

INDUSTRIAL DEAFNESS



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AN INTRODUCTION TO CLAIMING COMPENSATION: INDUSTRIAL DEAFNESS

ABOUT THIS BOOKLET

Workers who have been exposed to excessive noise at work may develop industrial deafness, also known as noise-induced hearing loss.

This condition develops gradually and can have a significant impact on day-to-day life.

This booklet provides a basic outline of:

- What industrial deafness is
- Who may be affected
- What causes the condition
- The legal duties of employers
- What steps workers should take
- Time limits for bringing a claim



WHO CAN BE AFFECTED BY INDUSTRIAL DEAFNESS

Industrial deafness can affect anyone exposed to high levels of noise, particularly in the workplace.

Workers most at risk include:

- Construction and demolition workers
- Factory and manufacturing workers
- Shipyard and engineering workers
- Workers using loud machinery or power tools

In many cases, exposure occurs over a number of years, often where hearing protection was not provided or enforced.

WHAT CAUSES INDUSTRIAL DEAFNESS?

Industrial deafness is caused by prolonged exposure to excessive noise.

Repeated exposure to loud noise can damage the delicate structures in the inner ear, leading to permanent hearing loss.

Key features:

- Usually develops gradually over time
- Caused by repeated or continuous noise exposure
- Damage is permanent and cannot be reversed
- Often affects both ears

Industrial deafness may go unnoticed in its early stages and become more apparent over time.

WHICH PART OF THE BODY DOES IT AFFECT?

Industrial deafness affects the **inner ear**, particularly the delicate hair cells that help transmit sound signals to the brain.

Key points:

- These cells can be damaged by loud noise
- Once damaged, they do not repair or regenerate
- This leads to a gradual reduction in hearing ability

The condition typically affects the ability to hear higher-frequency sounds first.

WHAT ARE THE SYMPTOMS?

Symptoms of industrial deafness often develop gradually and may include:

- Difficulty hearing conversations, especially in noisy environments
- Needing to turn up the volume on televisions or devices
- Frequently asking people to repeat themselves
- Ringing or buzzing in the ears (tinnitus)

Because the condition develops slowly, many people may not realise the extent of their hearing loss until it has progressed.

WHAT SHOULD EMPLOYERS DO?

Employers have a duty to protect workers from excessive noise exposure.

This includes:

- Assessing noise levels in the workplace
- Taking steps to reduce noise exposure where possible
- Providing appropriate hearing protection
- Ensuring employees are given training and information
- Implementing safe systems of work

Where employers fail to take these steps, they (or their insurers) may be held liable if their negligence has caused or contributed to hearing loss.

WHAT SHOULD YOU DO?

If you believe you may have industrial deafness, you should:

- Seek medical advice and a hearing assessment
- Gather information about your work history and noise exposure
- Seek legal advice as soon as possible

Early advice is important to ensure your position is protected.

TIME LIMITS

In Scotland, strict time limits apply to claims:

A claim must generally be raised within 3 years of becoming aware of the condition and its possible link to your work

Important points:

- If the time limit is missed, the claim may be time-barred
- This can prevent you from pursuing compensation
- It is therefore important to seek legal advice early

LEGAL POSITION IN SCOTLAND

Under Scots law, industrial deafness can give rise to a claim where it has been caused by negligent exposure to excessive noise in the workplace.

This means:

- Individuals with noise-induced hearing loss may be entitled to compensation
- Claims will depend on demonstrating exposure and employer responsibility

Each case will depend on its individual facts, including the level and duration of noise exposure

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The information contained in this booklet is more generalised and not a substitute for individual legal advice. You should talk to a lawyer or adviser before making any decision about a legal issue you are experiencing.