

The CDP's Unique Approach – Case Study 3

In 2001 the City Disputes Panel was approached by a major global industrial corporation.

Former employees and residents living near to a former operational site had made allegations suggesting that various illnesses and diseases they had contracted were related to emissions from the site when it was still operating.

The company wished to establish and fund an independent claims review scheme to resolve these allegations.

After a substantial period of consultation with the claimants' representatives, the company and the CDP a set of rules and procedures was drafted by the company's legal advisers and agreed by all the interested parties. An independent review board was appointed, chaired by a then recently retired Appeal Court judge and with three scientific and technical experts as members, each of them leading practitioners and academic professors in the field of occupational and environmental medicine.

The City Disputes Panel was appointed as a neutral body to act as scheme administrator.

The scheme opened in 2002 and by early 2003 over 660 claimants lodged a total of almost 1,790 individual claims for a wide variety of individual medical conditions.

The review board considered each of these claims and determined which could establish a causation and exposure link. An independent assessor then recommended the level of compensation to be offered to these claimants. Every claimant offered compensation accepted the sum recommended and no claimant withdrew from the scheme. The full review of each and every claim was completed by mid 2008.

The extensive investigations by the review board were both exhaustive and authoritative, evidenced by the fact that all the claimants accepted the outcome and none have exercised an option to pursue action through the courts.

The CDP ensured the smooth operation of the scheme throughout, providing secretarial and administrative support to the review board members and processing each claim so as to ensure that every claim was dealt with in an impartial and independent manner.