

Introduction

The NHS Injury Benefits Scheme is not part of the NHS Pension Scheme. It is governed by different rules, and it covers almost all NHS employees and most general practitioners, whether or not they are members of the NHS Pension Scheme.

Those covered by the Scheme include:

- ◆ Employees of a NHS Trust, Foundation Trust, PCT, LHB, Special and Strategic Health Authorities;
- ◆ General Medical Practitioners, non-GP providers, Ophthalmic Practitioners and General Dental Practitioners working for the NHS;
- ◆ Holders of honorary appointments with an 'Employing Authority';
- ◆ Employers of **certain** Out of Hours Providers or other NHS organisations that have been approved by the Secretary of State to be covered by the scheme.

Freelance GP and Dental Locums, GP practice staff, GP co-operative staff, dental practice staff, 'Direction' employees, reservists and staff working for companies that provide a service to the NHS, eg agency staff, are not covered by the scheme.

There is no qualifying period, everyone is covered from the day they join the NHS.

If after reading this booklet you want more information, details of how to get it are on page 8.

This booklet is a general guide. It is not a full statement of the law which governs the Injury Benefits Scheme.

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General information

The Injury Benefits Scheme provides benefits for NHS employees who as a result of an injury or disease wholly or mainly attributable to their NHS duties:

- ◆ are on certificated sick leave with reduced pay or no pay, or
- ◆ have their earning ability permanently reduced by more than 10%, or

- ◆ die, leaving a spouse, civil partner and/or dependants.

In the rest of this booklet the word 'injury' means injury or disease wholly or mainly attributable to the duties of the NHS employment.

More information about the Scheme can be found on our website: www.nhs.gov.uk

Temporary Injury Allowance

If you are on authorised sick absence with reduced pay or no pay because of the injury (or if you are a general practitioner temporarily absent from your practice because of the injury), you may be eligible for a temporary injury allowance (TIA).

This allowance is paid by your employer. It tops up your income (ie pay, NHS pension and certain Social Security benefits) to 85% of the average pay you were getting immediately before your pay

was reduced because of the injury. More information about 'average pay' can be found in the IB Scheme Guide on our website.

TIA is not payable if your total income is more than 85% of your average pay. When you return to work or leave employment the TIA stops.

TIA is subject to income tax deductions but **not** National Insurance or pension contribution deductions.

Permanent injury benefit

Permanent injury benefit (PIB) **may** be payable if the injury causes a **permanent reduction in your earning ability** of more than 10% in the general field of employment. It can be paid if:

- ◆ the number of hours you are able to work is permanently reduced; or
- ◆ you have to change to a lower paid job; or
- ◆ you have to leave your NHS employment.

If the permanent reduction of your earning ability caused by the injury is 10% or less, you will not receive any benefits.

The PIB annual allowance is **not** adjusted to compensate for any fluctuations in the DWP Incapacity Benefit.

The PIB annual allowance is a percentage of your average pay and is based on:

- ◆ your length of NHS employment; and

- ◆ the permanent reduction in your earning ability.

If your employment ends because of the injury, you may also qualify for a lump sum payment. This is also a percentage of your average pay.

No annual allowance is payable if your total income (ie NHS pension and certain DWP benefits) is more than the annual allowance.

If your earning ability is reduced further because of the injury, the annual allowance, but not the lump sum, may be adjusted.

The table on the next page shows how the annual allowance and lump sum are worked out.

The benefits are calculated using the following table:

Permanent reduction of earning ability caused by the injury	Annual Allowance (including NHS Pension and DWP benefits) shown as a % of average pay				Lump sum Shown as a % of average pay
	Years of NHS employment				
	Less than 5 years	5 years and over but less than 15 years	15 years and over but less than 25 years	25 years or more	
0 - 10%	No entitlement to an annual allowance or lump sum				
More than 10% up to 25%	15%	30%	45%	60%	12.5%
More than 25% up to 50%	40%	50%	60%	70%	25%
More than 50% up to 75%	65%	70%	75%	80%	37.5%
76% or more	85%	85%	85%	85%	50%

Example

If the permanent reduction in your earning ability is 30% and you have 23 years' employment, then your annual allowance would be 60% of your average pay.

Remember

The percentages in the first column show the permanent reduction in earning ability. The annual allowance does not take account of any fluctuations in DWP benefits

Death benefits

Incapacity Benefit.

If you die as a result of the injury, we may be able to pay allowances to your spouse or civil partner and certain dependants. These allowances are intended to top

up payments such as a NHS survivor benefits. The annual allowance is a percentage of your average pay. The percentages are shown in the table below.

Dependants	Percentage of average pay payable following death
Widow/Widower or Civil Partner only	45%
Each of the first 4 children	10% if there is a widow / widower or civil partner or 20% if there is no widow/widower or civil partner
Each dependent incapacitated adult child*	20% if there is a surviving parent, or 45% if there is no surviving parent
One dependent parent	20% if there is a widow / widower or civil partner, or 45% if there is no widow / widower or civil partner

The total amount of allowances cannot be more than 100% of your average pay. A lump sum of 50% of your average pay may also be paid, provided you had not already had a lump sum as described on page 4.

*A dependent incapacitated adult child is someone who, regardless of age, is permanently unable to earn a living due to ill health or handicap.

Damages and compensation

If you get damages or compensation for the injury, it may affect your benefits. This may mean that you have to pay back some or all of the money that you have already had from the Scheme. It may also reduce any future benefits you get.

If you claim damages you should discuss Injury Benefits with your legal adviser.

When your damages or compensation claim is settled, you must let us know immediately. Our address is on page 8.

Index linking

All allowances from the NHS Injury Benefits Scheme are index linked to protect them against increases in the cost of living.

More information

If you have any questions about the Injury Benefits Scheme, or need more information please refer to the IB Scheme Guide on our website. Alternatively your employer may be able to help you.

You can also write to us at:

NHS Pensions
Hesketh House
200-220 Broadway
FLEETWOOD
Lancashire
FY7 8LG

or e-mail us via our website at
www.nhs.gov.uk

Ring us on 01253 774774

The switchboard is open from 8.30am to 5.00pm Monday to Thursday, and to 4.30pm on Fridays (except Public Holidays).

There is also a number you can dial direct and get through to the person dealing with your case. You will find this on any form or letter we send you.

Or fax us on 01253 774598 or the fax number on our forms and letters.

If you have a NHS Pension Scheme membership number (it usually begins with "SD") it will help if you quote it. If you do not have a membership number, please tell us your National Insurance number.