

*12 Things  
You Should Know  
Before Starting  
A Compensation Claim*





#1

## There is no *automatic* right to compensation

To claim compensation, you must prove that the accident or injury was caused by the negligent actions of another person or organisation (known as the Defendant).

It is therefore important to ensure that there is evidence to support your claim.



# #2

## Time is ticking!

*Most claims are subject to a strict time limit requiring court proceedings to be commenced within **3 years** of the date of accident or injury.*

*Some claims are subject to a shorter time limit. It is therefore important that you take advice & don't delay in bringing your claim!*

# #3

## Record the Details!

- What happened?
- When? Date & time
- Where did it happen?
- How were you injured?
- Who was involved?
- Are there witnesses?
- Registration numbers





# #4

## Photographs & video

Support your claim by taking photos of:

- The accident location
- The cause of the accident - e.g. a raised footpath, pothole, spillage or defect
- Damage to any property or vehicles
- Visible injuries such as bruising
- Dashcam footage can be very useful!

# #5

## Measure & Record!

This is particularly important in tripping accident cases

If you have tripped on a defective floor, pothole or footpath, you should measure and photograph the defect.

Maps & sketch plans showing the accident location can also be helpful





# #6

## Report the Accident

- If you are injured at work, report it to your supervisor or manager and request that the accident is recorded in the accident book
- Accidents in shops & other premises should be reported to a member of staff and recorded in the accident book before you leave the premises

# #7

## Reporting Road Accidents

- Exchange details at the scene
- If there is a problem exchanging details at the scene, report the accident to the police within 24 hours
- **ALL** road accidents, however minor, must be reported to your own insurance company - even if you are not making a claim & there is no damage or injury





**#8**

## **Reporting Highway Claims**

Highway tripping accidents can be reported to the local council but this should only be done *after* measurements and photographs of the defect have been obtained.

You should check with your solicitor before reporting a highway tripping accident directly to the Highway Authority.

# #9

## Record your losses

- You must provide evidence of any financial losses claimed
- Keep receipts for expenses incurred
- Keep a record of all expenses incurred as a result of the accident including travel expenses, medication costs, damaged items, and loss of earnings





## #10 Medical Evidence

- You should seek medical advice from a hospital or GP as appropriate, depending upon the injury sustained
- Medical evidence is required to support your claim
- Your solicitor will also arrange for you to be examined by an independent doctor for the purpose of obtaining a report

# #11

## Keep a diary

- Keep a diary or a record of the ways in which your day to day life is affected by your injury
- Include details of any care & assistance that you require
- Record how your sleep, hobbies, work, and everyday activities have been affected
- This information can be used in support of your claim





## #12

### Don't gamble with your claim

- Insurers may contact you directly to make an early offer to settle your claim
- ***Remember!*** Insurance companies will act in *their* best interests, *not yours*.
- The offer may be much less than your claim is actually worth
- Always take your own legal advice before accepting any offer



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