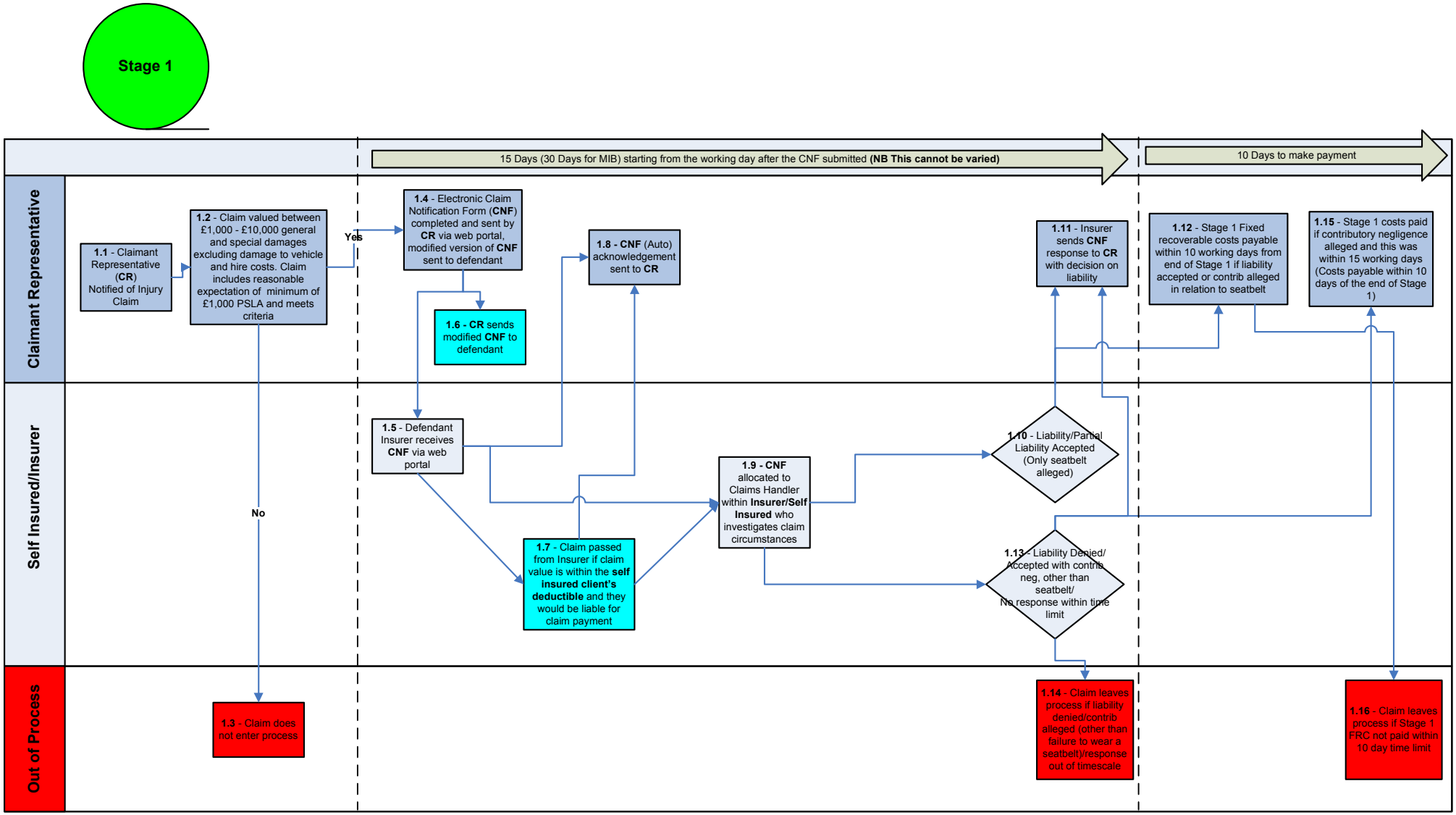
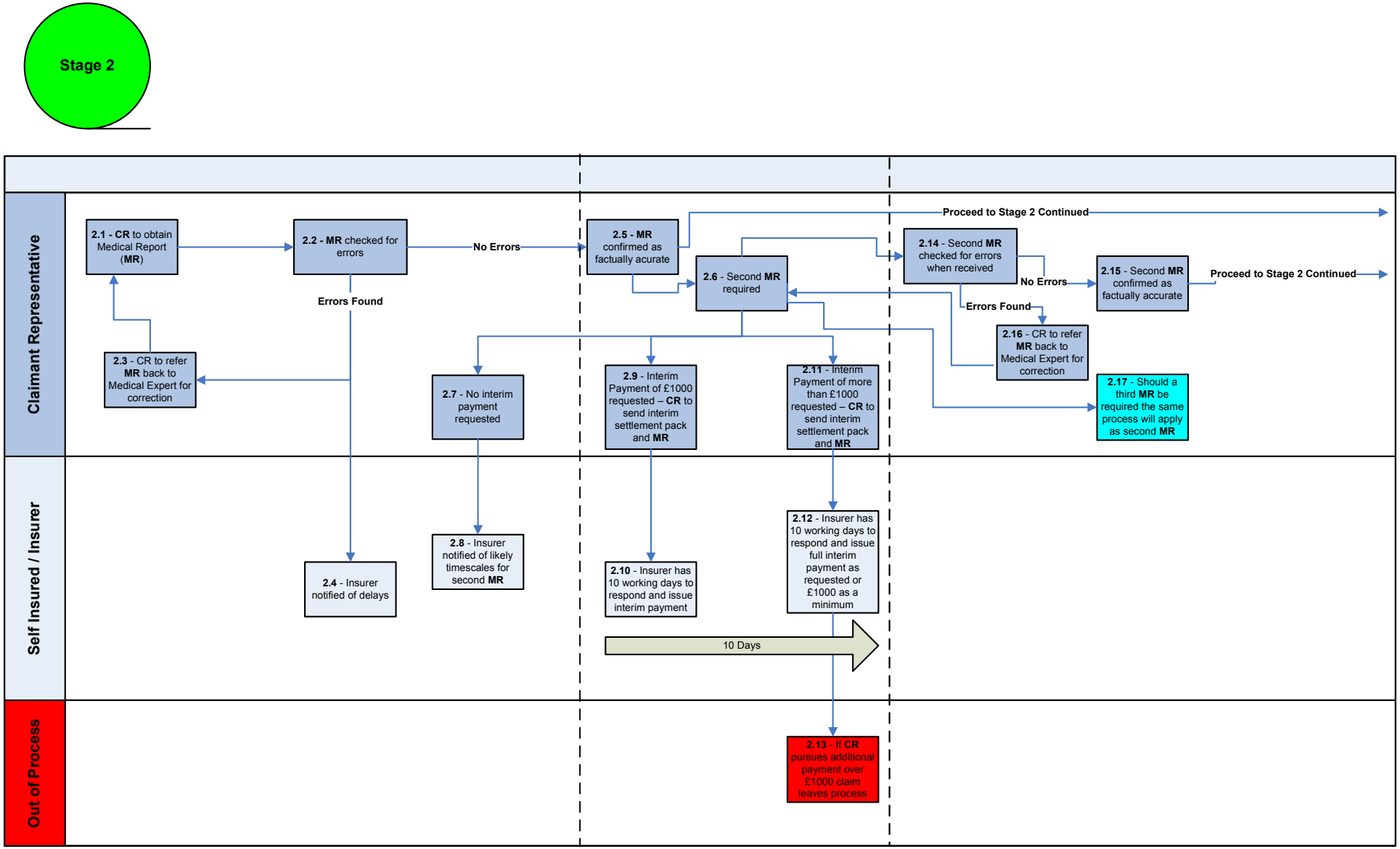
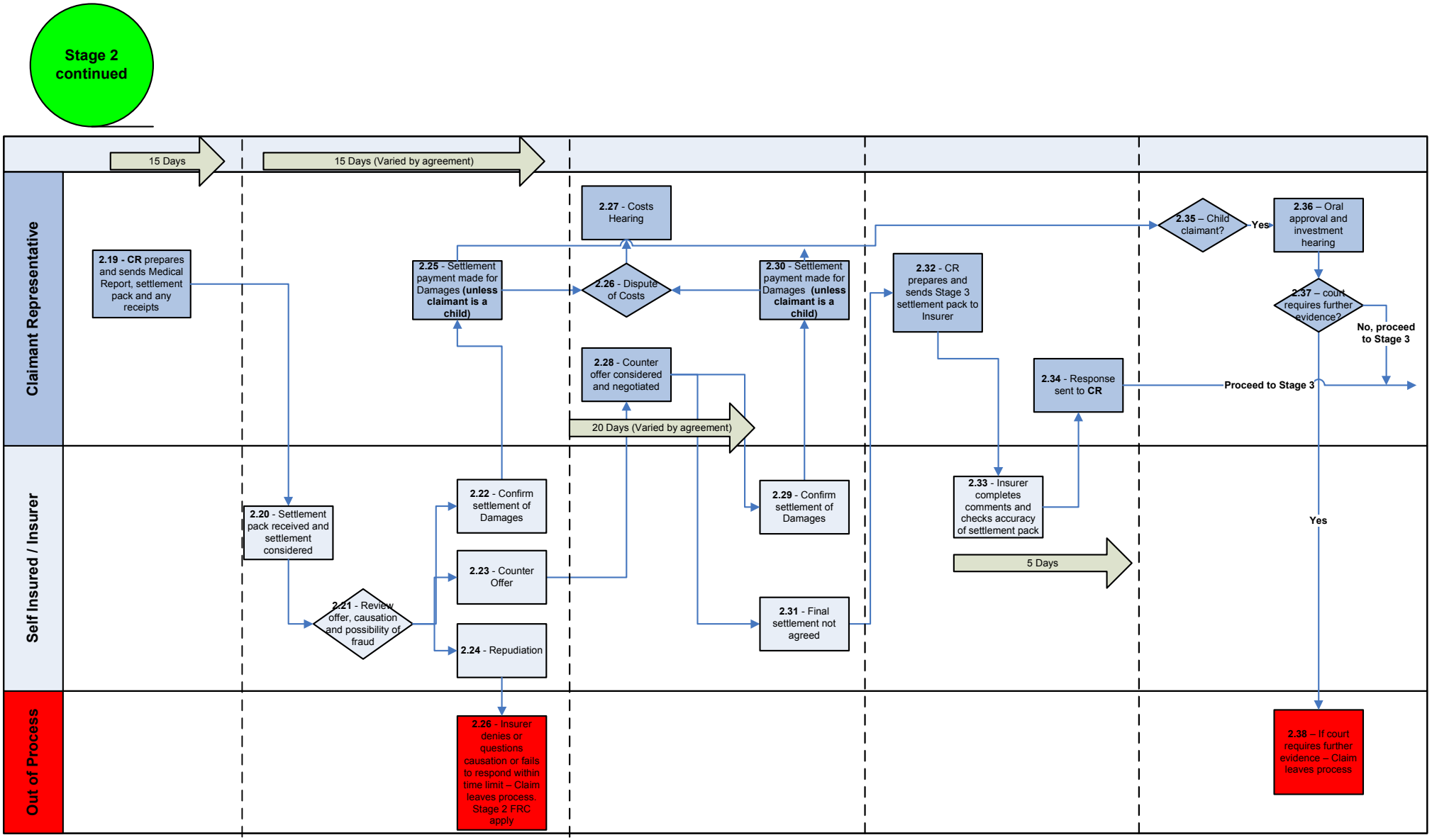
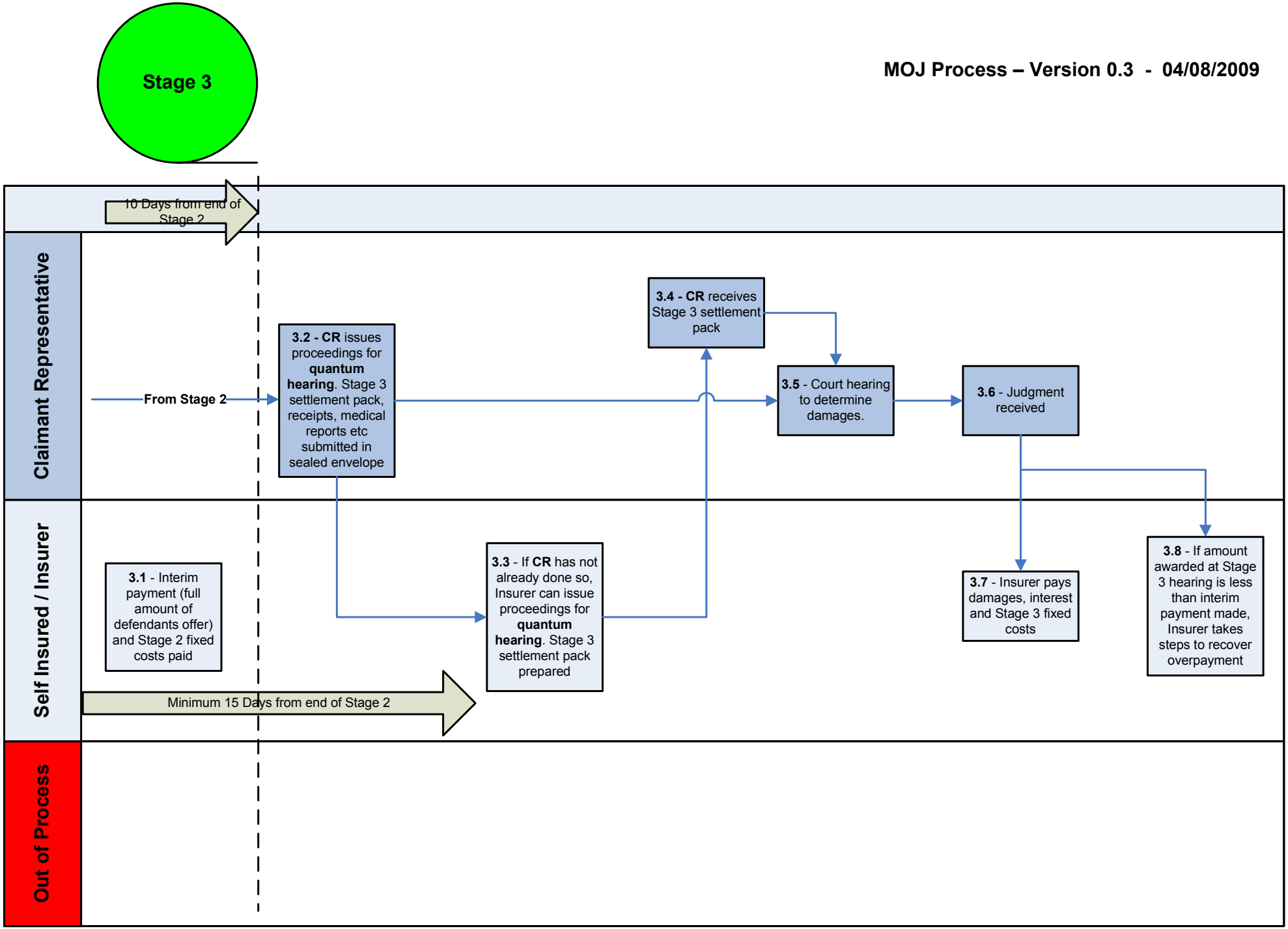

Stage 1
15 Days (30 Days for MIB) starting from the working day after the CNF submitted (NB This cannot be varied)
10 Days to make payment
Claimant Representative
Self Insured/Insurer
Out of Process
1.1 - Claimant Representative (CR) Notified of Injury Claim
1.2 - Claim valued between £1,000 - £10,000 general and special damages excluding damage to vehicle and hire costs. Claim includes reasonable expectation of minimum of £1,000 PSLA and meets criteria
Yes
No
1.3 - Claim does not enter process
1.4 - Electronic Claim Notification Form (CNF) completed and sent by CR via web portal, modified version of CNF sent to defendant
1.6 - CR sends modified CNF to defendant
1.8 - CNF (Auto) acknowledgement sent to CR
1.5 - Defendant Insurer receives CNF via web portal
1.7 - Claim passed from Insurer if claim value is within the self insured client's deductible and they would be liable for claim payment
1.9 - CNF allocated to Claims Handler within Insurer/Self Insured who investigates claim circumstances
1.10 - Liability/Partial Liability Accepted (Only seatbelt alleged)
1.13 - Liability Denied/ Accepted with contrib neg, other than seatbelt/ No response within time limit
1.11 - Insurer sends CNF response to CR with decision on liability
1.12 - Stage 1 Fixed recoverable costs payable within 10 working days from end of Stage 1 if liability accepted or contrib alleged in relation to seatbelt
1.15 - Stage 1 costs paid if contributory negligence alleged and this was within 15 working days (Costs payable within 10 days of the end of Stage 1)
1.14 - Claim leaves process if liability denied/contrib alleged (other than failure to wear a seatbelt)/response out of timescale
1.16 - Claim leaves process if Stage 1 FRC not paid within 10 day time limit


Stage 2
Claimant Representative
Self Insured / Insurer
Out of Process
2.1 - CR to obtain Medical Report (MR)
2.2 - MR checked for errors
No Errors
Errors Found
2.3 - CR to refer MR back to Medical Expert for correction
2.4 - Insurer notified of delays
2.5 - MR confirmed as factually acurate
2.6 - Second MR required
2.7 - No interim payment requested
2.8 - Insurer notified of likely timescales for second MR
2.9 - Interim Payment of £1000 requested – CR to send interim settlement pack and MR
2.10 - Insurer has 10 working days to respond and issue interim payment
2.11 - Interim Payment of more than £1000 requested – CR to send interim settlement pack and MR
2.12 - Insurer has 10 working days to respond and issue full interim payment as requested or £1000 as a minimum
10 Days
2.13 - If CR pursues additional payment over £1000 claim leaves process
Proceed to Stage 2 Continued
2.14 - Second MR checked for errors when received
No Errors
Errors Found
2.15 - Second MR confirmed as factually accurate
Proceed to Stage 2 Continued
2.16 - CR to refer MR back to Medical Expert for correction
2.17 - Should a third MR be required the same process will apply as second MR


Stage 2 continued
15 Days
15 Days (Varied by agreement)
Claimant Representative
Self Insured / Insurer
Out of Process
2.19 - CR prepares and sends Medical Report, settlement pack and any receipts
2.20 - Settlement pack received and settlement considered
2.21 - Review offer, causation and possibility of fraud
2.22 - Confirm settlement of Damages
2.23 - Counter Offer
2.24 - Repudiation
2.26 - Insurer denies or questions causation or fails to respond within time limit – Claim leaves process. Stage 2 FRC apply
2.25 - Settlement payment made for Damages (unless claimant is a child)
2.27 - Costs Hearing
2.26 - Dispute of Costs
2.28 - Counter offer considered and negotiated
20 Days (Varied by agreement)
2.29 - Confirm settlement of Damages
2.30 - Settlement payment made for Damages (unless claimant is a child)
2.31 - Final settlement not agreed
2.32 - CR prepares and sends Stage 3 settlement pack to Insurer
2.33 - Insurer completes comments and checks accuracy of settlement pack
5 Days
2.34 - Response sent to CR
2.35 – Child claimant?
Yes
2.36 – Oral approval and investment hearing
2.37 – court requires further evidence?
No, proceed to Stage 3
Proceed to Stage 3
Yes
2.38 – If court requires further evidence – Claim leaves process


Stage 3
MOJ Process – Version 0.3 - 04/08/2009
10 Days from end of Stage 2
Claimant Representative
Self Insured / Insurer
Out of Process
From Stage 2
3.2 - CR issues proceedings for quantum hearing. Stage 3 settlement pack, receipts, medical reports etc submitted in sealed envelope
3.4 - CR receives Stage 3 settlement pack
3.5 - Court hearing to determine damages.
3.6 - Judgment received
3.1 - Interim payment (full amount of defendants offer) and Stage 2 fixed costs paid
3.3 - If CR has not already done so, Insurer can issue proceedings for quantum hearing. Stage 3 settlement pack prepared
3.7 - Insurer pays damages, interest and Stage 3 fixed costs
3.8 - If amount awarded at Stage 3 hearing is less than interim payment made, Insurer takes steps to recover overpayment
Minimum 15 Days from end of Stage 2