

NORTH YORKSHIRE COUNTY COUNCIL

CORPORATE & PARTNERSHIPS OVERVIEW & SCRUTINY COMMITTEE

12 SEPTEMBER 2011

PERFORMANCE REPORT – 2010/11 RE HEALTH AND SAFETY AND INSURANCE CLAIMS

Report of the Corporate Director – Finance and Central Services

1.0 PURPOSE OF THE REPORT

1.1 To review health & safety performance during 2010/11 so that:

- (a) progress can be assessed, and
- (b) future actions for 2011/12 can be identified and prioritised

1.2 In relation to insurance

- (a) to provide an overview of insurance claims experience over recent years, and
- (b) analyse the pattern and costs of Public Liability claims over the last 10 years

2.0 BACKGROUND

2.1 Managing health and safety in a sensible and proportionate manner brings obvious benefits to individuals and the County Council. Reducing the costs associated with accidents/incidents and work related ill health has become all the more important in the current financial climate.

2.2 This annual report to the Scrutiny Committee and Management Board on corporate performance is in addition to the regular reporting at Directorate senior management teams.

2.3 The Committee has previously discussed the links between Health and Safety management and the insurance arrangements of the County Council. This report brings together information on both issues for the first time.

3.0 HEALTH AND SAFETY PERFORMANCE OUTCOMES FOR 2010/11

3.1 The reports at directorate level measure outcomes in relation to reportable accidents/incidents, enforcement activity and liability claims. This reporting procedure enables corporate H&S data to be gathered and this is presented in **Appendix A** to this report. Data is available from 2006/07 thereby establishing a baseline for measuring performance trends, reviewing accident causation and providing relevant information to consider future targets for H&S performance.

- 3.2 The reportable accidents/incidents are those of a serious nature that must be reported to enable the enforcement body, which for the County Council is the Health and Safety Executive (HSE), to take appropriate action. A total of 55 **employee reportable** accidents occurred during 2010/11 compared to 61 during 2009/10, 66 during 2008/09, 70 during 2007/08 and 95 in 2006/07 (**see Tables 1 and 4** respectively of **Appendix A**). This reflects a continued reduction in the number of employee reportable accidents for the fourth successive year.
- 3.3 A total of 158 **non-employee reportable** accidents occurred during 2010/11 compared to 91 during 2009/10, 95 during 2008/09, 95 during 2007/08 and 270 in 2006/07 (**see Tables 2 and 5** respectively of **Appendix A**). This increase relates to pupil accidents during PE and slips during the cold weather experienced in 2010/11.
- 3.4 The continued reduction in employee accidents is welcome and these figures indicate that the significant reduction in reportable employee accident numbers achieved during previous years is being maintained. **This would suggest that the efforts to improve H&S management across the County Council are having the desired effect in relation to our employees.** Hopefully the success demonstrated by this reduction will breed further confidence in the effectiveness of management efforts. The causes for the increase in the number of reported pupil accidents will have to be closely examined and initiatives developed to support schools in reducing this number in future years.
- 3.5 The types of accidents that stand out in terms of reportable employee accidents are slips/trips/falls and manual handling. The types that stand out in terms of non employee reportable accidents are slips/trips/falls; hit by moving/flying/falling objects; hit fixed stationary objects and falls from heights. Detailed discussion on accident causation is undertaken at Directorate level as part of preventative planning and risk assessments. Work is ongoing within Directorates to learn lessons from specific incidents through pre-existing working groups and the distribution of newsletters etc. It is important that the understanding of accident causation continues to inform the H&S effort at corporate and directorate levels.
- 3.6 There has been 2 reportable asbestos related incidents during 2010/11, compared to 2 during 2009/10, 7 during 2008/09, 8 in 2007/08 and 15 in 2006/07 (**see Tables 3 and 6 of Appendix A**). Achieving this low level of reportable dangerous occurrences is welcome. However, experience reminds us that the County Council cannot afford to become complacent on this issue, therefore lessons from all events are identified by thorough investigations and the on-going implementation of improvement action plans.
- 3.7 During 2008/09 the HSE started proceedings against the County Council in relation to two incidents involving the CYPs Outdoor Education Service. The County Council was found not guilty in the trial (which began on 14 April 2010 at Leeds Crown Court) for the caving incident and the HSE offered no evidence in the other case. The HSE did serve an improvement notice on the County Council in July 2010 in relation to LPG buried metallic pipe work at Tadcaster Grammar school; the HSE has since indicated that they are happy that the County Council has complied with the requirements of this notice. The HSE also issued a prohibition notice against a contractor working on a County Council

property project during January 2011. The notice related to an unsafe scaffold and this has subsequently been addressed with the contractor. However it has been made clear to the County Council through various meetings with the HSE during 2010/11 that they are concerned about what they perceive to be poor standards on some County Council construction projects. Efforts continue to be made to improve the standards on our sites and this will remain a priority area for the County Council during 2011/12.

4.0 **PROGRESS WITH HEALTH AND SAFETY DEVELOPMENTS IN 2010/11**

- 4.1 The H&S Risk Management Unit (part of F&CS) continued its efforts to improve the **co-ordination of H&S planning and reporting processes** corporately and within the directorates and schools. All Directorate leadership teams continued to review their actions in response to the HSE/IOD guidance on leading health and safety at work. In addition, Veritau conducted an audit during 2010/11 which concentrated on the role of leadership for Health and Safety within the County Council using the principles set out in the HSE/IOD guidance. The audit found that the arrangements for managing risk were very good and that an effective control environment is in operation. The overall opinion of the controls within the system at the time of the audit was that they provided **High Assurance**.
- 4.2 The **revised Corporate H&S Policy** approved by the Executive has been distributed in poster version along with the new HSE Law poster to all County Council premises. Implementation of the revised Policy within Directorates was facilitated and is being monitored.
- 4.3 There has been a continued effort to develop further **corporate H&S procedures** where appropriate to meet identified needs. The following procedures have been developed and are being implemented:
- glass and glazing safety
 - electrical safety
 - personal safety
 - legionella procedure
 - first aid in corporate buildings
- 4.4 **Targeted H&S audit programmes** have been developed and delivered within Directorates and schools to reflect service risk profiles.
- 4.5 The **online risk assessment system** now contains general and specific risk assessment forms. Model assessments have been included and various services are using the system.
- 4.6 The H&S information on the **Intranet site** continues to be updated to reflect changes in policy and procedures.
- 4.7 There has been continued assistance to directorates and schools to implement the findings of the **legionella risk assessments**.

- 4.8 Directorates and schools continue to be supported with **fire safety risk assessments** and with the Fire and Rescue Service compliance audits.
- 4.9 The **gas safety requirements** programme in County Council premises has been completed. In addition the surveys to assess the **glazing safety requirements** in premises have been completed and distributed.
- 4.10 The proactive approach adopted re property issues continues to deliver improvements in our **joint arrangements (with JUK)** for managing building maintenance and construction related risks. A joint NYCC and JUK workshop was held on 26 May 2011 and specific improvement actions are now being taken forward.
- 4.11 The following actions in relation to **health and safety training** have been taken:
- development of a managers H&S e-learning package has been identified as one of the priorities for 2011/12
 - the revised fire warden training package is now being delivered
 - first aid training requirements for nominated first aiders in corporate buildings has been addressed, with on-going training provision in place
 - H&S training for senior managers has been piloted and delivered in BES
 - H&S training for elected members was delivered on 21 April 2010
 - the HANDS team continue to deliver short training sessions to schools in manual handling, work at height, fire safety and personal safety
 - the IOSH managing safely and refresher courses continue to be delivered to H&S lead officers and managers
 - Directorate H&S risk managers continue to deliver and source training to meet specific needs in directorates
 - the Corporate Landlord Service continues to deliver asbestos and legionella training to site managers.
- 4.12 The upgrade of the **lone worker voice connect system** has been completed.
- 4.13 ACS and CYPS are reviewing their **violent indicator warning systems** with support from the Directorate Health & Safety Risk Managers.

5.0 HEALTH AND SAFETY DEVELOPMENTS PROPOSED FOR 2011/12

- 5.1 The H&S Risk Management Unit (HSRM) will continue to improve the co-ordination of H&S planning and reporting processes corporately and within the directorates and schools. Support will be given to directorate leadership teams to keep leadership actions under review.

- 5.2 There will be a continued effort to develop, implement and review H&S policies, procedures, guidance and systems where appropriate. The revised Personal Safety policy, procedures and associated e learning will be launched by a series of road shows across the County.
- 5.3 Priority will be given to improving the joint arrangements with JUK the managing building maintenance and construction related risks. A report to the Strategic Property Group on 27 April 2011 gives more detail on the way forward in this area.
- 5.4 HSRM will develop and conduct a health and safety monitoring programme for construction activities on County Council Property
- 5.5 There will be work to clarify the health and safety roles of property occupiers and consideration will be given to the potential use of the County Council's Property Database to retain records of local arrangements.
- 5.6 HSRM will continue to assess the impact of Lord Young's report and as specific recommendations are implemented suitable responses within the County Council will be developed. This will include considering a simplification of the County Council's online risk assessment system in light of the recently developed HSE risk assessment tools. In addition HSRM will conduct a review of health and safety to assist the work of the County Council's Burdens and Bureaucracy work stream.
- 5.7 To further assist with future service planning there will be a specific review of what the County Council is doing to support implementation of the HSE strategy "The Health and Safety of Great Britain \ \ Be part of the solution".
- 5.8 The development of the manager health and safety e learning package will be completed.
- 5.9 HSRM will continue to support ACS and CYPS to review and develop their violent indicator warning systems. Progress on this will be monitored by the Corporate Information Governance Group.
- 5.10 The health and safety training for senior management will be promoted to a wider audience.
- 5.11 The pilot of the Radon strategy for the County Council will be implemented and further developed with liaison with the Health Protection Agency.
- 5.12 HSRM will continue to evolve the HANDS traded service to schools and will continue the joint working with the CYPS H&S team and QandI reviewing arrangements to support schools in managing those curriculum areas with a higher risk profile such as DT, Science, PE etc.

6.0 **INSURANCE**

6.1 The following paragraphs explain the position in 2010/11 (relative to previous years) for each of the main classes of insurance.

7.0 **GENERAL MOTOR CLAIMS EXPERIENCE**

7.1 A summary of the motor claims experience for each Directorate over the last three years is included in **Appendix B**. Motor claim figures are provided over three years as the claims are normally settled within a short time frame

7.2 The number and value of Commercial Motor Fleet claims per insurance year remains fairly static.

7.3 The number and value of Leased Vehicle claims per insurance year is reducing as the number of leased vehicles reduces. However, this will increase slightly as the number of Key Worker Vehicles increases.

8.0 **GENERAL LIABILITY CLAIMS EXPERIENCE**

8.1 A summary of the liability claims experience for each Directorate over the last five years is included in **Appendix C**.

9.0 **EMPLOYERS LIABILITY**

9.1 Employers Liability insurance provides cover for claims made against the County Council for injury to an employee, which the claimant believes has been caused due to the negligence of the County Council

9.2 The number and value of Employers Liability claims can fluctuate as there is no common or consistent cause of incident.

9.3 The number of Employers Liability claims per insurance year are lower in comparison to Public Liability claims. However, the value per Employers Liability claim can be much higher as all Employers Liability claims involve injury and many Public Liability claims within North Yorkshire involve property damage such as pothole damage to vehicles.

9.4 Children and Young People's Services (including County Caterers) has the highest number and value of Employers Liability claims with the main causes of claims being "Slip, Trip and Fall" and "Lifting, Handling and Carrying".

10.0 **PUBLIC LIABILITY**

Basis of Insurance

10.1 Public Liability insurance provides cover for claims made against the County Council for injury or damage to a member of the public and/or damage to their

property, which the claimant believes has been caused due to the negligence of the County Council.

- 10.2 The insurance year runs from 1 October to 30 September. When a Public Liability claim is received it is recorded against the insurance year in which the incident occurred. Thus a claim which occurred on 30 November 2005, but not reported to the County Council until 1 January 2008, would be recorded against the 2005/06 insurance year.
- 10.3 Due to the Limitation Act, claims for injuries can be submitted up to 3 years after the incident or when the claimant becomes aware of the injury. For property claims this is extended to 6 years.
- 10.4 The salient facts are –
- the external premium for Public Liability is £121k for 2010/11, with an excess of £100k for each and every claim
 - claims costing up to £100k are paid by the County Council
 - insurers then pay for any costs which exceed this £100k excess on an individual claim
 - however, if the total liability payments (Employers Liability and Public Liability) made by the County Council in any one insurance year exceed the aggregate limit (£1.798m for the 2010/11 insurance year), then insurers will pay all additional claim costs in excess of the aggregate limit
 - the County Council has an internal fund set aside to pay for all losses incurred within the £100k excess and this internal premium is approximately £1m per insurance year for all Liability claims (including Public Liability, Employers Liability, Officials Indemnity etc)
 - the balance held in the Fund is reviewed annually by the external Insurance/Risk Advisor to assess the appropriateness of its value against potential liabilities
 - the Fund does not provision up to the aggregate limit, which is the maximum liability

Claims Experience

- 10.5 A summary of the claims experience as at 31 March 2011, for the last 10 years for each Directorate is attached as **Appendix D**. The figures are split between insurance years (1 October to 30 September as mentioned above) and as such the 2010/11 insurance year reflects figures for 6 months.
- 10.6 The figures for the Chief Executives Group and Finance and Central Services have not significantly altered since last year's report and are minimal, as would be expected for these Directorates.

- 10.7 The figures for Adult and Community Services have also not significantly altered since last year's report. The claims tend to be low in both number and value and fluctuate with no obvious pattern.
- 10.8 The figures for Children and Young People's Services are difficult to predict as the 3 and 6 year rule (as mentioned in **paragraph 10.3** above) does not start until a pupil reaches 18 years old, so the figures for the older years may still undergo some change. If the last three immature insurance years are excluded, the overall average for the remaining seven years is 38 claims per insurance year and a total paid and outstanding of approx. £119k per insurance year. This is showing a slightly upward trend in the value of claims.
- 10.9 The figures for Business and Environmental Services remain the highest for the County Council and are therefore analysed further in **paragraph 11** below.

11.0 **BUSINESS AND ENVIRONMENTAL SERVICES (BES)**

- 11.1 For BES, the overall average for the 9 full insurance years (i.e. 2001/02 to 2009/10) is 366 claims per insurance year and a total value of paid and outstanding of approximately £531K. This is a slight increase on last year in terms of average numbers and a slight decrease of average total value. The figures spike from years 2007/08 to 2009/10.

Claims costs seem to accelerate in these years, however most of these costs are outstanding figures in respect of a relatively few number of open claims. Investigations are ongoing for these outstanding claims. A further year or so will need to pass before it will be evident how the claims for this year will settle down.

Potholes

- 11.2 As a result of the unprecedented weather conditions during last two winters (2009/10 and 2010/11), there has been an increase in the number of claims being received from the public as a result of the formation of potholes in roads around the County. The Claims mainly involve the cost of repairs to damaged tyres and wheels although there are some personal injury incidents. The number of pothole claims received in the Insurance and Risk Management Section as at 31st March 2011 is approximately 340 out of the total 530 Public Liability claims for 2009/10 and approximately 186 claims out of the total 246 Public Liability claims for 2010/11.

Repudiation of BES Claims

- 11.3 Although society is now more litigious and there is no effective way of stopping claims being made against the County Council, risk management measures can be put in place to enable the County Council to learn from the claims made in order to try to prevent them in the future and to put measures in place to better defend these claims.

- 11.4 **Appendix D** shows for 2001/02 to 2010/11 the number of claims that have been closed for each insurance year and of those closed the number and percentage of closed claims that have been settled with a nil payment. It is noticeable that over the ten year period this percentage has fluctuated but gradually increased.
- 11.5 Officers recognised that this was not an accurate measure of whether claims had been successfully defended; as some claims will have been successfully defended but payments will have been made in respect of own solicitors fees, whilst other claims may simply have been withdrawn.
- 11.6 In the light of this, from 2003/04, the following information has been recorded for each closed claim:
- Conceded - the liability is admitted and the claim paid
 - Lost - the claim was defended, but it was subsequently found that the County Council was liable
 - Withdrawn - the claimant has chosen to withdraw the claim
 - Won - the claim was defended and it was subsequently found that the County Council was not liable
- 11.7 It can be seen from **Appendix D** that for 2003/04 to 2009/10, the largest percentages relate to claims submitted to the County Council but successfully defended and / or withdrawn with a commensurate reduction in the percentage of claims conceded or lost. The remaining insurance year of 2010/11 is still immature, but the position will continue to be monitored particularly for 2009/10 and 2010/11 in relation to pothole claims.

Risk Management

- 11.8 The defence of these claims has been supported over time by the following actions taken by officers in Business and Environmental Services:
- vigorous defence of any claim where it is thought that NYCC are not liable
 - improving recording and retention of records that are used to defend claims
 - a willingness to provide witness statements and attend court to defend claims
 - an analysis of claims that have to be conceded to see how preventative systems can be improved in the future
 - benchmarking against other similar local authorities and sharing of information in order to ensure good practice.

12.0 CONCLUSIONS

- 12.1 General public awareness that a claim can be made for damage or injury, which is believed to be due to the negligence of another party has never been higher.

In addition as the economic climate declines the likelihood of claims being made (in particular fraudulent claims) will increase. Therefore it is not surprising that the number of claims submitted to the County Council.

12.2 However, it is important to recognise that without –

- the measures put in place to prevent incidents occurring in the first place
- putting in place measures and records to defend claims when they do occur
- learning from claims where the County Council is found negligent

the number and costs of Public Liability claims against the County Council would be much higher.

13.0 **RECOMMENDATIONS**

13.1 The Committee are recommended to

- (i) note H&S performance in 2010/11, and
- (ii) indicate any areas where they believe further efforts should be made to improve the H&S performance of the County Council.
- (iii) consider the information provided in relation to insurance claims and determine if any further actions are required.

DOMINIC PASSMAN

Head of H&S Risk Management

FIONA SOWERBY

Corporate Risk and Insurance Manager

27 May 2011

Background documents: None

HEALTH AND SAFETY PERFORMANCE SUMMARY FOR 2010/2011

Table 1 – Employee reportable accidents 2010/11

This table shows the numbers of employee reportable accidents (classified as major injury or over 3 day absences) for 2010/11. First number is a total, first brackets are the numbers of major injuries and second brackets are the number of over three day absences.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
ACS	2 (0) (2)	0	0	1 (1) (0)	3 (1) (2)
BES	1 (0) (1)	0	1 (0) (1)	0	2 (0) (2)
CEG	0	0	1 (1) (0)	0	1 (1) (0)
CYPS	3 (0) (3)	1 (0) (1)	4 (0) (4)	4 (0) (4)	12 (0) (12)
FCS	2 (0) (2)	3 (0) (3)	1 (0) (1)	1 (0) (1)	7 (0) (7)
Schools	9 (0) (9)	1 (0) (1)	9 (0) (9)	11 (3) (8)	30 (3) (27)
Total	17 (0) (17)	5 (0) (5)	16 (1) (15)	17 (4) (13)	55 (5) (50)

Table 2 – Non-employee reportable accidents 2010/11

This table shows the numbers of non-employee reportable accidents for 2010/11.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
ACS	1	0	0	0	1
BES	0	0	0	0	0
CEG	0	0	0	0	0
CYPS	0	0	0	0	0
FCS	0	0	0	0	0
Schools	23	3	62	69	157
Total	24	3	62	69	158

Table 3 – Dangerous Occurrences 2010/11

This table shows the numbers of reportable dangerous occurrences for 2010/11. All relate to the accidental release of asbestos fibres in County Council premises.

Financial Year 2010/11	Number of reportable asbestos releases and premise details
Q1	0
Q2	0
Q3	1 Richmond school (CYPS/school project)
Q4	1 Carentan House EPH

1 dangerous occurrence – fire resulting from electrical short circuit at vacant premises Oak Mount (Q1)

1 dangerous occurrence – hoist collapse in ACS (Q1)

Summary of HSE involvement with the County Council during 2010/11

During 2008/09 the HSE started proceedings against the County Council in relation to two incidents involving the CYPS Outdoor Education Service. The County Council was found not guilty in the trial (which began on 14 April 2010 at Leeds Crown Court) for the caving incident (incident dating back November 2005) and the HSE offered no evidence in the other case (incident dating back to May 2008).

The HSE served an improvement notice on the County Council in July 2010 in relation to LPG buried metallic pipe work at Tadcaster Grammar School. The HSE have since indicated that they are happy that the County Council has complied with the requirements of this notice.

The HSE issued a prohibition notice against a contractor working on a County Council project in January 2011. The notice related to an unsafe scaffold and has been addressed by the County Council with the contractor. It has also been made clear to the County Council through various meetings with the HSE during 2010/11 that they are concerned about what they perceive are poor standards of health and safety on some County Council property construction projects. Efforts continue to be made to improve the standards on our sites and this will remain a priority area for the County Council during 2011/12.

Table 4 - Employee reportable accidents for financial years 2010/11, 2009/10, 2008/09, 2007/08 and 2006/07

This table shows the numbers of employee reportable accidents (classified as major injury or over 3 day absences) for financial years 2010/11, 2009/10, 2008/09, 2007/08 and 2006/07. First number is a total, first brackets are the numbers of major injuries and second brackets are the number of over three day absences.

	2006/07	2007/08	2008/09	2009/10	2010/11
ACS	21 (6) (15)	10 (1) (9)	9 (1) (8)	9 (0) (9)	3 (1) (2)
BES	4 (0) (4)	4 (1) (3)	2 (0) (2)	0	2 (0) (2)
CEG	1 (0) (1)	0	0	0	1 (1) (0)
CYPS	30 (3) (27)	20 (5) (15)	16 (0) (16)	10 (0) (10)	12 (0) (12)
FCS	5 (0) (5)	12 (0) (12)	7 (2) (5)	7 (2) (5)	7 (0) (7)
Schools	34 (11) (23)	24 (2) (22)	32 (5) (27)	35 (9) (26)	30 (3) (27)
Total	95 (20) (75)	70 (9) (61)	66 (8) (56)	61 (11) (50)	55 (5) (50)

Table 5 - Non-employee reportable accidents for financial years 2010/11, 2009/10, 2008/09, 2007/08 and 2006/07

This table shows the numbers of non-employee reportable accidents for financial years 2010/11, 2009/10, 2008/09, 2007/08 and 2006/07.

	2006/07	2007/08	2008/09	2009/10	2010/11
ACS	1	3	1	1	1
BES	1	2	0	0	0
CEG	0	0	0	0	0
CYPS	2	0	0	0	0
FCS	2	0	0	0	0
Schools	264	90	94	90	157
Total	270	95	95	91	158

Table 6 – Dangerous Occurrences for financial years 2010/11, 2009/10, 2008/09, 2007/08 and 2006/07

This table shows the numbers of reportable dangerous occurrences for financial years 2010/11, 2009/10, 2008/09, 2007/08 and 2006/07 relating to the accidental release of asbestos fibres in County Council premises.

Financial Year	Number of reportable asbestos releases
2010/11	2
2009/10	2
2008/09	7
2007/08	8
2006/07	15

Note: The HSE has recently consulted on proposals that amendments should be made to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995. The amendments would implement Lord Young's proposals to extend the period for reporting injuries that lead to a worker being incapacitated for work from **three** days to **seven** days in his report "Common Sense Common Safety". If the changes are implemented HSRM will introduce the necessary changes to the County Council's reporting arrangements.

APPENDIX B

Motor Claims Occurring Per Insurance Policy Years Between 1st October 2008 to 31st March 2011

Commercial Fleet Vehicle Claims									
Directorate	2008/09			2009/10			2010/11		
	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate
ACS	69	£27,876	£10	74	£23,556	£8,800	36	£14,036	£8,444
BES	53	£48,002	£18,577	44	£30,355	£5,001	22	£12,041	£21,370
CEG	0	£0	£0	0	£0	£0	0	£0	£0
CYPS	30	£23,717	£0	42	£42,951	£1,304	18	£5,328	£3,489
FCS	28	£26,015	£0	32	£14,275	£2,258	6	£2,327	£1,203
TOTAL	180	£125,610	£18,587	192	£111,137	£17,363	82	£33,732	£34,506

Lease Vehicle Claims (includes Key Worker Scheme)									
Directorate	2008/09			2009/10			2010/11		
	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate
ACS	28	£8,210	£0	17	£15,901	£5,656	14	£12,880	£6,854
BES	4	£1,258	£0	2	£8,449	£244	1	£418	£0
CEG	0	£0	£0	0	£0	£0	0	£0	£0
CYPS	19	£15,932	£0	11	£3,669	£0	1	£1,148	£84
FCS	5	£1,537	£0	2	£439	£0	1	£245	£0
TOTAL	56	£26,937	£0	32	£28,458	£5,900	17	£14,691	£6,938

2010/11 figures are for the 6 months of the insurance year to 30/3/11

Liability Claims Occurring Per Insurance Policy Years Between 1st October 2006 to 31st March 2011

Public Liability Claims															
Directorate	2006/07			2007/08			2008/09			2009/10			2010/11		
	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate
ACS	5	£0	£0	2	£599	£0	3	£19,250	£0	2	£0	£130	0	£0	£0
BES	334	£173,374	£232,201	348	£113,927	£523,932	392	£169,326	£625,838	530	£31,071	£1,105,072	246	£261	£318,034
CEG	0	£0	£0	0	£0	£0	0	£0	£0	0	£0	£0	0	£0	£0
CYPS	41	£89,475	£63,864	25	£53,775	£82,150	36	£51,890	£125,662	13	£0	£165,048	4	£0	£16,585
FCS	2	£0	£0	5	£55	£16,000	3	£536	£0	2	£0	£11,066	0	£0	£0
TOTAL	382	£262,849	£296,065	380	£168,356	£622,082	434	£241,002	£751,500	547	£31,071	£1,281,316	250	£261	£334,619

Employers Liability Claims															
Directorate	2006/07			2007/08			2008/09			2009/10			2010/11		
	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate
ACS	7	£56,729	£81,592	4	£14,780	£25,040	5	£5,300	£231,566	3	£7,566	£13,600	1	£0	£0
BES	1	£0	£0	1	£0	£0	4	£279	£12,721	0	£0	£0	1	£0	£0
CEG	0	£0	£0	0	£0	£0	0	£0	£0	0	£0	£0	0	£0	£0
CYPS	16	£109,612	£266,313	25	£73,163	£70,500	14	£12,493	£118,500	12	£4,000	£140,066	1	£0	£18,100
FCS	2	£0	£0	2	£4,900	£0	1	£0	£45,000	0	£0	£0	0	£0	£0
TOTAL	26	£166,341	£347,905	32	£92,843	£95,540	24	£18,072	£407,787	15	£11,566	£153,666	3	£0	£18,100

Officials Indemnity Claims															
Directorate	2006/07			2007/08			2008/09			2009/10			2010/11		
	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate
ACS	0	£0	£0	0	£0	£0	0	£0	£0	1	£0	£25,000	0	£0	£0
BES	1	£0	£0	1	£0	£0	0	£0	£0	0	£0	£0	0	£0	£0
CYPS	1	£0	£10,000	1	£0	£0	0	£0	£0	1	£22,139	£58,929	0	£0	£0
TOTAL	2	£0	£10,000	2	£0	£0	0	£0	£0	2	£22,139	£83,929	0	£0	£0

Footnote: Not included in the above figures is 1 Libel & Slander Claim; 2 Land Charges Claim and 1 Professional Indemnity Claim

2010/11 figures are for the 6 months of the insurance year to 30/3/11

PUBLIC LIABILITY CLAIMS FOR NYCC AS AT 31st MARCH 2011

Chief Executive										
	2001/2001	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Number	1	1	0	1	0	0	0	0	0	0
Paid	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Outstanding	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Total Paid + Outstanding	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0

Finance & Central Services										
	2001/2001	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Number	2	2	4	2	1	2	5	3	2	0
Paid	£0	£575	£35	£124	£9,486	£0	£55	£536	£0	£0
Outstanding	£0	£0	£0	£0	£0	£0	£16,000	£0	£11,066	£0
Total Paid + Outstanding	£0	£575	£35	£124	£9,486	£0	£16,055	£536	£11,066	£0

Adult & Community Services										
	2001/2001	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Number	4	11	6	17	5	5	2	3	2	0
Paid	£414	£305	£603	£5,744	£0	£0	£599	£19,250	£0	£0
Outstanding	£0	£0	£0	£0	£0	£0	£0	£0	£130	£0
Total Paid + Outstanding	£414	£305	£603	£5,744	£0	£0	£599	£19,250	£130	£0

Children & Young People's Services										
	2001/2001	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Number	54	49	35	33	27	41	25	36	13	4
Paid	£44,419	£97,319	£86,278	£59,357	£140,091	£89,475	£53,775	£51,890	£0	£0
Outstanding	£37,195	£0	£0	£19,500	£58,781	£63,864	£82,150	£125,662	£165,048	£16,585
Total Paid + Outstanding	£81,614	£97,319	£86,278	£78,857	£198,872	£153,339	£135,925	£177,552	£165,048	£16,585

Business and Environmental Services										
	2001/2001	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Number	421	355	325	281	312	334	348	392	530	246
Paid	£391,923	£386,069	£264,695	£342,016	£280,017	£173,374	£113,927	£169,326	£31,071	£261
Outstanding	£0	£25,000	£0	£0	£115,171	£232,201	£523,932	£625,838	£1,105,072	£318,034
Total Paid + Outstanding	£391,923	£411,069	£264,695	£342,016	£395,188	£405,575	£637,859	£795,164	£1,136,143	£318,295

BES CLOSED CLAIMS EXPERIENCE AS AT 31st MARCH 2011

Insurance Year	2001/2002		2002/2003		2003/2004		2004/2005		2005/2006	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Number of closed Claims	421	100.0%	354	99.7%	325	100.0%	281	100.0%	308	98.7%
Number of closed claims settled at Nil	320	76.0%	256	72.3%	241	74.2%	207	73.7%	248	80.5%
Conceded	N/A	N/A	N/A	N/A	56	17.20%	40	14.2%	39	12.7%
Lost	N/A	N/A	N/A	N/A	10	3.10%	19	6.8%	8	2.6%
Withdrawn	N/A	N/A	N/A	N/A	34	10.50%	61	21.7%	125	40.6%
Won	N/A	N/A	N/A	N/A	225	69.20%	161	57.3%	132	42.8%
To Be Advised	N/A	N/A	N/A	N/A	0	0%	0	0%	4	1.3%

Insurance Year	2006/2007		2007/2008		2008/2009		2009/2010		2010/2011	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Number of closed Claims	325	97.3%	330	94.8%	348	88.8%	410	77.4%	2	0.8%
Number of closed claims settled at Nil	255	78.5%	289	87.6	295	84.8%	366	89.3%	1	50.0%
Conceded	57	17.5%	33	10.0%	45	12.9%	38	9.3%	1	50.0%
Lost	7	2.2%	2	0.6%	6	1.7%	3	0.7%	0	0.0%
Withdrawn	86	26.5%	138	41.8%	186	53.5%	298	72.7%	0	0.0%
Won	172	52.9%	155	47.0%	106	30.5%	68	16.6%	0	0.0%
To Be Advised	3	0.9%	2	0.6%	5	1.4%	3	0.7%	1	50.0%