

# Claims handling process guide

Prepared in conjunction with Zurich Municipal

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## Contents

Introduction .....	2
Assessing the claim.....	2
Time to decide.....	2
Additional information from you .....	2
Paying the claim .....	2
Fair processing notices to Insurance claimants.....	3

# Introduction

This guidance applies to any person seeking to make a claim against the council. The guidance details the steps that are taken, the involvement of our Insurer and an estimate of the likely timescales.

## Assessing the claim

You are making a claim against the Luton Council. The basis for the claim is that there has been fault on the part of the council and it is therefore necessary for you to prove that they have been at fault in law. **There is no automatic entitlement to compensation.** Even though something has happened, it does not necessarily mean the council can be held to blame.

The Insurance section will send your letter of claim to their insurers. Their address and contact number is in the acknowledgement letter from the council. Please allow 21 days for the insurer to write to you but you may contact the council's Insurance section after this time if you have not heard from our insurers. In the meantime, the Insurance section need to investigate your complaint and once this is completed will pass the paperwork to our insurers.

## Time to decide

Claims are always processed as quickly as possible. However, the law allows the insurer a period of up to three months to investigate the incident and advise their decision as to whether there has been any fault on the part of the council. In the meantime, if you have any information/photographs, which you feel may assist the insurer in considering your case, please forward them as soon as possible. This may include photographs of a pavement defect or of damaged property etc. It will help the insurers if their reference number is quoted whenever contact is made.

## Additional information from you

If the letter of claim contains insufficient information to investigate the claim; eg the site of the accident cannot be identified, the three month protocol period may not be considered to commence until after the information has been received. This may include a meeting at the site of the accident or the insurance company may appoint a claims inspector or loss adjuster to gather further facts.

In addition, in order to speed up the process, the insurer may start ask for proof of value but this does not mean you are going to be paid. As well as specific information, the insurer may also ask you to provide your full name, date of birth and national insurance number.

## Paying the claim

If the insurer is not paying your claim, you will receive a letter detailing why. If you wish to dispute their decision, please write with any further information to the insurer and not to the council.

If the insurer considers the council to be responsible, they will then need to collect evidence to assess how much they should be paying.

If the claim is for damage to your property, the insurer will require original receipts (if available) and/or replacement estimates and confirmation of the age of the items.

Please be aware that **the offer will not be on a new for old basis** and as such will be adjusted for wear and tear etc.

If your claim is for injury, medical evidence will need to be gathered. The insurer will forward a form for completion to allow them to approach your GP/hospital for a report. Please be aware that the amount of time it takes to receive the report can vary widely and is something over which they

have no control other than to issue regular reminders. You can of course chase the GP/hospital yourself in this instance.

If the injuries are severe or the GP/hospital report is not sufficient to accurately assess the value of your injuries, the insurer may need to appoint a consultant who will need to examine you to prepare a comprehensive report. This process can be lengthy and may take a number of months.

Once all the evidence has been collated, the insurer will then put forward in writing, an offer which they consider will accurately reflect an appropriate level of compensation.

You should confirm to whom the cheque should be made payable when you accept the offer in writing. Cheques will normally be issued within 7 to 10 working days.

You are entitled to seek legal advice at any stage. If you engage a solicitor any letters will be sent to them. You will need to ask your solicitor for the progress on the claim.

If you want to comment about the way the insurers have dealt with your claim please

Write to Casualty claims, Zurich Municipal, P O Box 107, 2 Gladiator way, Farnborough, Hampshire, GU14 6GB.

If your comment is about the way the council has dealt with your claim please write to; Insurance section, Town Hall, Luton, LU1 2BQ.

Any compliments will be passed onto the insurance section and any complaints will be fully investigated and you will receive a written reply.

The council reserve the right to take legal action against and those whose claims are found to be fraudulent.

### Fair processing notices to Insurance claimants

1. Luton Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, please see our [NFI data privacy notice](#).
2. We advise claimants that the data held by the authority in respect of your insurance claim will be used for cross-system and cross-authority comparison purposes for the prevention and detection of fraud.

### Contact us

Please call us on 01582 546105, 01582 546123 or 01582 547044 If you need this in large print, on tape or in the following languages of:

বাংলা গুজরাती पंजाबी اُردُو