

# Scheme Guide

## HSC Injury Benefits Scheme



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## Introduction

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

Those covered by the Scheme include:

- Employees of a HSC Trust, HSC Board, Business Service Organisation, Public Health Agency, Patient Client Council;
- General Medical Practitioners, non-GP providers, Ophthalmic Practitioners and General Dental Practitioners working for the HSC;
- Holders of honorary appointments with an 'Employing Authority';
- Employers of **certain** Out of Hours Providers or other HSC organisations that have been approved by the Department 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 HSC, e.g. agency staff, **are not covered** by the scheme.

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

If after reading this booklet you want more information, details of how to obtain it are on page 9.

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

## General information

The Injury Benefits Scheme provides benefits for HSC employees who as a result of an injury or disease wholly or mainly attributable to their HSC 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 HSC employment.

More information about the Scheme can be found on our website:

<http://www.dhsspsni.gov.uk/hsc-pensions.htm/>

## 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 (i.e. pay, HSC 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.

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.

More information about 'average pay' and calculating TIA can be found on our website

<http://www.dhsspsni.gov.uk/hsc-pensions.htm/>.

## 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 HSC 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 allowance can be adjusted when certain Social Security benefits start or stop but not when they fluctuate.**

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

- your length of HSC employment; and
- the amount of 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 (i.e. HSC pension and certain Social Security benefits) is more than the annual allowance.

If you think your earning ability has reduced because your injury has worsened, you can ask us to review your annual allowance. We cannot review your lump sum.

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 HSC Pension and Social Security benefits) shown as a % of average pay				Lump sum Shown as a % of average pay
	Years of HSC 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%	<b>60%</b>	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, your annual allowance would be 60% of your average pay.

### Remember

**The percentages in the first column show the permanent reduction in earning ability.**

## 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 HSC survivor benefits. The annual allowance is a percentage of your average pay. The percentages are shown in the tables below.

Dependants	Percentage of average 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	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 6.

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

## Damages and Compensation

You cannot receive all of a damages or compensation claim settlement and all of your injury benefits as well, where they are paid for the same injury.

If you get damages or compensation for your injury it is very likely to affect how much injury benefit we can pay you.

If you have already received damages or compensation when you make your claim for injury benefits you must tell us so we can take it into account when we work out your injury benefits.

If you obtain damages or compensation after you have been awarded the injury benefits you must tell us within 14 days of the settlement being reached.

**You will have to repay some or all of the injury benefit we have paid you and failure to repay monies owed may lead to legal action.**

## Index linking

All allowances from the HSC 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 see our website

<http://www.dhsspsni.gov.uk/hsc-pensions.htm/>

Alternatively your employer may be able to help you.

You can also write to us at:

HSC Injury Benefit Scheme  
Waterside House  
75 Duke Street  
Londonderry  
BT47 6FP

E-mail us at: [hscpensions@hscni.net](mailto:hscpensions@hscni.net)

Ring us on 028 71 319 111

The office is open from 9.00am to 5.00pm Monday to Thursday and 9.00am to 12.00pm on Fridays (Public Holidays excepted).

Or fax us on 028 71 319 144

Please tell us your National Insurance number when you call or write to us.