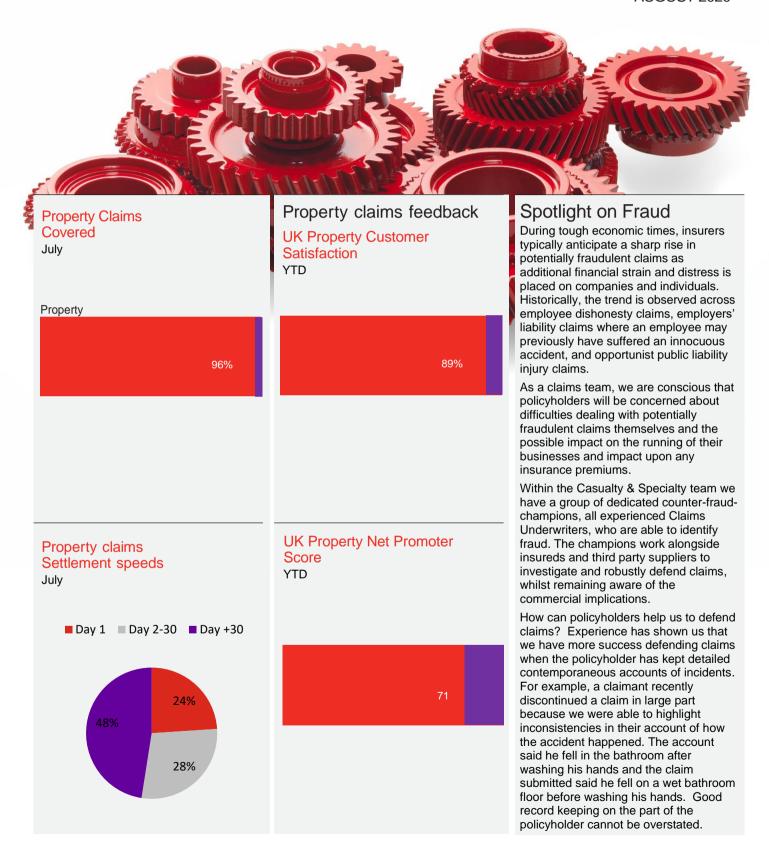


CLAIMS TODAY

AUGUST 2020



CASE STUDIES

Liability

The Claim

The insured faced a claim from an employee who alleged that he slipped on a spillage whilst using the bathroom at his workplace. The claimant alleged that he suffered extensive personal injuries due to the fall.

What we did

We assisted the insured to robustly defend the claim along with panel solicitors who were appointed to defend court proceedings. The investigation and defence highlighted a number of inconsistencies which undermined the claim. For example, the claimant's alleged injuries were far more extensive than those set out in the medical notes. The claimant also claimed to have psychological symptoms but served no evidence in support of this. Also the allegations presented in the claim around how the fall supposedly occurred did not match up with the contemporaneous accident report form (which stated that the fall was after he washed his hands and he may have caused the spillage himself) or witness statements taken by the insured. This highlights the importance of all employers completing accident report forms in a timely manner even for potentially innocuous incidents.

The claimant discontinued his claim in the face of a drop hands offer and a pleading of Fundamental Dishonesty.

What the customer said

"This is good news - very pleased."

Professional Indemnity

The Claim

We insure a designer who faced a claim from a client for the failure of a complex audio-visual display that was due to be presented on the stand of a major mobile phone manufacturer at an important international exhibition. Unfortunately the equipment failed, meaning that part of the display had to be abandoned causing severe embarrassment to the mobile phone manufacturer.

What we did

The claim against the insured was significant but they were adamant that another contractor was responsible for the majority of the issues experienced. Our claims team assisted the insured in defending the claim without the need of panel solicitors. Following a difficult meeting with the claimant we were able to make them understand that the insured's role in the failure of the display was limited. A significantly reduced settlement was agreed as a result.

What the broker said

"I was speaking with [the insured] earlier on a non-claims subject however he did mention that the claim is now settled... He was very impressed with the way Hiscox assisted them through the whole saga. Yet another happy Hiscox customer!"

Commercial

The Claim

A flash flood through the area caused severe water damage to our insured's basement which is used both as a stock storage area and shop floor for customers. Shelving installed by our insured was damaged, as well as damage to the building which the insured rents from a landlord.

What we did

We quickly paid the costs of replacing our insured's water damaged contents, allowing them to get back up and running and serving customers as quickly as possible. The landlord, whilst responding to most of the buildings damage, was claiming the insured was responsible for reinstatement of a toilet. We reviewed the insured's lease, showing them the relevant section which made their landlord responsible and offered support in drafting a response to the landlord if they wished. Using this information, the insured was able to quickly resolved things with their landlord, who repaired the toilet under the buildings claim.

What the customer said

"We really, really appreciate all your help - especially how much you did to reassure/help us on that morning straight after the flooding and in all your advice since."

Private Client

The Claim

The insured's son was cycling when a bus overtook him and moved across into his cycle path. The next memory he had was lying on the road with some discomfort and significant damage to his kit and cycle. An ambulance was called by bystanders and he was immediately taken to hospital The cycle was taken to a retailer who inspected the damage; they supplied a damage report and replacement quote with images included.

What we did

We immediately made contact with the customer to make sure his son was okay and at the same time discussed settlement of the claim. Thankfully his son was ok so we quickly moved to settlement to allow for the bike and kit to be replaced.

What the customer said

"The excellent customer service of your agent and claims handler plus the manner in which the claim was dealt with. All involved in the process were both helpful and sympathetic at this traumatic time. Having experienced poor insurance customer service in the past your service is way superior."