

Understanding the claims process

Although each and every case is different, the claims process itself has a structure for which most claims follow. To help you better understand this process, we have included a step by step guide (below) outlining the entire claims process.

Initial consultation:

This can take place at one of our offices or on occasion at your home, though may be by telephone. The initial consultation is free if the claim proceeds no further. Here you will talk to one of our claims lawyers about your accident, its consequences and the issues arising. We will then help you make an informed decision whether this is a claim worth pursuing. At the same time we will consider whether we feel you have a reasonable prospect of success and assess what enquiries were needed. We would answer your questions and invite you to confirm our instructions to act for you before setting a "case plan".

Collecting Evidence

After the initial consultation, if allowed, we will contact the other side and begin gathering together all of the pieces of the puzzle, obtaining as much information and evidence as we need. This enables us to give a clearer informed advice regarding prospects of success.

This process can involve instructing experts, such as medical experts, who can assess the nature and extent of your injury as well as obtaining witness statements.

Calculating your Losses and Expenses

Throughout the recovery process it is common for you to run up expenses. These may be as simple as catching a taxi to the doctors, or lost pay for time off work, or the cost of hiring a replacement vehicle. Some are difficult to value - such as time spent by friends and family looking after you, or doing your chores until you are recovered enough to resume your normal life style.

We are equally adept at handling more complex issues, like securing funding for essential treatment or aids and appliances under the Rehabilitation Code, or guiding the self employed or company director through the accounts jungle. We will also ensure there are no surprises - for example by checking whether that full sick pay you received was actually a loan - and so has to be claimed before you can pay back the boss!

We can involve specialists if needed, but will work closely with you to ensure each genuine claim is considered.

Negotiations

Each type of case is different, but most will probably be concluded on a once and for all basis. We work with you to ensure you control the timescale. We know you would rather not go to court, and will work hard to satisfy the other side that they should pay fair compensation by way of a negotiated settlement that is acceptable to you. We will ensure you are informed and in touch.

Mediation

If negotiations fail and your attempts to settle out of court are unsuccessful, we will discuss whether mediation is appropriate. This is an informal chance to meet with the other side, in front of an impartial mediator who is not going to make decisions, but will facilitate discussion aimed at reaching agreement. It is not suited for every case, but can avoid court action and assists many claimants each year. Veitch Penny has access to specialist mediation suites.

Court Proceedings

We are happy to pursue your legally entitled compensation through the court if needed. The Judge is our best tool in our arsenal, for if no agreement is possible the Court is there to decide for everyone. The red tape is simply explained by our experienced litigators, and any worry or mystery about the court system discussed until you are content for this approach to be used. The majority of cases where court proceedings are issued turn out to settle amicably without the parties going anywhere near a court room.