



THIRD PARTY ASSISTANCE CLAIMANT GUIDE
July 2021

- ***Have you suffered financial loss as a result of a recent accident?***

We can assist you if you have suffered financial loss, and our own insured may be at fault. We can offer assistance to help you put the accident behind you, at no cost to you. This leaflet explains how we can assist you, and what your rights are when dealing directly with us.

- ***How can we help you?***

Depending on your particular case, we can offer you a range of services designed to help you put the accident behind you. We will do everything possible to restore you to the position you were in prior to the accident, and discuss the progress with you throughout. It is important to note that, under law, only reasonable losses connected with the accident can be compensated for.

The services that may be offered are explained in greater detail below

- Vehicle Repairs

We can repair the damage to your vehicle using our approved repairer network or alternatively via your own chosen repairer, at no cost to you. If your vehicle cannot be repaired economically, we can arrange to agree a pre-accident value with you/the owner of the vehicle. We can also remove and dispose of vehicle salvage if necessary – subject to finance agreements in place against the vehicle.

- A replacement vehicle

A free replacement vehicle can be provided to you, while you are without your own vehicle. This avoids you having to enter into a credit agreement with a vehicle hire company, and the replacement vehicle will be delivered and collected.

- Reimbursement of any lost earnings

If you have missed work because of the accident, we will consider any lost (net) wages. You will need to provide documents to show how much you have lost, for example wage slips or tax returns.

- Payment for other losses

If you have suffered other losses as a result of the accident, such as damage to personal effects or the need for bus or taxi fares, we can also help by making payments for these losses. You will need to provide documents to show how much you have lost, for example receipts.

- Putting you in touch with a solicitor

We can put you in touch with an independent solicitor, by providing information about how to access the Law Society or the Citizen's Advice Bureau, or how to make a claim under your legal expenses policy (if applicable).

There are four main steps in resolving your accident claim for vehicle related damages:

Step 1: Immediate aftermath and initial contact with us

Who

After the accident, we may contact you where we understand our customer is at fault, in order to put things right. This could be by letter, phone call, text message or an email. We will explain who we are and why we are contacting you. We will never appear uninvited at your place of residence.

What

We will explain what services we are able to offer you. These services may include a replacement courtesy or hire car while yours is being repaired and the repair of your vehicle, at no cost to you. We will explain that you are under no obligation to take up the services offered, and that you are at all times entitled to seek independent legal advice. You may wish to consider other options such as using the small claims track or, if applicable, your comprehensive motor insurance, legal expenses policy, or trade union membership. If you do decide to accept the services offered by us, then we will begin organising the services for you. If you decline the offer, we will confirm this in writing and will cease any further contact with you. Bear in mind that you have a responsibility in law to keep your losses to a reasonable level, and we may not be liable to pay for any unreasonable losses incurred.

When

We will try to contact you as soon as we can after the accident to offer help. There is no set timeline for you to consider your options; however it is important to know that there are time limits to bringing a claim in court, depending on what type of claim it is.

Step 2: Assessing the damage to your vehicle and arranging help

Who

We can organise for your vehicle to be repaired if necessary. Any provider will be local to you. If it is not economical to repair the vehicle, then we may offer you a sum for the value of the vehicle. We can also arrange for the removal and disposal of salvage at no cost to you - subject to finance agreements in place against the vehicle. If you need a replacement vehicle while yours is off the road, we can also arrange for one to be provided. You may be approached by a credit hire company who offers to provide you with a replacement car while yours is off the road. If you do consider this option, it is recommended that you ask for information about all their costs and about any contracts you have to enter into, as we may not be liable for vehicle hire charges which are beyond a reasonable amount, so you may have to pay the difference.

What

We will provide you with full details of the Approved Network repairer, should you choose to use our repairer network and also give details of the vehicle hire costs that we will pay for you if you need a replacement vehicle while yours is being repaired. We will discuss and agree with you/the owner of the vehicle a value for the vehicle if it cannot be repaired economically.

When

Assessing and repairing damage to your vehicle will be done as soon as possible. The length of time it takes to repair will depend on the severity of the damage. We will provide an estimate of the likely timescales and keep you fully informed of progress.

Step 3: Reimbursement of any lost earnings and any other losses

Who

We will ask you about other losses you have incurred as a result of the accident.

What

If you have lost earnings as a result of the accident, you will need to get some documents to show how much you have lost, for example, a wage slip or tax returns. We will ask you about other losses, such as damage to personal effects, the need for bus or taxi fares and explain what you need to show, to help us calculate the amount of compensation. It is important to note that under law, only reasonable losses connected with the accident can be compensated for.

When

We will advise you of timescales for any payment to be received and that payment can be made via BACS.

Step 4: Accept and receive compensation

Who

You can accept an offer made by us at any time, either in writing or verbally. There is no set time to accept an offer and we will not withdraw the offer, however it's important to know that there are time limits to bringing a claim in court, depending on the type of claim. We may check whether you received the offer and if you have any queries or concerns.

What

If you feel our offer is inadequate, we will be happy to discuss any concerns; otherwise you can seek independent legal advice. You can nominate a solicitor of your choice and with your consent, all your correspondence with us will be sent to your legal representative to facilitate a quick resolution. We will deal directly with your legal representative for the remainder of the process to resolve your claim.

When

If you choose to accept an offer, we will pay you the agreed compensation amount as soon as possible. This should normally be within five working days and raised via BACS payment.

- **Why should I deal directly with you, as the other side's insurer?**

Dealing directly with us has a number of benefits. The claim is managed with as little inconvenience to you as possible, and at no cost to you. Independent research commissioned by the Association of British Insurers has shown that people who deal directly with the other side's insurer receive fair compensation faster when compared with those with legal representation.

Moreover, reducing unnecessary legal costs will help keep everyone's insurance premiums down. For example, as much as 10% of motor premiums are spent on legal costs alone.

- **How can I be sure that I will be offered fair compensation by the insurer if I don't have a solicitor?**

It is not in our interest to offer you an unfair amount, and the process for valuing your claim is the same, whether you are legally represented or not. The saving comes to us in not having to meet unnecessary legal costs and this helps all insurers keep premiums down.

- **How am I protected?**

The Financial Services Authority regulates insurers and sets out the principles they must follow. This includes acting with integrity, due skill, care and diligence and observing proper standards of market conduct, at all times. If in breach, a firm is liable to face disciplinary sanctions. And, of course, your right remains at all times to seek independent legal advice.

- **What if things go wrong?**

We will do everything we can to ensure that your claim is handled as quickly and smoothly as possible. However, if you feel unhappy about any aspect of the process or the offer you receive, then you can contact us and explain your concerns. You are also entitled to seek independent legal advice at any time.

- **What are my other options?**

You are free at any stage, and have the right, to use a legal representative. We can provide information on how to contact the Law Society or Citizen's Advice or make a claim under your legal expenses policy or through your trade union membership (if applicable). You can also, depending on the value of the claim, use the small claims track in the courts system, which many people use without legal representation. The small claims track value limits are up to £10,000. You are responsible for the costs of bringing a claim in the small claims court.

- *Are there situations where it is better to have legal advice?*

Whilst we wish to have this process open to most people, we will strongly recommend that independent legal advice is sought in certain situations, for example:

- *Where there is complexity over who was at fault for the accident.*
- *If you have a limited understanding of English.*
- *Children or protected parties.*

- *Resolving your claim: the typical process*

Step 1: Initial contact

We will make initial contact with you, and our services will be explained and offered to you, depending on your needs. Your rights, such as the ability to seek independent legal advice at any time, will be explained. You decide whether to accept the offer of help. If you choose not to deal with directly with us, we will acknowledge this in writing, and no further contact will be made.

Step 3. Reimbursement of lost earnings and any other losses

We will ask you about other financial losses incurred as a result of the accident. We will then offer you compensation upon receipt of full documentation to support the reasonable loss connected with the accident.

Step 2: Assessing the damage to your vehicle and arranging help

If you accept our offer to provide help, we will confirm this in writing. The insurer will update you on the progress of the claim at agreed intervals, e.g. every two weeks.

Step 4. Accept and receive compensation

If you accept the offer, we will pay you the agreed compensation amount as soon as possible, normally within 5 working days. If you feel the offer is inadequate, we would be happy to discuss your concerns. However, if you are still unhappy, then you can nominate a solicitor of your choice. All your correspondence with us will be sent to your legal representative to facilitate a quick resolution and we will deal directly with your legal representative for the remainder of the process.

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