

Annual 2015-2016 Report



Fourth Year Annual Report

Working in
Partnership...



West View Advice and
Resource Centre Ltd.
Serving the Community





Introduction

Most people have probably never heard of mesothelioma unless they know of someone who has suffered from it, but it is a form of cancer of the external lining of the lung. It is caused by exposure to asbestos and it is invariably fatal. What the latest Health and Safety Executive report shows is that, for the third year running, the number of deaths from mesothelioma has been over 2,500 and this level is likely to continue for at least the rest of the decade.

Since 1968 when figures first became available, the total for the number of people who are recorded as having died from mesothelioma in the past 46 years is 54,631. Given the high levels of under-diagnosis in previous decades, the true figure is much higher.

We could have prevented most of these deaths if the government had listened to the unions and safety campaigners instead of the employers and asbestos industry when asbestos was being widely used in the 1960s and 70s. The importation and use of asbestos was banned in the UK in 1999, so of course we are now told that mesothelioma is soon going to become a disease of the past. Well it is not. There are still millions of tonnes of it in place in at least half a million commercial properties, and every day thousands of workers are put at risk of breathing in the fatal fibre.

Whenever any kind of maintenance work is done on a building where there is asbestos it puts everyone at risk. A survey of 500 tradespeople for the HSE showed that less than a third were aware of the correct ways of dealing with and handling asbestos in the workplace and only 15% knew that asbestos could still be found in buildings built up to the year 2000.

That means that we will continue to have cases of mesothelioma as long as asbestos remains in place. The advice from the government that it is best kept in place unless damaged is clearly unsafe and unsustainable. All buildings are likely to have some work done in them at some point. According to the HSE, 1.3 million tradespeople such as carpenters and joiners could come into contact with asbestos at least 100 times a year, with few workers knowing whether the deadly material is present in buildings which they are working on. Millions of shop workers, office workers, teachers, and hospital workers are also at risk as they work in buildings riddled with asbestos.



The Project

Trade unions have been instrumental in getting the government to ensure that any person who contracts mesothelioma as a result of their work gets full compensation and already tens of millions of pounds have been paid out as a result.

The TUC and unions have also called for increased funding into research into mesothelioma both for treatments to assist those who develop it and also for ways of preventing it develop. Mesothelioma patients on average die within a year of their diagnosis and in contrast to many other cancers, treatments for mesothelioma are limited. However, the government has recently given £5 million to establish a new National Mesothelioma Centre for research into the disease. This is to be warmly welcomed, although much more will be needed in the coming years if the Centre is to reach its full potential.

The need for effective and ongoing action and support for those who develop mesothelioma was recognised by the TUC and major trade unions in the region, leading to the formation of the Northern TUC Asbestos Support & Campaign Group in 2010.

The Group is a partnership between the Northern TUC, trade unions, West View Advice & Resource Centre Ltd and Macmillan Cancer Support. It offers free, confidential information, advice and support to anyone with an asbestos related or industrial disease in the North East and North Cumbria.

The project employs two part time Industrial Injuries Benefits Advice Workers and is funded through the partnership. West View Advice & Resource Centre (WVARC) manages the day to day running of the project.



Governance Structure 2015-16

The Northern Region Asbestos Campaign and Support Group is an independent Trust operating under the auspices of the Northern TUC. The board of trustees are elected from regional trade unions at the Biennial Regional Conference of the Northern TUC.

- *The Board of Trustees consists of no more than 12 members, including a Trust Chair and Secretary.*
- *The Board of Trustees are elected at the Northern TUC's Biennial conference.*
- *The Board of Trustees approve the appointment of the management committee as deemed appropriate with fulfilling the aims and objectives of the Group.*
- *The Management Committee determine its own terms of reference regarding meeting frequency, etc. and are charged by the Board of Trustees with meeting the aims and objectives of the Group.*

Northern TUC Biennial Regional Conference

ASCG: Trustees Board

Membership 2015-2017
Committee

Chair: Micky Blench, GMB; Vice Chair: Russ King FBU

Finance Officer: Dave Telford UNITE

Members

Bill Lawrence; Peter Wilson; Tom Usher UCATT

Bill Moran; Stephen Thompkins GMB

Co-opted:

Edwin Jeffries Chair of the TUC Health & Safety Forum

Administration

Beth Farhat; Melanie Lowden TUC

ASCG: Management Board

Membership 2015-2017
Committee

Chair: Micky Blench, GMB; Vice Chair: Russ King FBU

Finance Officer: Dave Telford UNITE

Solicitor Panel

Beecham Peacock; Thompsons

Macmillan

Sue Clarke

West View Advice and Resource Centre

Val Evens, Centre Manager; Julie Boyd and Ann Ryan,

Industrial Injuries Benefits Advice Workers

Co-opted:

Edwin Jeffries Chair of the TUC Health & Safety Forum

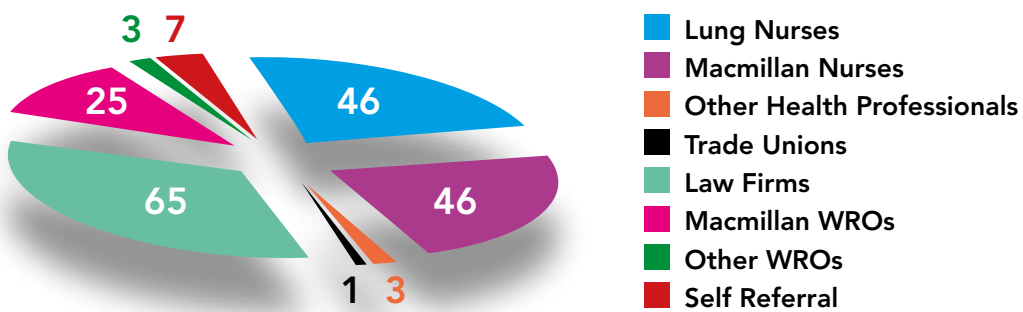
Administration

Beth Farhat; Melanie Lowden TUC

Outcomes

Referrals from Macmillan Nurses, Specialist Lung Nurses and Macmillan Welfare Benefits Workers throughout the TUC's Northern Region which covers Tyne and Wear, Northumberland, North Cumbria, Durham, and Teesside are essential in order to provide the support and advice individuals need.

Referral Sources

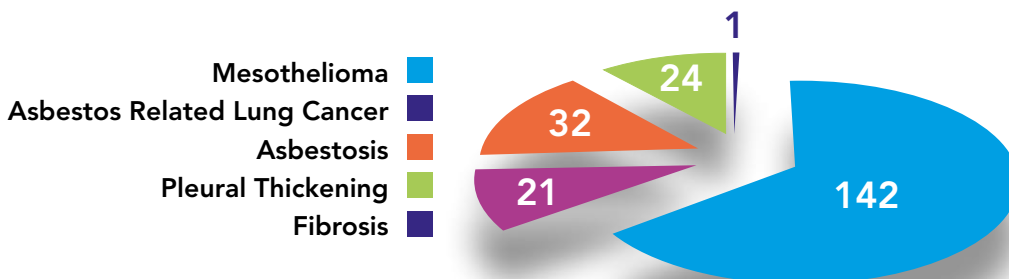


This year the project has been successful in securing approximately £3.1 million in benefits mainly related to Industrial Injuries Benefits and payments of Workers Compensation.

Clients affected by asbestos related diseases are covered by four different categories:

- ● ● D1 – asbestosis
- ● ● D3 – mesothelioma – by far the majority of our clients
- ● ● D8 and D8A – lung cancer caused by asbestos
- ● ● D9 Diffuse Pleural Thickening

Diseases



Mesothelioma was expected to peak in 2015 however this year we have seen just as many cases.

One thing that stands out is that there seems to be more cases where people do not know where they were exposed to the asbestos, unlike in the traditional industries such as shipbuilding which were the bulk of the cases in the past. The industrial injuries benefits advisers reported seeing an increase in women affected by washing partner/parent's clothing and people living near asbestos factories.

Throughout the year, our benefits advisers have attended a variety of events to promote the service and to network with colleagues throughout the region.



The Macmillan Benefits Service

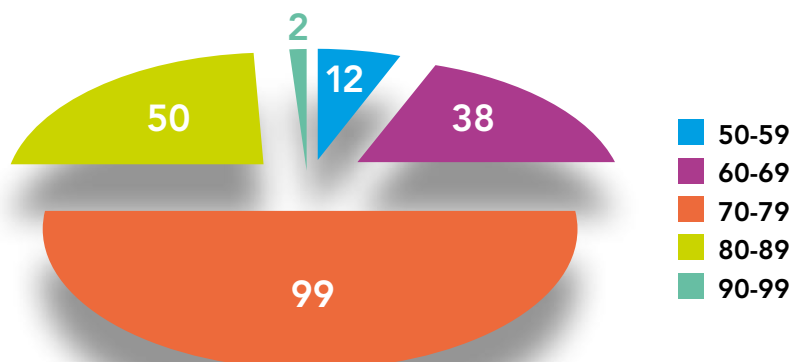
Macmillan figures show that nearly half of people with cancer at the end of life rely solely on family and friends for practical support. It is, then, essential that people caring for someone with a terminal illness are properly supported themselves.

Collectively our industrial benefits advisers have over 25 years experience of delivering the full range of benefits advice, including calculations to show the client how they are better off before they apply for benefits and what impact claiming a particular benefit may have on a family member. We look at the whole family, including spouses and carers and continue this support after the end of life, assisting the client's family to secure any benefits or payments they may be entitled to.

Often claims can be straightforward as many clients have worked all their life and are not claiming any means tested benefits, however in some cases a full benefit check has to be carried out as if they receive a small award for, for example, asbestosis or pleural thickening, it may affect other benefits, such as Housing and Council Tax Benefit and Pension Credits.

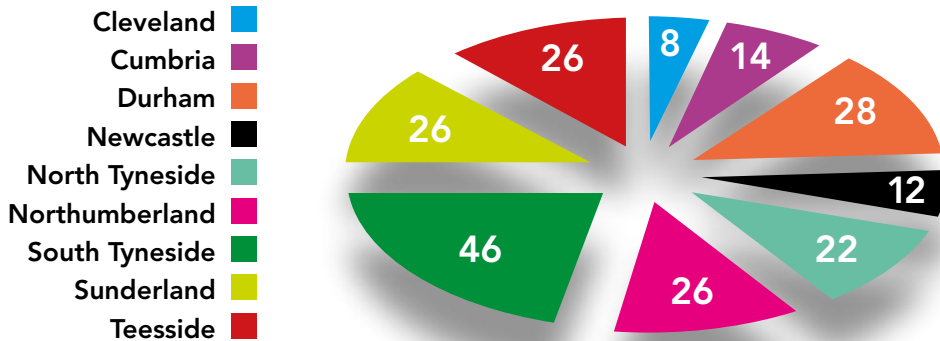
Age Group Profiles

The largest group of clients this year were aged 70 plus.



Locality Profiles

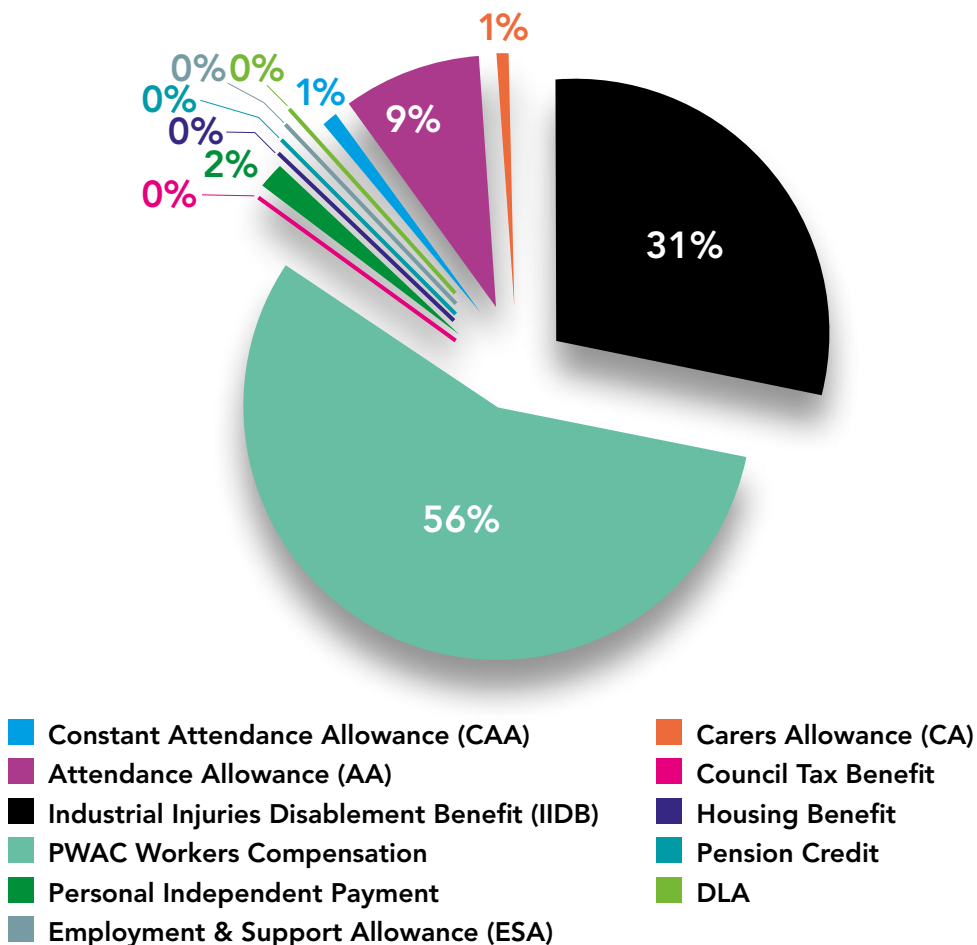
Many clients visited this year lived in South Tyneside



Total Gains for the Year 2015-2016

A total of £3,108,684.24 in benefits was gained for clients in 2015/16.

Of this £1,745,587 was made up of lump sum payments of Workers Compensation
 The outcomes for cases of non-cancer diseases take longer for DWP to process, so this figure is likely to increase.



Case Study

A

Mr Y is in his 60s and lives with his wife. He is retired and receives an occupational pension. He will be entitled to a state pension upon reaching retirement age.



Mr Y was recently diagnosed with mesothelioma as a result of working with asbestos during the course of his employment as a fitter's mate with the NHS at various local hospitals.

Within a matter of weeks we had successfully applied for the following: Industrial Injuries Disablement Benefit which resulted in a weekly payment of £168.00, Personal Independence Payment (Living) enhanced weekly rate of £82.30, Personal Independence Payment (Mobility) enhanced weekly rate of £57.45 and a lump sum payment of £36,324 under the Pneumoconiosis etc (Workers Compensation) Act.

He instructed one of our panel solicitors who successfully pursued the Secretary of State for Health and obtained damages of £210,000 within 12 months of being instructed.



Case Study

B

Mr M, a 71 year old retired man, was diagnosed with mesothelioma in October 2015 as a result of occupational asbestos exposure between 1962 - 1984 during his employment as a draughtsman/design engineer in the North East shipyards.



Image courtesy of Macmillan

Following his diagnosis, we helped Mr M in submitting benefit applications to the Department for Work and Pensions which resulted in him being awarded industrial injuries disablement benefit of £168.00 per week, attendance allowance of £82.30 per week and a lump sum payment of £16,860 under the Pneumoconiosis Etc (Workers' Compensation) Act 1979.

Mr M instructed a solicitor to pursue claims for damages against his former employers which resulted in settlement of £187,500 within 6 months of instruction.



Case Study



Mr W is a retired 75 year old man who lives with his wife. Prior to being diagnosed with mesothelioma he received a state pension and a private pension.



He was diagnosed with mesothelioma in September 2015 as a result of being exposed to asbestos while working as a rigger at Blyth Power Station in the mid 1970s.

Within weeks we had assisted Mr W in claiming Industrial Injuries Disablement Benefit resulting in a weekly payment of £168.00, Attendance Allowance resulting in a weekly payment of £82.30 and a lump sum payment under the Pneumoconiosis (Workers Compensation) Act 1979 of £14,830.

Mr W chose to instruct one of our panel solicitors who obtained damages of £157,000 on his behalf within 11 months of being instructed.






Client Feedback

We receive positive feedback from the clients and often receive thank you messages, a sample of which is shown below.

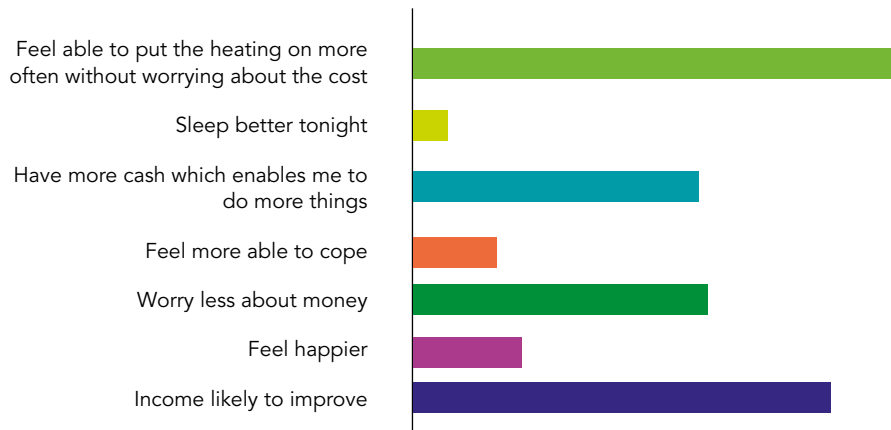
*Thanks for all you help with Attendance Allowance. Received with thanks due to your help
Sincerely, Mrs Doris Powell*

This heartfelt message comes to you today to thank you more than words can say.

In addition to this we seek client feedback through customer service surveys. Below is a sample of the customer service survey results:

-  71% of clients reported receiving an appointment in less than one week from requesting it
-  98 % were very satisfied with the advice they received
-  Of those who answered the question 100% were very satisfied with the service they had received.

How has the advice/support received helped you?



Quotes from Clients

Great service, many thanks.

Would not have been able to cope with the forms myself. Advisor excellent!

Very good service.

This service is wonderful, so helpful.

I thought the Advisor was very good.

We were informed of things we had no idea about. The Advisor's visit was a real learning curve.

Very satisfied with the service. Very caring.

The meeting we had today was arranged for us. We had no idea Roy might be entitled to something. The Advisor was perfect.

Everything was crystal clear; she took it all on board; she knew everything. Wonderful. Thank you very much.

All that was explained was satisfactory in all respects

Very good service. Well done TUC.

Excellent service.

Asbestos the hidden Killer

Over 70 workplace union representatives attended briefings organised by the Northern TUC this year designed to provide an insight into the risks from and the requirement to manage asbestos in schools and in other public buildings.

Asbestos, 'the hidden killer' is present in over three-quarters of schools.

It can be found almost anywhere in the fabric of a building, and is impossible to determine by sight.

There is no room for complacency. By safely removing and disposing of asbestos we can save thousands of people from dying of mesothelioma in the future. The TUC has been demanding a legal duty on all employers to do this, although the Government is currently refusing. In the meanwhile we are asking trade unionists in the workplace to negotiate with their employer to make sure that their workplace is properly surveyed and any asbestos in place is safely removed.

The fact that the Government has been willing to help address problems with compensation and research should not be sneered at. However, if it wants to really do something about this terrible disease, it has to take the more long-term review and work toward the complete eradication of asbestos.

Only then will we be able to consign mesothelioma to the history books.



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