

**The Bill would create a separate body for Scotland to advise on industrial injuries benefits.**

**Do you agree with the creation of this body?**

**Yes**

**Please provide the reason for your answer**

The Scottish Employment Injuries benefit is an important benefit which will recognise the impact of industrial disease on the Scottish workforce. This benefit aligns with the fair work principle of Respect which, at its most basic, recognises the health, safety and well-being of others in the workplace.

**Does the Bill require any further powers or functions to be effective?**

**Please provide your response in the box provided.**

The Bill seems reasonable and is in line with our expectations as to what this would cover; however you may want to keep this under review.

**The Policy Memorandum explains that the Advisory Council is to be established in advance of the Scottish Government legislating for Employment Injury Assistance. The Scottish Government has yet to consult on the benefit and the need for an Advisory Council. What are your views on the timing of the Bill?**

It is vital that defined illnesses are to be agreed before 1<sup>st</sup> April 2026. The devolution of this industrial injuries' disablement benefit is explicit that the Scottish Government cannot seek the support of the IIAC in defining the agreed illnesses that will receive this benefit. Furthermore, having reviewed the current illnesses listed by the IIAC it is apparent that the current in-work consequences heavily favours male-dominated industries and significant attention needs to be given to recognising female impacted industrial illness or injury within this benefit award in Scotland. It is therefore imperative that the Scottish Government has an advisory council in place ahead of the benefit in order to fully understand and define the industrial diseases to be awarded benefit.

**The Scottish Commission on Social Security already has powers to scrutinise Scottish social security regulations and to provide reports to the Scottish Government when asked to do so. What are the benefits or drawbacks of creating a new Advisory Council and how would this body operate alongside the Commission?**

We recognise that the Scottish Commission on Social Security already has powers to scrutinise Scottish social security regulations and to provide reports to the Scottish Government when asked to do so. However, it is the view of the Fair Work Convention that it is crucial that an Advisory Council is developed, (ahead of the administration of the benefit) to investigate and review emerging employment hazards which result in disease or injury and that fair work informs this approach. The technical nature of this work requires specific expertise in industrial disease and injury, therefore an Advisory Council that includes representatives from employers, unions and medical and legal professionals is essential.

**The Financial Memorandum sets out the anticipated start up and running costs for the Advisory Council. Will the Bill have any significant resource implications for the Scottish Government, the public sector, business, and individuals?**

**Please provide your response in the box provided.**

We would expect the council to have appropriate resources to function and administer the benefit appropriately. This benefit is important to the people of Scotland and deals with failings in the workplace that can have lifelong consequences

**What is your view on whether the size and balance of Advisory Council's membership is correct to deliver the Bill's purpose? If you think there should be changes to the membership set out in the Bill, please tell us why and what changes need to be made.**

The Fair Work Convention have reviewed the Bill and we are pleased to see that principles of fair work including effective voice underpin the proposed bill, with a view to making the voice of trade unions at the heart the Council.

The Fair Work Convention have undertaken three separate inquiries into industrial sectors in Scotland. We have learned from these inquiries that positive progress and change can be achieved through effective tripartite working based on fair work principles. It is essential that a council is tripartite and includes representatives from Trade Unions as well as employers and medical and legal professionals and those with lived experience. However, when reviewing the Bill under Membership (Part 5, Section 14, clause 5 part C) it refers to 'having as members persons who represent employers and employed earners' but is not explicit in naming Trade Unions. We believe that it is essential that Trade Unions are specifically implied in the Bill. We would encourage you to consider Trade Unions as a formal, permanent requirement to be on the Council advising the Scottish Government.

**Do you have any other comments about the Bill?  
Please provide your response in the box provided.**

We believe that it is vital that the principles of fair work including effective voice are underpinned in the delivery of this benefit and we would like to support government to deliver a benefit with fair work at its core, creating a positive benefit that works well for the people of Scotland and acts as a benchmark for Industrial Illness benefit in the UK.