

Public Liability Insurance Claims

Claimants Guide

Making a complaint

If you are unhappy with the service provide by the Claims Handler who dealt with your claim, you can submit a complaint to:

Zurich Municipal

Glasgow Casualty Claims, POB 3318
Interface Business Park, Swindon, SN4 8XR

glasgowcasualtyclaims@uk.zurich.com

If you are not satisfied with the way your claim has been dealt with by East Lothian Council, you can submit a complaint to their Insurance Services Team (this service is provided under a Shared Services agreement by The City of Edinburgh Council).

East Lothian Council Insurance Services

John Muir House, Brewery Park
Haddington
East Lothian EH41 3HA

insurance@eastlothian.gov.uk

If your complaint is about maladministration, you should contact the Public Services Ombudsmen.

It should be noted that a complaint about the service provided is a separate matte from the decision on liability and will not result in a claim decision being reversed.



Versions of this guide can be provided in Braille, large print, audiotape, or your own language. For assistance please call: **01620 827 827** British Sign Language (BSL) users can contact us via **www.contactscotland-bsl.org**



What is a Public Liability Insurance Claim?

When a person has suffered injury, loss or damage to their property which they feel is the responsibility of East Lothian Council, they can submit a Public Liability Insurance Claim to recover their losses or expenses.

Claims will only be paid where it can be shown that the council have failed in their legal duty and this has resulted in the injury, loss or damage.

How do I make a claim against East Lothian Council?

Claims against the council must be made in writing, either by yourself or your legal representatives. Please submit your claim using a claim form, or by letter or email to:

East Lothian Council Insurance Services

John Muir House, Brewery Park
Haddington
East Lothian, EH41 3HA

insurance@eastlothian.gov.uk

Ensure your claim includes:

- **The date of the incident**
- **The location of the incident**
- **A description of what happened**
- **Why you feel the council are responsible**

You can also include any receipts, invoices or other information you feel supports your claim.

What happens to my claim once submitted?

Your claim will be passed to the relevant council department (e.g. Roads, Housing, Waste Services) for them to prepare the necessary reports and information required. They will make every effort to prepare these as quickly as possible, however this can sometimes take a bit of time depending on the complexity of the case. Once completed they send this to the council's Insurance Team to log.

Our Insurance Team then send your claim and the council's department reports to our Public Liability Insurer's claims handlers for assessment, who will write to you to confirm they have received your claim.

Who are the council's Public Liability Insurers?

Zurich Municipal are the council's Public Liability Insurers instructed to investigate claims against East Lothian Council.

They will decide whether they feel the council are legally liable to meet the claim. Their decision is based on the information provided by both you, and the council's department reports. The decision made is based on how they feel a Court of Law would decide the case if they were presented with the same information.

The council do not have any input into Zurich Municipal's decision-making process. This ensures that claims are handled fairly and independently.

Can the council overturn a decision?

East Lothian Council cannot comment on or reverse any decision on liability made by Zurich Municipal, they can only provide them with information in order to reach a decision.

How long will the process take?

The length of time it takes to process depends on the circumstances of the claim and the information required.

Zurich Municipal's claims handlers will make every effort to reach their decision as quickly as possible. Occasionally additional information may be requested from you or the council in order to reach a decision.

Once they are satisfied that a decision can be made, they will write to you to inform you.

Successful claims

Zurich Municipal will contact you to discuss the settlement of your claim and come to an agreement on the figure.

They may need further information from you, such as estimates or invoices, medical records if you have suffered an injury or wages details if you have lost income.

Unsuccessful claims & appeals

Zurich Municipal will advise you in writing if your claim was unsuccessful and provide details on how they reached that decision. If you are still unclear how the decision was reached you can request a more detailed explanation.

Zurich Municipal will reconsider a claim decision if you can provide further information relevant to the incident which they have not previously been made aware of.

If you are still not satisfied you have the right to seek independent legal advice or contact:

Citizens Advice Scotland

Broadside, 2 Powderhall Road
Edinburgh EH7 4GB

www.cas.org.uk