

# Insurance Claim Process

Claims for compensation are decided on legal liability. This means that you have to prove that “on the balance of probabilities” the council has been negligent or failed in its statutory duty.

It should be noted that there is no automatic right to compensation.

Once you have submitted your claim, the claim and any surrounding issues will be investigated by officers of the council.

Once the investigation is completed it will be passed to professional claims handlers who are employed by the council to take the decision on whether legal liability attaches to the council. There may be occasions when we need to clarify the information you have provided to us and we will contact you further.

As Slough Borough Council self-insures to a large extent, any money awarded in compensation comes from council funds.

In order that your claim can be processed you must provide:

- Your name and address
- The date of the incident/accident
- The exact location of the incident/accident
- The reason why you think Slough Borough Council is responsible for the accident
- Details of any witnesses

In the case of an injury you must also provide:

- Your date of birth
- Your National Insurance number

Once our investigation is complete we will make a report for our claims handlers who will decide on whether any legal liability attaches to the council.

If the decision of the claims handlers that the council is not legally liable for your accident then they will write to you and give you the reason why.

If you are unhappy with this decision and wish to take this further you are advised to take independent advice. **Please note Legal Aid is now not available in all but exceptional circumstances.**

If the decision of our claims handlers is to award you compensation then they will write to you with an offer. You then have the opportunity to accept or refuse the offer. Please be aware that if you refuse an offer our claims handlers are under no obligation to make a higher offer.

The time it takes to deal with your claim depends on many issues. If your claim does not involve an injury and the issue of legal liability is straightforward then your claim should be settled within six weeks of us receiving your claim.

However, if your claim involves an injury our claims handlers may have to refer to hospitals, doctors, etc. to verify the extent of your injuries and we have no control over the length of time it may take to receive their replies.

Our claims handlers may feel the need to involve experts in certain fields to give advice; again this may add time to reaching a final decision.

Claims involving certain injuries, or claims involving injuries to children, may take a while to discover the full extent of the injury.

We have a responsibility to ensure that we only pay for the claims for which we are legally liable. If it is the opinion that we are not legally liable then we will vigorously defend any claim.

However, on the occasions that we consider that we are legally liable, then we will try and settle these claims on the best terms possible as it is in no one's interest to have claims dragging on for a long time.

## Offsetting arrears and fraud

**The information you have provided (and further information that may be supplied by you) will be used for the purpose of handling your claim.**

**However, Slough Borough Council has a duty to protect the public funds it administers and will use the information it holds for the prevention and detection of fraud. This includes the assessment and collection of any tax or charges.**

**The council will also exercise any legal right of set-off and deduction for debts due to the council from a claimant. Examples would be rent or council tax arrears. Such debts will be taken into account when considering the merits of a claim, whether or not the claim results in litigation.**

**For these purposes the council will share data both internally within the council and externally with other organisations to the extent the law allows. The use of such data is compliant with the requirements of the Data Protection Act 1995 and the guidance of the Information Commissioner.**

## Incident Form

PLEASE COMPLETE USING BLOCK CAPITALS THROUGHOUT, AND RETURN TO THE ABOVE POSTAL ADDRESS.  
IF YOU HAVE ANY DIFFICULTY IN COMPLETING THIS FORM, PLEASE CONTACT THE ISSUING OFFICE.

**1. Personal details** Mr/Mrs/Ms etc..... Surname .....

Forename(s) .....

Full address .....

..... Post code .....

Contact telephone number .....

National Insurance no. 

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 Email address .....

**2a. Particulars and location of incident** .....

Date ..... Time .....am/pm

i) Street name .....

ii) Outside house number etc: .....

OR

iii) Location.....

(Please use landmarks, e.g. distance from road junction, lamp post, telegraph pole, house name/number, etc)

Weather conditions at the time, e.g. wet/icy/foggy etc .....

Was it light/dark/twilight etc .....

**2b. Additional information** Were there any witnesses?  YES  NO

If so: Name .....

Address .....

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2c. Were the police informed?  YES  NO

If so: When?.....

At which police station? .....

Crime reference number .....

2d. Were the Highways Department informed?

If so, date .....time .....

Officers name .....

Incident reference number issued.....

**3. If damage to a motor vehicle**

Make ..... Model .....

Registration number .....

Estimated cost of repairs (please attach copy of estimate if available) £.....

**Insurance Details**

Please provide name and policy number of your Motor Insurers .....

**4. If personal injury**

Injured person Mr/Mrs/Ms etc ..... Surname ..... Date of birth.....

Forename(s) .....

Nature of injury .....

Was medical advice/attention, needed/obtained?  YES  NO

If so: Name of doctor/hospital .....

Address of doctor/hospital .....

5. Do you believe the council to be negligent?  YES  NO

If yes, please state why.....

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**PHOTOGRAPHIC EVIDENCE**

Photos of the location of the incident may assist our investigations. Please enclose with this form.

ENCLOSED  YES  NO

**6.** Please draw a sketch of the accident site, include any landmarks, road names, etc as appropriate.

A large, empty rectangular box with a thin black border, intended for a hand-drawn sketch of an accident site. The box occupies most of the page below the instruction.

7. Describe fully how the accident occurred

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**I declare that the foregoing statements are true and complete to the best of my knowledge and belief.**

Signature ..... Date .....

**Please note:** The information you provide may be shared with other appropriate council departments and outside agencies for the registered purposes under the Data Protection Act 1998.

The council is under a general duty to protect the public funds they handle and may use the information you have provided to prevent and detect fraud. Therefore the information you provide may be checked against other council records. The council may also share this information, for the same purposes, with other organisations that handle public funds.

If you would like assistance with the translation of the information in this document, please ask an English speaking person to request this by calling 01753 875673.

यदि आप इस दस्तावेज में दी गई जानकारी के अनुवाद किए जाने की सहायता चाहते हैं तो कृपया किसी अंग्रेजी भाषी व्यक्ति से यह अनुरोध करने के लिए 01753 875673 पर बात करके कहें.

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਦਾ ਅਨੁਵਾਦ ਕਰਨ ਲਈ ਸਹਾਇਤਾ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਕਿਸੇ ਅੰਗਰੇਜ਼ੀ ਬੋਲਣ ਵਾਲੇ ਵਿਅਕਤੀ ਨੂੰ 01753 875673 ਉੱਤੇ ਕਾਲ ਕਰਕੇ ਇਸ ਬਾਰੇ ਬੇਨਤੀ ਕਰਨ ਲਈ ਕਹੋ।

Aby uzyskać pomoc odnośnie tłumaczenia instrukcji zawartych w niniejszym dokumencie, należy zwrócić się do osoby mówiącej po angielsku, aby zadzwoniła w tej sprawie pod numer 01753 875673.

Haddii aad doonayso caawinaad ah in lagu turjibaano warbixinta dukumeentigaan ku qoran, fadlan weydiiso in qof ku hadla Inriis uu ku Waco 01753 875673 si uu kugu codsado.

اگر آپ کو اس دستاویز میں دی گئی معلومات کے ترجمے کے سلسلے میں مدد چاہئے تو، براہ کرم ایک انگریزی بولنے والے شخص سے 01753 875673 پر کال کر کے اس کی درخواست کرنے کے لئے کہیں۔

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