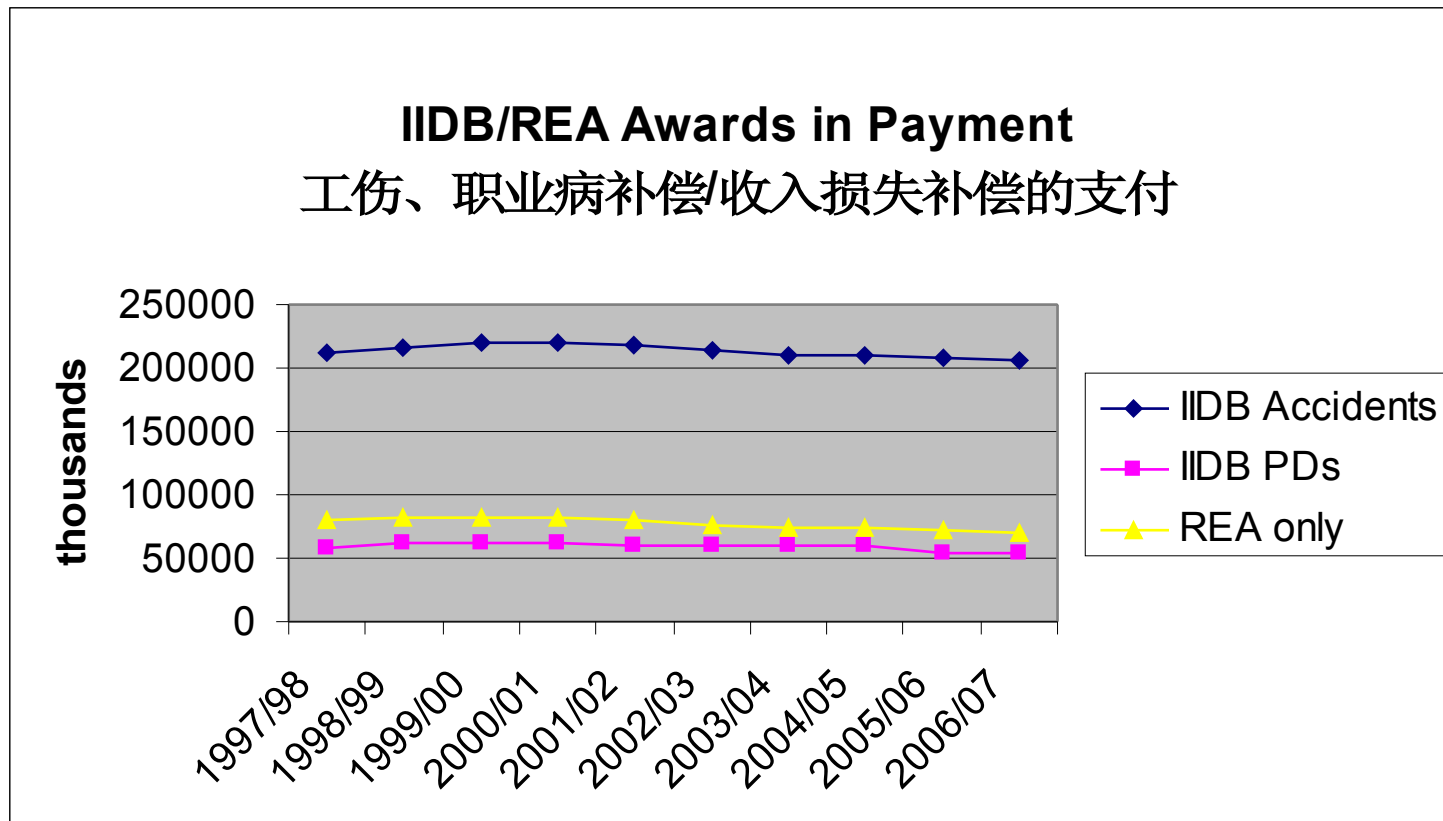
- 目前英国工作和退休金部每年受理 11500 起新的赔偿支付  
DWP currently make 11,500 new awards every year

由事故及疾病引起的工伤残保险金成功理赔案例数量





- 目前，327,000 人领到了补偿金  
327,000 people currently get these payments.



- 事故
- 疾病
- 收入补偿

# 受众群 – 按年龄分布

## Who gets it – by Age?



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- 领取工伤、职业病补偿的人群中有超过 80% 的人在 50 岁以上

Over 80% of people getting IIDB are over 50 years old.



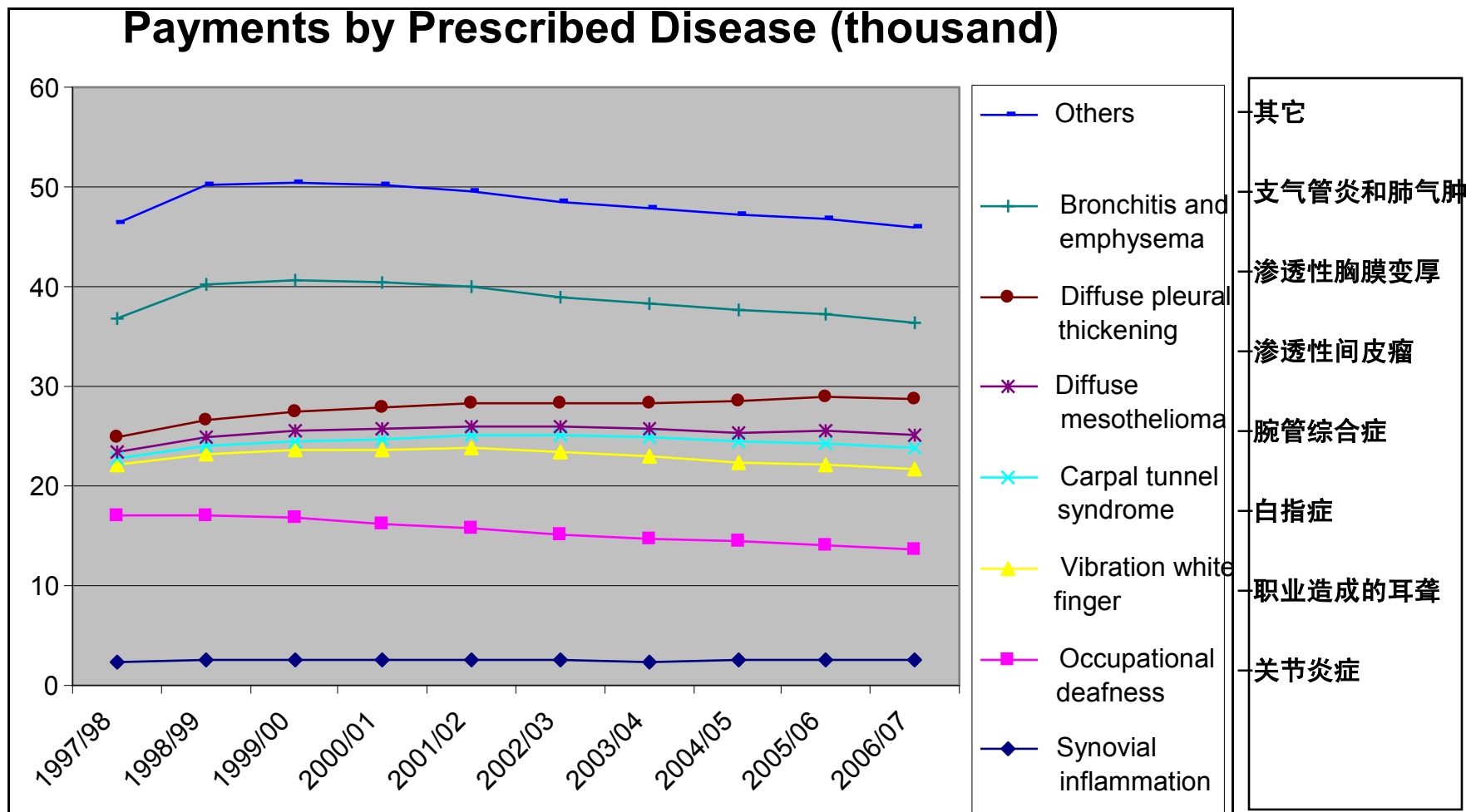
# 支付赔偿金的疾病类型

## What diseases do we pay for?



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支付按疾病种类分类 (单位: 千)



# 需支付赔偿金的事故种类

## What sort of accidents do we pay for?



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