

The biggest Direct Settlement success of 2013.

And here we bring news of a recent settlement agreed under the Direct Settlement Scheme, the largest since implementation.

Injured party was employed by an engineering company at a mill and was responsible for monitoring a guillotine machine. He sustained amputations to the little, ring and middle fingers on his dominant right hand when he attempted to reposition a strip of rubber as the guillotine operated.

The loss adjuster's investigation showed a breach of statutory duty and contributory negligence. The injured employee made clear an intention to make a claim and was invited to do so under the Syndicate 2525 Direct settlement Scheme for unrepresented claimants.

He was significantly incapacitated and Underwriters allocated a significant initial reserve exceeding £300,000. However, with treatment and support provided the employee was permitted and approved to return to restricted duties within only three months.

Our loss adjusters liaised with both employee and employer, ensuring that the former was familiarised with the claim process as medical evidence and access to records was arranged and shared. The employee was significantly injured but remained stoic and positive, encouraged by the non adversarial approach to his claim. He had a permanent incapacity, reduced earning capacity and disadvantage on the labour market. His restrictions extended to domestic duties and hobbies. He accepted that he was partly to blame for the accident. As the Direct Settlement claim progressed he was reminded regularly of his entitlement to formal legal representation but expressed no wish or need to proceed along these lines.

Ultimately, and via direct negotiation with the employee, we were able to agree a settlement in the sum of £180,000 which on the basis of the shared medical evidence was agreed to be a just and fair settlement. This employee benefited from an early substantial settlement, the Insured saw a major accident at work claim resolved swiftly without acrimony and Underwriters closed off a substantial claim in the short term without exposure to unnecessary claimant and defence legal costs.

Costs in such claims could readily exceed £100,000.