

# WHAT TO DO IN THE EVENT OF A THIRD PARTY LIABILITY CLAIM

## Public Liability

The rules governing an injury to a member of the public are very similar to those relating to injury to an employee. If a member of the public is injured on your premises, and that person is taken to hospital as a result of the injury, you should notify the HSE.

Most of the documentation needed in the event of an employer's liability claim will still be required by your insurers if a claim is submitted by a member of the public, although you are obviously not expected to submit wage details or details of any period of absence from work. Your insurers will be provided with evidence in this regard by the claimant's solicitor.

## Products Liability

If you receive an allegation of injury to a member of the public, or damage to their property, as a result of an alleged defective product supplied, you should notify H W Wood immediately. It is important to distinguish between a complaint and a formal claim. A complaint is normally only a request for a refund of the cost of a product or for the supply of a replacement product. This cost is not covered under your policy, and does not need to be notified to your insurer. A claim is where consequent injury or damage has been alleged, and should be reported as soon as possible.

Your insurers will need such information as the exact specification of the product, a copy of any instructions issued with the product and documentation confirming the outcome of any internal investigation you may have carried out. If the product has been returned to you, you should retain the item as evidence. Insurers may wish to inspect the product and/or take photographs of it.

## Motor Trade Service Indemnity

If you receive an allegation of injury to a member of the public, or damage to their property, as a result of an alleged faulty service, you should notify H W Wood immediately. It is important to distinguish between a complaint and a formal claim. A complaint will normally only be a request for a refund of the cost of a service, or of the cost of having to have further work carried out to the vehicle, because the original work was not of satisfactory quality. This cost is not covered under your policy, and does not need to be notified to your insurer. A claim is where consequent injury or damage has been alleged, and should be reported as soon as possible.

Your insurers will need copies of any servicing documentation and invoices, and may wish to arrange for one of their motor engineers to inspect the damaged vehicle. In no circumstances should correspondence be entered into with the claimant, without prior reference to your insurers.