

Making a new liability claim

A handy checklist

These are the essential details we need to know about when a new claim is reported. During the first notification we'll also review the risk management features of the insured:

Do you have a Health & Safety Policy?

- Is it up to date?
- Does each member of the workforce have a copy and have they signed it to confirm receipt?
- Is a copy readily available?

Induction Training

- Have all appropriate staff received full induction training?
- Has it been carried out by a suitably qualified person?
- Have the employees signed the relevant paperwork at each stage

Have you carried out risk assessments?

- Are they up to date
- Have you acted on those assessments?
- Have you carried out post-accident assessments?
- Have you acted upon the findings and take appropriate action to avoid further accidents?

Manual handling, use of equipment and working conditions

- What does your risk assessment say about these topics?
- Has the workforce been trained accordingly?
- Is the best or most suitable equipment being used?
- Do you have a record of enforcement, signed by the workforce?
- What steps are taken if employees fail to comply with the rules?

Ongoing and on-the-job training

- Is there a need for further training?
- When further training requirements are identified, has the training been completed and signed by both the employee and trainer?

Documentation to be client should complete

- Ensure all accidents are accurately recorded at the time, with details of what happened and why, witness names and actions taken
- The record should be signed by the person completing the entry and, if possible, by the injured person
- For serious injuries, or absences of more than 3 days, a RIDDOR form F2508 should be completed. All documents, including risk assessments, health and safety policies, minutes of meetings and details of accidents must be retained for at least three years from the date of the accident.

Documents Required by Insurers for Employers Liability Claims

- Copy of the Accident Book Entry
- Details of the claimants gross and net earnings for a period of 13 weeks prior to the incident.
- Details of all gross and net earnings made to the claimant after the incident.
- All correspondence to/from the HSE including form F2508 if completed.
- Minutes of any Health and Safety Committee meetings where the incident or matters arising from it were considered.
- Any documentation listed above relative to any previous similar incident.
- All correspondence to/from the Department of Work and Pensions (DSS) relating to this incident.
- Any risk assessments and/or method statement relevant to the task being done /activity taking place at the time of this incident.
- Any training records relative to the injured party.
- All maintenance records and operation manuals relative to any equipment involved in this incident.
- Any post accident investigation report and copy witness statements.
- Any other relevant documentation.

Please ensure these are provided as soon as possible as Insurers only have a certain amount of time to investigate matters and make a decision with regards to whether they will be dealing with the claim presented or not. *Failure to do this may prejudice Insurers position and as a result any Court charges may be referred to our client.*