



Supporting you after
an accident at work

IM, irwinmitchell



Contents

- | | | | |
|----|--------------------------|----|-----------------------------------|
| 4 | How we can help | 14 | 'No win no fee' agreements |
| 6 | Your team of experts | 16 | How much compensation will I get? |
| 8 | When can I make a claim? | 17 | What happens when I claim? |
| 10 | Key steps to take | 18 | What else can we help you with? |
| 12 | How much will it cost? | | |

If you or a loved one has suffered an accident at work, the emotional, physical and financial impact can be life-changing. We're here to get you access to the best medical care, rehabilitation and support.

Your employer must provide the correct health and safety advice, training, equipment, clothing and first aid facilities to keep you safe at work. If there's been a safety breach, we'll work to get you the justice you deserve.

We'll also assess the impact of your injury to understand what support you'll need now and in the future. Early compensation payments may be available if you're unable to return to work as a result, need immediate treatment or adjustments to your home.



You provided excellent service and care and your team were compassionate and professional. Highly recommend.

Natalie
5* Trustpilot review



This information relates to the law and procedures in England and Wales. Please contact us if you need advice about the law and procedure in other legal jurisdictions.

0800 023 2233

How we can help

Wherever you work, and however you've been injured, our experts can help you seek the compensation you need to ensure your future is protected.

Regulations on workplace safety exist to cover a range of work accidents, including:

Accidents while lifting or moving heavy loads

Accidents while using machinery

Accidents caused by a lack of safety equipment

Falls from height

Tripping and slipping.

As well as helping you claim compensation, we can help with your medical treatment and rehabilitation. This can involve liaising with NHS staff, helping you access private healthcare, and advising on any lifestyle changes you need to make after an accident, such as installing ramps at your home or buying a more accessible car.

We understand that making a claim can seem daunting. We'll do all we can to make the process as stress-free for you as possible, so you can concentrate on what really matters to you.



Your team of experts

Providing quality personal injury advice requires a close relationship based on honesty and trust.

Our friendly professional service includes:

Ensuring our specialist employment solicitors give you advice about your employment rights

Arranging for you to receive the best support for your recovery and rehabilitation

Early interim payments where possible, so you can receive private medical care and pay your bills if you can't work

Expert advice on state benefits, employment rights and other financial issues

Advice in other areas such as financial planning, Personal Injury Trusts, Wills advice and Power of Attorney.

Campaign for improvements

We have a long history of campaigning for improvements in health and safety. Our aim is to improve the quality of life and levels of compensation for those who've suffered accidents at work.



When can I make a claim?

Claims for accidents at work usually need to be made within three years of the incident.

Variations

If you were under 18 years of age when you were injured, you can claim up until your 21st birthday. When accidents happen outside England and Wales, time limits may differ.

The sooner you contact us, the better we're able to prepare your claim, and the greater your chances of winning will be.

Do I have a case?

If you're unsure whether you have a case, you or a family member just need to pick up the phone and talk it over with us. We'll assess your case free of charge, tell you what we think, and leave you to decide if you want to go ahead.

Can you take over from my current solicitor?

You're perfectly entitled to consider a second opinion if you're concerned about the way your case is being handled by another solicitor.

If your current solicitor doesn't have the experience to deal with an accident at work case, it could lead to significant

delays, a failure to obtain important interim payments, and the possibility that cases are undervalued. This can mean you miss out on the opportunity to take advantage of targeted rehabilitation and fail to receive all of the care, therapy and equipment that you need to ensure the best quality of life possible after your injury. If you decide to move your case to us, the process is very simple. We'll speak to your current solicitor on your behalf.

What are my chances of winning?

Many people come to us who originally didn't think they had a claim. We've gone on to secure them rehabilitation and financial security for the future.

We're realistic in our assessments, so when you contact us we'll give you honest, straightforward advice on your chances of winning, based on the information you've given us. It's not possible to give a definitive answer on any case, but the more information we have, the more accurate an assessment we can make.





Key steps to take

Here are some steps you can take to help us gather a claim for an accident at work.

Basic steps

1. Make sure you inform your health and safety representative about your accident as soon as possible
2. Notify your employer immediately and complete an accident report. Make sure it's based on fact, and not an attempt to suggest who you think is to blame. If you're still in shock, distressed or in pain, don't sign any report given to you by your employer or anyone else involved
3. As soon as you're able to, write out a clear description of the accident – make sure you sign and date it
4. Note down names and addresses of anyone who witnessed your accident
5. Ask your health and safety representative to preserve the scene of the accident, if possible. Also ask them to take photos of the scene and make them available to you.

Note: Don't worry if you haven't been able to do any of these things – you may still be able to claim.

How much will it cost?

Don't worry about legal costs. Contacting us for initial advice costs you nothing. If we advise you to pursue a claim with us, we'll review all your options for funding it.

Options for funding your claim:

Conditional fee agreement – commonly known as a 'No Win No Fee' agreement*

Legal expenses insurance – as part of your household or car insurance, you may have legal expenses cover to help with any legal costs

Trade union – if you're a member of a trade union, they may provide assistance for some legal issues.

Even if you do have access to legal expenses insurance, public funding or trade union assistance, your best option may still be a 'No Win No Fee' agreement*.

When we discuss your claim in more detail we'll tell you if the 'No Win No Fee' option is available or if we need to look at the other funding options.

Legislation

The government introduced some changes to how legal costs and funding for personal injury claims will work from April 2013. These changes mean you can no longer recover all of your legal costs from your opponent. It's likely that you'll still recover your basic legal costs.

*Subject to entering into a 'No Win No Fee' agreement and complying with your responsibilities under its terms.



‘No win no fee’ agreements

If we recommend that a ‘No Win No Fee’ agreement* is your best option, you can be assured that there’s no financial risk to you if you’re unsuccessful.

If you win:

Your opponent will pay the majority of our basic legal costs and disbursements (e.g. court fees, medical reports)

Any costs not payable by your opponent will include:

- The premium for your insurance policy to protect you fully against any risk of legal costs
- Some of your basic legal costs which cannot be recovered from your opponent
- A ‘success fee’ which compensates us for the risk that we wouldn’t recover any legal fees at all if it was unsuccessful

You won’t have to pay a penny out of your own pocket until your claim has successfully come to an end and then any of the costs not paid by your opponent will be deducted from any compensation awarded to you

If any disbursements can’t be recovered from your opponent these will be covered by your insurance policy

To help you with your legal costs, the government has provided a 10% increase in the amount awarded to you for your pain, suffering and loss of amenity.

If you lose:

We can promise you there’s no financial risk to you if your claim is unsuccessful*

There will be no charge to you

You’ll be fully covered by your insurance policy for any disbursements

You’ll be fully protected by your insurance policy from any of your opponent’s legal costs.

We’ll do everything we can to protect and support you to proceed with your claim and we’ll keep you updated at all times. Remember, there’s absolutely no financial risk to you or your family if you’re unsuccessful.

* To make a No Win No Fee claim, you need to enter into an agreement that’s linked to a suitable insurance policy. We’ll explain this in more detail before we start your claim.

How much compensation will I get?

The amount of compensation you receive will depend on the severity of your injury, and how it's affected your life, how much money you've lost or will lose as a consequence, and whether you'll need extra support in the future.

Individually assessed

We'll advise you at the outset on how your opponent's insurers and the courts approach the assessment of compensation, and how that will apply to your case. It's important to bear in mind that everyone's different, and the consequences of the same injury will vary from person to person.

Keeping you informed

As we learn more about you and your circumstances, we'll be able to provide you with a more accurate idea of the

financial value of your claim. You can be assured that we'll do everything we can to recover the maximum amount of compensation available to you. We'll also advise on the best payment terms to suit your immediate and ongoing needs.

As well as securing financial compensation, we'll help you and your family with the practical issues and day-to-day impact of your injury, as well as helping you get access to the best medical care and rehabilitation.

What happens when I claim?

We'll investigate your case thoroughly by gathering witness statements and other relevant details about your injury and ongoing requirements.

Opponent's insurance

Once we have all the details of your case, a claim will be made against the relevant person or company, who usually have insurance. This can go one of two ways: either they decide to meet your claim or they don't.

Don't worry if they turn down your claim at first, as this often happens. It doesn't mean your claim will fail.

Court settlements

The vast majority of cases are settled before they go to court. If your case is one of the few to be decided by a judge, don't worry. It's perfectly normal, and we'll be there to help you every step of the way.

What else can we help you with?

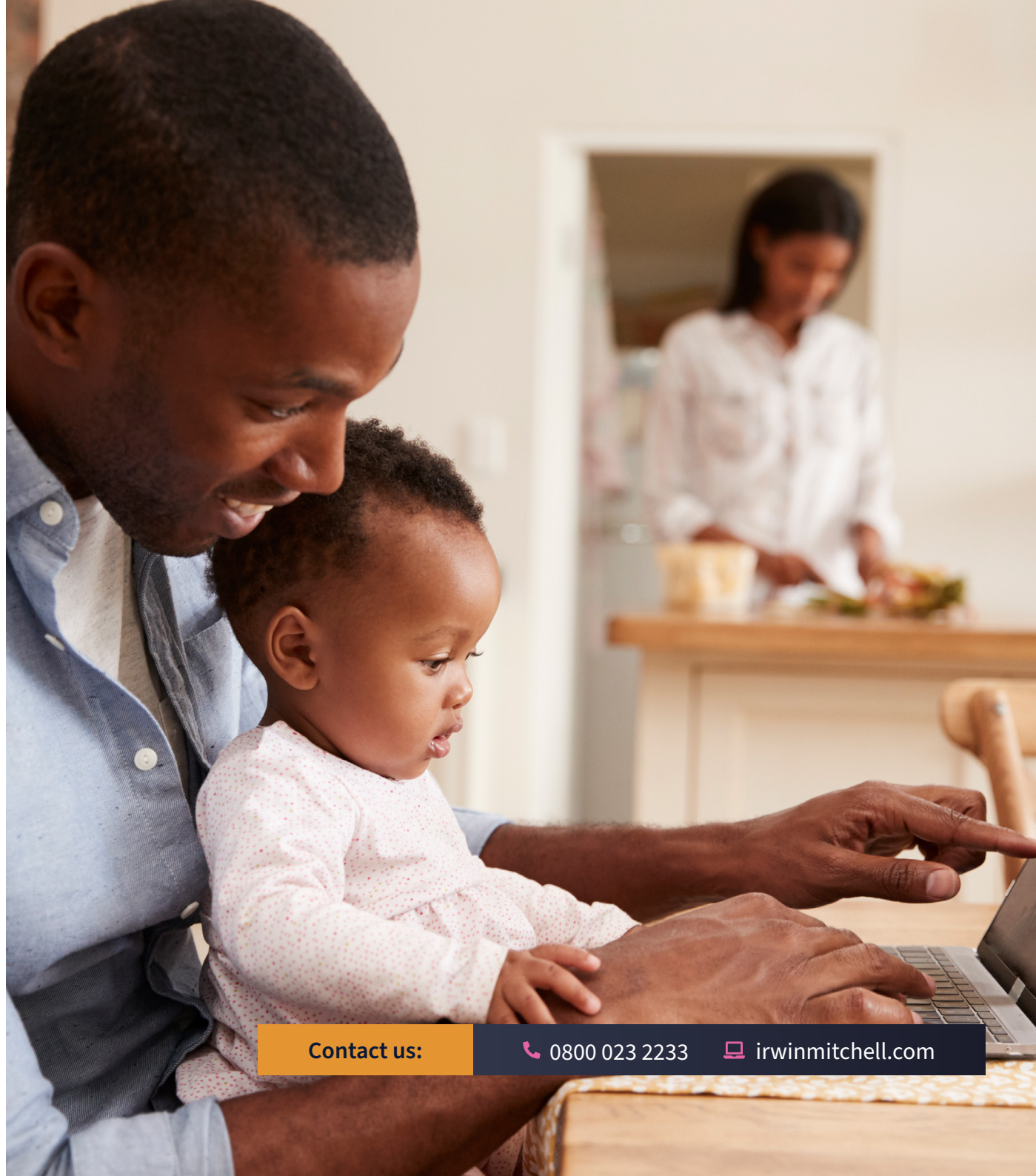
Whether it's business or personal we understand that everyone's situation is different.

If you need legal advice or support with financial planning, we're here to offer expert advice tailored to your circumstances, so you can focus on what really matters.

We're here to help you with:

- Buying or selling a house
- Court of Protection
- Divorce, children and family matters
- Planning disputes
- Financial planning and wealth management*
- Support with your business and employment issues
- Social, education and healthcare provisions
- Tax and trusts
- Welfare and healthcare matters
- Wills


* Financial planning and wealth management services are provided by IM Asset Management Limited which is authorised and regulated by the Financial Conduct Authority. Its Financial Services Register Firm Reference Number is 402770.




Contact us:

📞 0800 023 2233

💻 [irwinmitchell.com](https://www.irwinmitchell.com)

 0800 023 2233

 [irwinmitchell.com](https://www.irwinmitchell.com)



Irwin Mitchell LLP is authorised and regulated by the Solicitors Regulation Authority.

IRW069

SIV-B-2011