

## Liability Claims Defence Checklist

### 1. Checklist Details

Location/Department:	Completed by:	Site:
	Position:	Date:
	Ref:	Review date:

### 2. Accident Reporting and Investigation

(X as applicable)

<input type="checkbox"/> Are all accidents which might lead to a claim investigated? <input type="checkbox"/> Are accident reporting and investigation procedures in place? <input type="checkbox"/> Has accident investigation training been provided? Do accident investigations include and record: <input type="checkbox"/> Preserving the scene of the accident? <input type="checkbox"/> Details of any injured parties? <input type="checkbox"/> The conditions at the time of the accident? <input type="checkbox"/> Any first aid or medical treatment given? <input type="checkbox"/> Applicable risk assessments, safe systems of work and training? <input type="checkbox"/> Written 'negative' witness statements? <input type="checkbox"/> Photographs, CCTV footage, measurements and sketches? <input type="checkbox"/> The level of supervision at the time of the incident?	<input type="checkbox"/> Are accident investigations conducted promptly? <input type="checkbox"/> Are accident reporting and investigation forms readily available? <input type="checkbox"/> Has post-accident risk assessment training been provided?  <input type="checkbox"/> A description of the accident including where, when and how? <input type="checkbox"/> How the accident was reported? <input type="checkbox"/> The nature of any injuries and/or damage? <input type="checkbox"/> Whether established rules or procedures were breached? <input type="checkbox"/> Written and signed witness statements? <input type="checkbox"/> Details of relevant third parties? <input type="checkbox"/> Retention of relevant physical evidence? <input type="checkbox"/> Drug and alcohol testing (where appropriate)?
Comments:	

### 3. Claim Protocols and Strategy

(X as applicable)

<input type="checkbox"/> Are individuals appointed to comply with claims protocols? <input type="checkbox"/> Are claims that cannot be defended settled as quickly as possible? <input type="checkbox"/> Are existing claims regularly reviewed? <input type="checkbox"/> Are post claim reviews conducted to improve defensibility? <input type="checkbox"/> Are rehabilitation procedures established?	<input type="checkbox"/> Are individuals trained to comply with claims protocols? <input type="checkbox"/> Are claims that can be defended vigorously fought? <input type="checkbox"/> Are unrealistic claim estimates challenged? <input type="checkbox"/> Are accidents likely to result in a claim advised to insurers asap? <input type="checkbox"/> Are insurers advised of suspicions of fraudulent claims?
Comments:	

## 4. Documentation

(X as applicable)

Are the following documents created and retained:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Risk assessments?                      | <input type="checkbox"/> Safe systems of work?           | <input type="checkbox"/> Permits to work?             |
| <input type="checkbox"/> Training records?                      | <input type="checkbox"/> Accident investigation reports? | <input type="checkbox"/> Occupational health records? |
| <input type="checkbox"/> Personal protective equipment records? | <input type="checkbox"/> Equipment manuals?              | <input type="checkbox"/> Maintenance records?         |
| <input type="checkbox"/> Inspection records?                    | <input type="checkbox"/> Contracts?                      | <input type="checkbox"/> Contractor questionnaires?   |
| <input type="checkbox"/> Staff disciplinary records?            |  |   |

- Risk assessments are documented for all significant risks and are reviewed on a regular basis.
- Specialist measurements used within risk assessments are only taken by those competent to do so.
- Safe systems of work are documented for all potentially hazardous work and are reviewed on a regular basis.
- Training records include a signed and dated statement confirming training has been received and understood.
- Accident investigation records collated within a readily accessible folder.
- Draft accident investigation reports are clearly marked as such.
- Maintenance records detail the extent of work undertaken and are in accordance with manufacturers' guidelines.
- Contractual conditions covering responsibility and liability are reviewed prior to acceptance.
- A document retention strategy is in place covering the period for which records are retained, and company changes.
- Previous versions of documents that could be used for defence purposes are retained and dated.
- Back-up copies of key documents are available.

Comments:

## 5. Staff Training and Communication

(X as applicable)

- |   |  |
|---|--|
| <input type="checkbox"/> Safety induction programme in place.                                 | <input type="checkbox"/> Staff receive safety induction before starting work.        |
| <input type="checkbox"/> Job-specific safety training provided to staff.                      | <input type="checkbox"/> Agency staff receive safety induction before starting work. |
| <input type="checkbox"/> Significant findings of risk assessments provided to relevant staff. | <input type="checkbox"/> Safe systems of work provided to relevant staff.            |
| <input type="checkbox"/> The qualifications of new staff are checked and copies retained.     | <input type="checkbox"/> Testing is undertaken following safety training.            |
| <input type="checkbox"/> Trainees are provided with a full copy of training material.         | <input type="checkbox"/> Periodic refresher safety training is provided.             |
| <input type="checkbox"/> Formal safety communication in shared or loaned workplaces.          | <input type="checkbox"/> Formal safety communication for shared or loaned equipment. |
| <input type="checkbox"/> Formal safety communication for shared or loaned staff.              | <input type="checkbox"/> Consideration given to those with language difficulties.    |
| <input type="checkbox"/> Consideration given to those with disabilities.                      |  |

Comments:

## 6. Staff Supervision

(X as applicable)

- |  |   |
|--|---|
| <input type="checkbox"/> Supervisory staff are trained on their responsibilities.        | <input type="checkbox"/> Records of supervision are available.                      |
| <input type="checkbox"/> Supervisory staff are involved in establishing safety controls. | <input type="checkbox"/> Supervisory staff are involved in accident investigations. |

Comments:

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