

To: POLICY AND RESOURCES (FINANCE) SUB-COMMITTEE		Subject : PUBLIC / EMPLOYERS LIABILITY CLAIMS – POSITION AS AT 30 SEPTEMBER 2004
From: DIRECTOR OF FINANCE		
Date: 12 OCTOBER 2004	Ref: JV/LA/I-23.10	

1 Introduction

1.1 The purpose of this report is to update the Committee with details of the status of insurance claims lodged against the Authority during the period 1 April 1996 to 30 September 2004. The report is a follow up to that presented to Committee in May 2004, which detailed the status of claims at 31 March 2004.

2 Current Position

2.1 During the period 1 April 1996 to 30 September 2004, a total of 16,492 liability claims were received. These claims have been dealt with as follows:-

Public Liability

	As at 30/09/04		As at 31/03/04		As at 31/12/03	
Claims Paid	5857	37%	5561	37%	5585	36%
Claims Repudiated	9055	56%	8549	55%	8403	56%
Claims Outstanding	1108	7%	1187	8%	1093	8%
Total	16020	100%	15417	100%	15081	100%

Employers Liability

	As at 30/09/04		As at 31/03/04		As at 31/12/03	
Claims Paid	166	35%	149	33%	139	33%
Claims Repudiated	172	36%	147	33%	144	34%
Claims Outstanding	134	29%	150	34%	142	33%
Total	472	100%	446	100%	425	100%

The number of public liability claims outstanding has decreased from 1187 to 1108 and efforts will continue to ensure that all claims are dealt with timeously so that the total number of outstanding claims continues to reduce.

2.2 The status of all outstanding claims at 30 September 2004 is shown in the undernoted table. Details for individual years are shown in Appendix 1.

Summary of Outstanding Claims 1996/97 - 2004/05

	<u>Public Liability</u>		<u>Employers Liability</u>		<u>Total</u>	
	Total	%	Total	%	Total	%
1 Awaiting Council Report	92	8	8	7	100	8
2 Awaiting further information from Council	101	9	14	10	115	9
3 Awaiting response from Third Party / Solicitors	456	41	17	13	473	38
4 Awaiting Specialist / Medical Report	50	5	5	4	55	4
5 Claims litigated	144	13	61	45	205	17
6 Claims with Marsh	265	24	29	21	294	24
	<u>1108</u>	<u>100</u>	<u>134</u>	<u>100</u>	<u>1242</u>	<u>100</u>

3 Analysis of Outstanding Claims

3.1 The following summarises the position of outstanding claims in respect of the above categories:

3.2 The number of claims awaiting information from departments has decreased from 236 to 215. The Risk & Insurance Section continues to actively pursue departments for the prompt return of reports and information to enable Marsh to deal with the claims.

3.3 The number of claims outstanding because further information has been requested from claimants, their Solicitors or Specialists or where they are subject to Court timetables, has increased from 702 to 733, and accounts for 59 % of all claims outstanding. These categories relate to claims that have been passed by the Council to the claims handlers, or Legal Services, but require further information from persons outwith the Council to enable the claims to be progressed.

3.4 The previous report recorded an increase in the level of claims with Marsh. Marsh have taken action to address the backlog and as a result the level of claims with Marsh has decreased from 399 to 294. The situation is being monitored between staff in the insurance section and Marsh to ensure claims are dealt with timeously and the claims with Marsh continue to decrease.

4 Recommendation

4.1 Members are asked to note this position.



DIRECTOR OF FINANCE

For further information please contact Lauren Anthony on tel. ext.2304.

APPENDIX 1

Outstanding Claims by Year

TABLE 1	<u>Public Liability</u>		<u>Employers Liability</u>	
	1996/97 to 1999/00	%	1996/97 to 1999/00	%
1 Awaiting Council Report				
2 Awaiting further information from Council				
3 Awaiting response from Third Party / Solicitors	32	29	2	6
4 Awaiting Specialist / Medical Report	1	1		
5 Claim litigated	78	70	31	94
6 Claims with Marsh				
	<u>111</u>	<u>100</u>	<u>33</u>	<u>100</u>

TABLE 2	2001/02	%	2001/02	%
1 Awaiting Council Report				
2 Awaiting further information from Council	2	2	1	5
3 Awaiting response from Third Party / Solicitors	50	54	3	15
4 Awaiting Specialist / Medical Report	7	8	1	5
5 Claim litigated	31	33	15	75
6 Claims with Marsh	3	3		
	<u>93</u>	<u>100</u>	<u>20</u>	<u>100</u>

TABLE 3	2002/03	%	2002/03	%
1 Awaiting Council Report				
2 Awaiting further information from Council	7	5	2	10
3 Awaiting response from Third Party / Solicitors	94	59	5	25
4 Awaiting Specialist / Medical Report	15	10	3	15
5 Claim litigated	10	6	6	30
6 Claims with Marsh	32	20	4	20
	<u>158</u>	<u>100</u>	<u>20</u>	<u>100</u>

TABLE 4	2003/04	%	2003/04	%
1 Awaiting Council Report	13	4	1	3
2 Awaiting further information from Council	34	9	6	17
3 Awaiting response from Third Party / Solicitors	168	46	7	19
4 Awaiting Specialist / Medical Report	25	7	1	3
5 Claim litigated	21	5	8	22
6 Claims with Marsh	108	29	13	36
	<u>369</u>	<u>100</u>	<u>36</u>	<u>100</u>

TABLE 5	2004/05	%	2004/05	%
1 Awaiting Council Report	78	21	7	28
2 Awaiting further information from Council	59	16	3	12
3 Awaiting response from Third Party / Solicitors	112	30	2	8
4 Awaiting Specialist / Medical Report	2			
5 Claim litigated	4	1	1	4
6 Claims with Marsh	122	32	12	48
	<u>377</u>	<u>100</u>	<u>25</u>	<u>100</u>