

Roads Service Policy & Procedure Guide: RSPPG_EO47

Title: Early Claims Notification for Contracting Organisations

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Version : 1
Implementation Date: To be effective from the 'Date Issued'
Date issued to users: 26 February 2010

Classification

Level 1 (Title / Key Words) : Early Claims Notification for Contracting Organisations
Level 2 : Network Services
(Directorate/Owner):
Level 3: (RSHQ or HoBU Managed Function): RSHQ - Network Maintenance Group
Level 4 : (Work Areas) Maintenance

Notes

This document is a re-statement of Roads Service policy implemented by DEM 96/06 dated April 2006.

Certification

This document complies with Roads Service Policy. For Implementation and Issue Dates, see above.

(Signed)

Director of Engineering

Certification Date:26 February 2010

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1 Introduction

1.1 Purpose

This Roads Service Policy & Procedure Guide (RSPPG):-

- a) Is aimed at all Roads Service staff involved in the processing and investigation of public liability claims.
- b) Is to provide Central Claims Unit with early notification when it is perceived that a 3rd party (e.g. contractor) has been working at or in the vicinity of an alleged accident locus.

1.2 Definitions

1.2.1 CCU – Central Claims Unit.

1.2.2 QPANI – Quarry Products Association Northern Ireland

1.3 Background

1.3.1 The handling of contractors' cases is often complicated. Central Claims Unit (CCU) experience is that it can take between 6 months and up to 2 years to receive a report with sufficient information to enable a claim to be concluded and referred to the relevant contractor.

1.3.2 The QPANI (acting on behalf of local member contractors) have expressed concern about the referral of claims by CCU that are up to 2-years after the date of the claim. In their view this prevents timely investigations by works managers, foremen and any other staff on site and that this delay can prejudice the ability of member contractors to effectively and efficiently deal with claims referred by CCU.

1.4 Costs and Benefits

Earlier investigations by contractors benefit Roads Service and CCU as they enable contractors to make earlier decisions to take over the conduct of claims, thereby saving work and costs for both Roads Service and CCU.

As this RSPPG is to replace an existing DEM the costs and benefits are not relevant at this time.

2 Roads Service Policy & Procedure

2.1 Scope

2.1.1 This document applies to all Roads Service staff involved with processing and investigation of public liability claims. Any early notification of a potential 3rd party would, however, be on the following basis:

- a) That the investigation by CCU is ongoing and a final report is due from Roads Service.
- b) Provision of the name and reference of the contract pertaining to the works or site involving the claim.

2.2 Early Claims Notification Procedures

2.2.1 CCU receives claim and forwards sub-file to Section Office for investigation.

2.2.2 Section Office staff process the claim in accordance with the approved procedures for handling public liability claims.

2.2.3 If during the investigation a 3rd party (e.g. a contractor) is identified as being potentially linked to a claim the Section Office staff should aim to obtain the name and address (at least) of the main Contractor or 3rd party and notify CCU within two weeks. Full particulars of the main contractor and the title of the contract under which the works are / have been carried out should be included in the main report.

2.2.4 The Section Office should continue with their investigation and complete the main report in accordance with the approved procedures.

2.2.5 CCU to consider any initial claim information and advise the relevant contracting organisation as appropriate.

3 Equality Impact Assessment (EQIA)

3.1 Equality Impact Assessment Section 75 of the Northern Ireland Act 1998

3.1.1 An equality screening analysis has been carried out on the Roads Service policy for Early Claims Notification for Contracting Organisations. The analysis did not identify a differential impact on any of the groups listed in Section 75 of the Northern Ireland Act 1998. A full equality impact assessment has consequently not been deemed necessary.

4 Control Sheet - Roads Service Policy & Procedure Guide: E047

Title: RSPPG E047 - Early Claims Notification for Contracting Organisations

4.1 Document History

Version	Date	Author	Authorised by Document Control Panel Members Name : Signature
1	Jan 2010	A McMurray	R Crilly

4.2 Overall Reasons for this Version

Version	Reasons
1	First issue of RSPPG – previous guidance provided in DEM 96/06

4.3 Revision Details

Version	Amendments