

Personal Injury Claims – Recent changes you need to know about

Any organisation with staff or volunteers runs the risk of having a claim for personal injury brought against it. At Ecclesiastical, we can help you make sure your church is prepared for any claims, and that you know exactly what to do should it happen to you.

Please do not wait for a claim to be made. If you are aware of an incident which has resulted in a personal injury for which you may be responsible please tell us about it as soon as possible.



Claims need to be acknowledged within 24 hours.

What happens when someone makes a claim

For any claim concerning an accident that happened after 31st July 2013, the procedure is now slightly different.

In a nutshell, the solicitor acting on behalf of the injured person (the 'Claimant') now has to try to find out the details of the insurer of the responsible party (the 'Defendant').

So if someone is making a claim against your church, for example, their solicitor will have to take steps to ascertain that we are your insurers.

1 If a church employee makes a claim

The solicitor will try to trace your insurers by contacting the Employers Liability Tracing Office (ELTO). You can find out more about them here.

If they can't find a record of your insurer that way then they will either:

- Write to you asking for our details
- Send you a Claim Notification Form that they will have to submit with the claim.

As soon as someone makes a claim, it needs to be acknowledged within 24 hours. So please pass any claim onto us immediately.

We then have 30 working days to look into what happened and find out whether you were responsible and communicate the decision.

If the injury was your fault then we will admit liability and start taking steps to settle the

claim. We will also need some details of the claimant's wages from you:

- How much they were earning for the 13 weeks before the accident, and how much they earned after the accident, including any time they were absent from work
- We will need this information within 20 days of admitting liability/accepting responsibility.

If the injury wasn't your fault, then we will deny liability. The solicitors may accept our argument, or they might want to take the matter to Court.

2 If someone who isn't an employee makes a claim

The solicitors will either:

- Write to you asking for our details
- Send you a Claim Notification Form that they will have to submit with the claim.

As soon as someone makes a claim, it needs to be acknowledged within 24 hours. So please pass any claim onto us immediately.

We then have 40 working days to look into what happened and find out whether you were responsible.

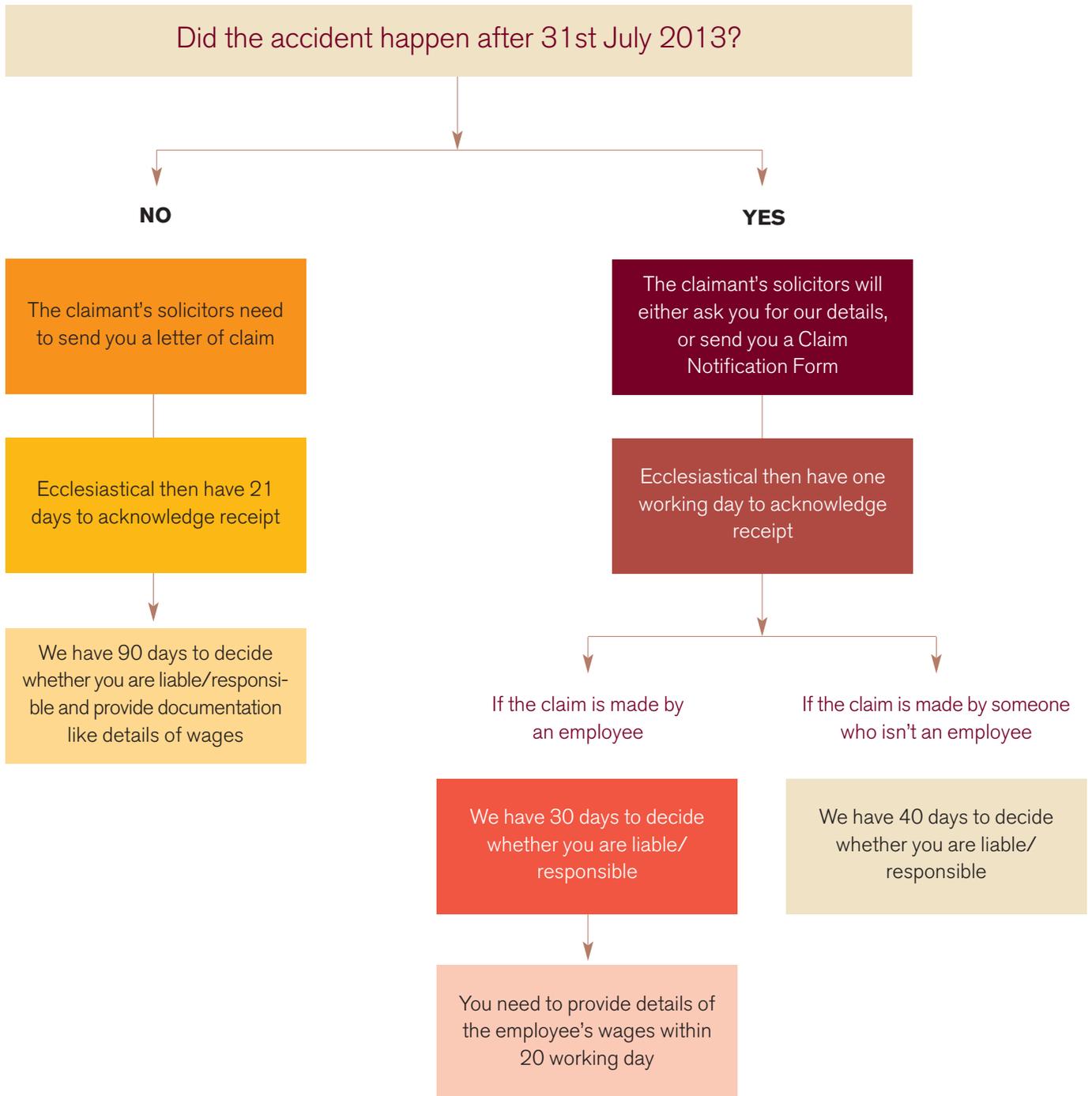
If the injury was your fault then we will admit liability and start taking steps to settle the claim.

If the injury wasn't your fault, then we will deny liability. The solicitors may accept our argument, or they might want to take the matter to Court.

3 If someone makes a claim but doesn't use a solicitor

If the claimant isn't using a solicitor, please let us know the details of their claim. Please also make sure to pass on any letters from them as soon as you receive them.

If you need any help or advice, please contact our claims team on
0845 603 8381



Beaufort House, Brunswick Road,
Gloucester GL1 1JZ

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