Making a claim for compensation against the Borough Council of King’s Lynn and West Norfolk

You must read these terms before completing the Claim Form

If you experience damage, loss or harm in relation to yourself or your belongings, you may wish to make a claim for compensation against the council.

There are two ways in which you can proceed with a claim. One option is to claim through your own insurer and the other option is to claim directly against the council. Both of these options are explained below, so you can decide which is best for you.

1. If you make a claim through your own insurer, it is likely that your claim will be dealt with more quickly than a claim against the council since legal liability does not have to be established. Your insurer will most likely cover your loss on a ‘new for old basis’ and if your insurer believes that the council may be legally liable for your loss or harm, they may pursue a claim against the council. If the council is proven to have been legally liable, then your insurer can recover both their own costs and any excess payment you have made to them. Your premium payments should not be affected if the council is found to be legally liable for your loss/harm.

2. If you wish to make a claim for compensation directly to the council you must complete the online claim form – we do not take details over the phone in case we misinterpret any of the information you give us. The form must be completed in full and be a true representation of the circumstances of your claim.

Note
a. Making a claim does not automatically entitle you to compensation for loss or injury – it will depend on whether the council has been negligent in any way.
b. It is your responsibility to put a value on your loss and if the claim is for damage or loss of property we require original receipts (if available) and/or two repair/replacement estimates along with confirmation of the age of the items.
c. It is your duty to take reasonable steps to reduce the value/extent of any loss and to ensure as far as possible that your property does not become damaged.
d. If you proceed with repairs or replacement or disposal of any damaged property before the council or its insurers have had the opportunity to carry out its investigations, your claim may be prejudiced.
e. Since the council must protect the public funds that we handle, the information you provide in relation to your claim may be used to detect and prevent fraud and consequently we may also share this information for this purpose, with other organisations handling and protecting public funds.

f. Any alleged loss that is found to have been fraudulently, falsely stated or exaggerated will be passed to the Police and may be subject to criminal prosecution.

3. When completing the claim form, the more information that can be given, the easier it will be for the council and its insurers to investigate. For example, maps, sketches and photos can be very helpful in showing where an incident has happened. The more information we have, the quicker any investigation will be.

4. On average it takes 4 to 6 weeks for a decision to be made on property claims; however all claims are assessed on a case-by-case basis and may take longer if for example the claim relates to injuries or at certain times of the year there are higher volumes of weather-related claims to be processed.

5. When we receive your completed claim form, it will be passed to Zurich Municipal, our insurer and receipt of your claim form will be acknowledged by Zurich Municipal.

6. While Zurich Municipal are handling your claim, we will ensure that all relevant documentation and reports required from the council are made available to them in order that they reach their decision as soon as possible on whether or not the claim is to be accepted or rejected.

Note:
Only Zurich Municipal can make a decision on your claim, on behalf of the council. Council employees are not permitted or qualified to either admit or deny negligence.

7. You will receive written confirmation from Zurich Municipal on the outcome of your claim.

8. You may elect a representative to handle your claim on your behalf if you feel this would be appropriate. Your representative can be a solicitor, a family member or another person acting on your behalf. If you exercise this option, all correspondence relating to your claim will be sent to your representative. You are entitled to seek legal advice at any stage of your claim. Before appointing a solicitor however, you should check how much any legal services will cost and
how they will be funded. The Citizens Advice Bureau can also provide guidance on making a public liability claim and you can visit their local office or their website for these details: www.citizensadvice.org

Note:
The council may explore an option to use the payment of a claim to recover any current debt that you may owe to the council i.e. council tax arrears