

North Yorkshire County Council

Corporate & Partnerships Overview & Scrutiny Committee

19 January 2015

Position Statement and Performance Report: Health & Safety and Insurance

1.0 PURPOSE OF THE REPORT

1.1 To provide a position statement and update on the Council's Health and Safety function, including the most recently available performance data.

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 report complements the regular reporting to Directorate senior management teams.

2.3 It brings together information on both health and safety management and the insurance claims of the County Council.

3.0 PROGRESS WITH HEALTH AND SAFETY DEVELOPMENTS

3.1 The H&S Risk Management team continues its efforts to improve the co-ordination of H&S planning and reporting processes. In the last year, all Directorate leadership teams continued to review their actions in response to the HSE/IOD guidance on leading health and safety at work.

3.2 There has been a continued effort to implement existing and develop further corporate H&S procedures where appropriate to meet identified needs. The following procedures were revised in the past year:

- Moving and handling of people

- Management of health and safety in construction (to take into account of legislative changes which have now been delayed so the revisions have been held pending final ministerial approval of the regulations expected April 2015)
- Fire safety
- Work at height
- Employee handbook

Work also continues on:

- Violent indicator warning system
- Display screen equipment

- 3.3 There has been an on-going programme of reviewing directorate health and safety procedures and a full review of the CYPs H&S handbook was completed.
- 3.4 Targeted H&S audit programmes have been developed and delivered within Directorates and schools to reflect service risk profiles.
- 3.5 The H&S information on the Intranet site continued to be updated to reflect changes in policy and procedures.
- 3.6 There has been continued assistance to directorates and schools to implement the findings of the legionella risk assessments and there is an on-going programme to review these assessments.
- 3.7 Directorates and schools have been supported with fire safety risk assessments and all workplaces have a detailed assessment, which incorporates the findings of a technical fire audit. Support continues to be given to assist with the North Yorkshire Fire and Rescue Service compliance audits.
- 3.8 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 programme of monitoring health and safety on construction sites has been delivered by HSRM team and continues for new projects.
- 3.9 The following actions in relation to health and safety training have been taken:
- H&S training for senior managers has been or is planned to be delivered in various directorates
 - the HandS (traded service) 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
 - The online H&S learning package for employees has been reviewed

- A new online H&S learning package for managers has been developed and will shortly be rolled out across the County Council
- 3.10 A review of the lone worker voice connect system was completed, and the resilience of the system improved with it being fully hosted externally by voice connect.
- 4.0 **DEVELOPMENTS IN THE MANAGEMENT OF HEALTH AND SAFETY IN NYCC**
- 4.1 The Health and Safety Risk Management Service is managed within the Property Service. During 2014, a review of the County Council's approach to H&S and the H&S Risk Management Unit (HSRM) function was carried out, part of which was undertaken by an external organisation. The main purpose of this review was to evaluate how well we perform against legislative standards and best practice.
- 4.2 Discussions also took place with other LAs to compare working practices and most opportunities have arisen to work more closely with the other councils, including Hambleton and Selby District Councils and City of York Council.
- 4.3 The County Council has now entered into an agreement with City of York to employ a Shared Head of Health and Safety overseeing health and safety at both Councils. This arrangement only came into place in December 2014, but it is anticipated that it will have mutual benefits for both Councils by sharing best practice and working more efficiently.
- 4.4 The findings of the external review have been used to develop an improvement action plan. The plan includes continuing and completing activities in the following areas:
- Risk profiling and risk assessments
 - Health and safety policy, procedures and audits
 - Fire risk assessments
 - Asbestos Management
 - Staff development
 - Communication
 - Health and safety planning
 - Accident reporting
 - Support to schools
 - Structure of the HSRM team, including dealing with geographical challenges
- 4.5 This work will take account of recent changes to HSE guidance.
- 4.6 The Team also includes a very successful traded service (known as HandS) which is bought in by 99% of the schools in North Yorkshire.

5.0 HEALTH AND SAFETY PERFORMANCE DATA

5.1 This section sets out data collected by the Council and includes the most recent full year's information.

5.2 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. The data from 2006/7 to the last full year (2013/14) is presented in **Appendix A** to this report. This historic data establishes a baseline for measuring performance trends and providing relevant information to consider future targets for H&S performance.

5.3 The reportable accidents/incidents are those of a serious nature that must be reported to the enforcement body, which for the County Council is the Health and Safety Executive (HSE). In first half of 2014-5 there have been 16 employee reportable accidents. This compares with:

- 34 in 2013/14
- 34 in 2012/13
- 54 in 2011/12
- 55 in 2010/11
- 61 in 2009/10
- 66 in 2008/09
- 70 in 2007/08
- 95 in 2006/07 (see Table 1 Appendix A).

5.4 This reflects a standstill in numbers of reportable employee accidents when compared to the previous year following 5 successive years of reductions in accident numbers. The number of specified injuries has increased from 3 in 2012/13 to 7 in 2013/14 (see Tables 2 and 3 in Appendix A). This has been noted by senior management and additional arrangements are being considered to reduce the numbers if practicable.

5.5 All non-employee reportable accidents involve pupils in schools and these are reported in the CYPS H&S reports. The causes of reported pupil accidents are closely examined and initiatives are developed to support schools in reducing the incidence of accidents. This includes the regular distribution of the CYPS Accident & Incident newsletter so that best practice and areas of concern can be shared.

5.6 The main cause of employee accidents continues to be lifting/handling/carrying and slips/trips/falls (see Tables 4 and 5 in Appendix A). Accident causation is considered at Directorate and service level as part of preventative planning and risk assessment processes to minimize the risk of accidents occurring.

5.7 There has been 1 reportable asbestos related incident so far during 2014/15 – reported in Q3. This compares with:

- 1 in 2013/14
- 1 in 2012/13
- 1 in 2011/12
- 2 in 2010/11

- 2 in 2009/10
- 7 in 2008/09
- 8 in 2007/08
- 15 in 2006/07 (see Table 6 in Appendix A).

Achieving this low level of reportable dangerous occurrences is welcome.

- 5.8 On 9 December 2013 the HSE issued a Prohibition Notice to the County Council on the use of cloths on lathes following an accident at King James School. Appropriate action was taken immediately to address the requirements of the prohibition notice in all relevant schools within the County Council. The Health and Safety Executive have now instigated legal proceedings against the County Council in relation to this matter.
- 5.9 In addition to this matter the HSE wrote to the County Council on 10 February 2014 concerning the late reporting of accidents by the County Council on behalf of schools. The County Council paid a “fee for intervention” invoice in relation to this breach of health and safety. A promotion campaign has been run with schools to remind Headteachers of their legal obligations and the need to report accidents and incidents promptly. The HSE has also visited a number of NYCC construction projects and no formal action was taken as a result of these visits.

6.0 **INSURANCE**

- 6.1 The following paragraphs explain the position in 2013/14 (relative to previous years) for each of the main classes of insurance.
- 6.2 The insurance year runs from 1 October to 30 September. When a Liability or Motor claim is received, it is recorded against the insurance year in which the incident occurred. Thus a claim which occurred on 30 November 2009, but not reported to the County Council until 1 January 2012, would be recorded against the 2009/10 insurance year.
- 6.3 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.

7.0 **GENERAL MOTOR CLAIMS EXPERIENCE**

- 7.1 Motor insurance covers any motor vehicle, whilst deployed on the business of the County Council and for social, domestic and pleasure purposes by authorised persons. The cover is comprehensive which includes loss of or damage to the vehicle and legal liability to third parties for death, bodily injury or damage to property due to an accident involving a vehicle or trailer.
- 7.2 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 only as the claims are normally settled within a short time frame.

- 7.3 The number of Commercial Motor Fleet claims per insurance year normally remains fairly static, although the number of claims appears to have decreased by about 30/40 claims per year since 2011/12.
- 7.4 The value of Commercial Motor Fleet claims per insurance year also seems to have decreased since 2011/12. The total value of claims in 2011/12 insurance year appears to be particularly high due to various claims such as theft of catalytic converters, damage to truck and trailers and various other claims, but there is no common underlying cause.
- 7.5 Statistics relating to leased vehicles and key worker vehicles have been combined. There have been five leased vehicle claims within Central Services over the last three years. However, these claims have now stopped, as there are no longer any leased vehicles. The remainder of the claims involves keyworker vehicles, mainly in Health & Adult Services, where most of these vehicles are allocated. The number and value of keyworker vehicle claims per insurance year remains fairly consistent each year.

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**. Further Public Liability claims experience is provided in **Appendix D (see also paragraph 10 in this report)**.

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 of Employers Liability claims per insurance year is 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 whilst many Public Liability claims within North Yorkshire involve property damage such as pothole damage to vehicles (**see paragraph 11**).
- 9.3 For Business and Environmental Services, Health and Adult Services and Central Services, the number and value of Employers Liability claims fluctuate. For Business and Environmental Services there is no common or consistent cause of incident. For Health and Adult Services and Central Services, the most common causes with the highest value of claims are “Slip, Trip, Fall” and “Lifting, Handling and Carrying”.
- 9.4 Children and Young People’s Services (including County Caterers and Children’s Social Care) has the highest number and value of Employers Liability claims with the most common causes of claims being “Slip, Trip and Fall”; “Lifting, Handling and Carrying” and “Damage/Injury Caused by Pupil”. Although higher value claims include the causes of “Hit by Moving Object”, Assault” and “Stress”.

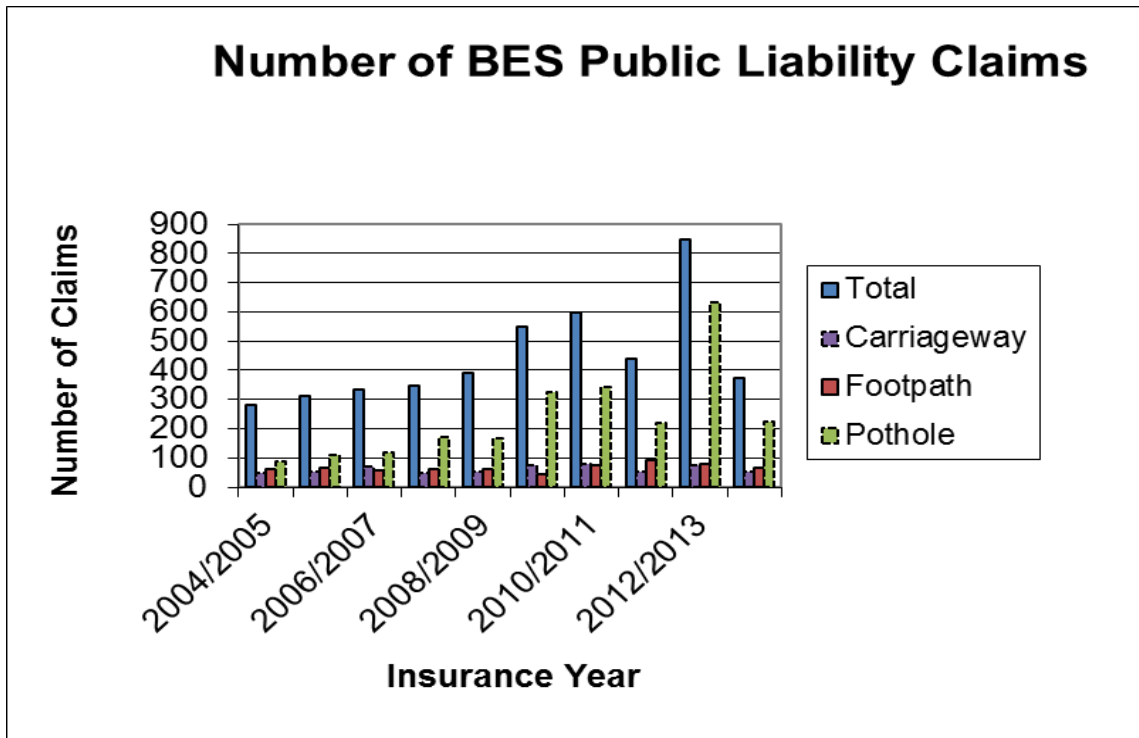
10.0 PUBLIC LIABILITY

Basis of Insurance

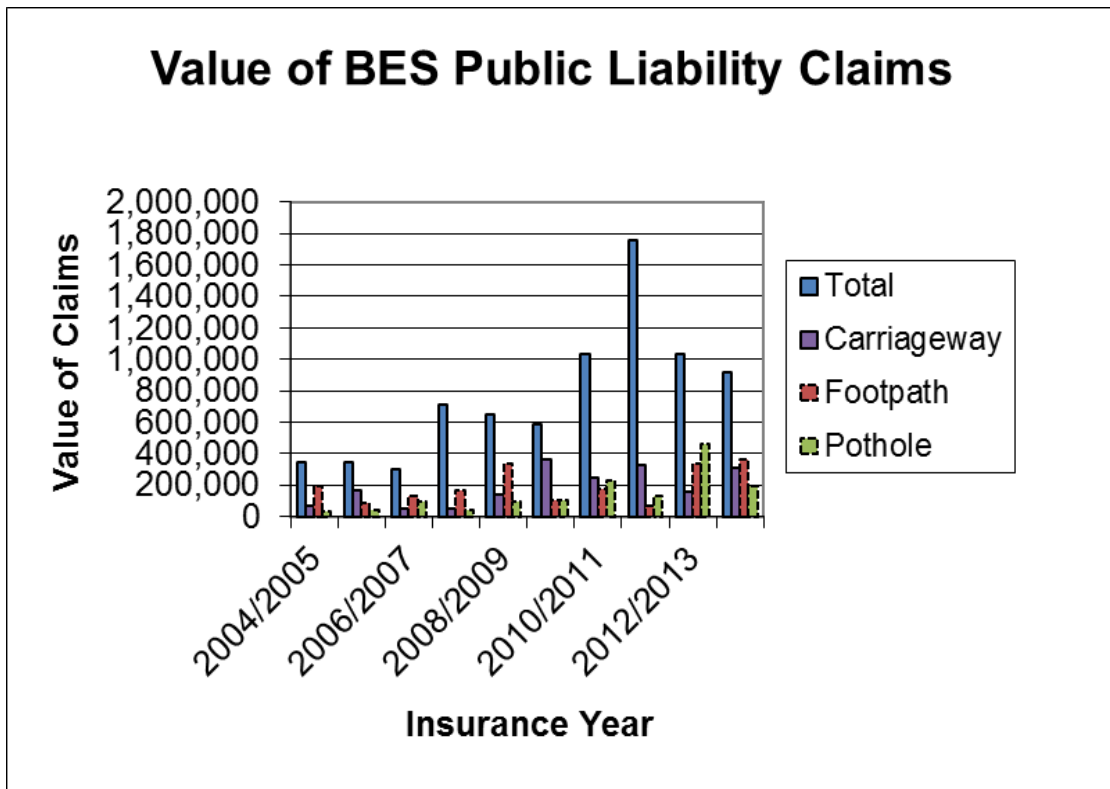
- 10.1 Public Liability insurance provides cover for claims made against the County Council for injury or damage to a member of the public and/or damage to their property, which the claimant believes has been caused due to the negligence of the County Council.
- 10.2 A summary of the claims experience as at 30th September 2014, for the last 10 years for each Directorate is attached as **Appendix D**.
- 10.3 The Public Liability figures for Central Services remain relatively low, as would be expected for this Directorate.
- 10.4 Health and Adult Services Public Liability claims tend to be low in both number and value and fluctuate with no obvious pattern. However, there is one claim with a significant estimate in 2010/11.
- 10.5 The figures for the Children and Young People's Service are difficult to predict as the 3 and 6 year rule (as mentioned in **paragraph 6.3** above) does not start until a pupil reaches 18 years old, so the figures for the older insurance years may still undergo some change. If the last three immature insurance years are excluded, the overall average for the remaining seven years is 28 claims per insurance year and a total paid and outstanding of approx. £125k per insurance year. This is showing a slightly upward trend in the value of claims.
- 10.6 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 10 full insurance years (i.e. 2004/05 to 2013/14) is 447 claims per insurance year and a total value of paid and outstanding of approximately £768K. This is an increase on previous insurance years in terms of average numbers and total value.
- 11.2 As can be seen in the diagram below the numbers of claims increase annually from 2004/05 to 2010/11, with spikes in 2009/10, 2010/11 and particularly in 2012/13. The most common causes of the claims are due to "Pothole", "Footpath" and "Carriageway", which relates to the surface condition of the road.



11.3 The following diagram shows that claims costs seem to increase in recent years. However, from 2009/2010 many of these costs are estimated figures as investigations/negotiations are ongoing for these outstanding claims. A clearer position will not be available until these claims are settled. There is an individual claim with a significant estimate in 2011/2012.



11.4 The two diagrams present an apparent anomaly as the lowest numbers of claims are caused by footpath claims; whereas the aggregate value of footpath claims

can sometimes exceed that of pothole and carriageway claims. This is due to the fact that pothole and carriageway claims usually relate solely to the cost of damage to the vehicle (**see Paragraph 11.5 below**) whilst footpath claims often relate to personal injury.

Potholes

- 11.5 As a result of the weather conditions during the three winters of 2009/10, 2010/11 and 2012/13, there was an increase in the number of claims received from the public as a result of the formation of potholes and deterioration in the condition of roads around the County. The Claims mainly involved the cost of repairs to damaged tyres and wheels although there were some personal injury incidents. The approximate number of pothole/carriageway claims received in the Insurance and Risk Management Section for these years was as follows:

	Total BES Public Liability Claims	Pothole/ Carriageway claims
2009/10	547	402
2010/11	598	420
2012/13	846	705

Repudiation of BES Claims

- 11.6 In order to mitigate against 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.
- 11.7 **Appendix E** shows 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 has overall increased.
- 11.8 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 the Councils solicitors fees, whilst other claims may simply have been withdrawn.
- 11.9 In the light of this, the following information has also 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
- 11.10 It can be seen from **Appendix E** that 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. Insurance year 2013/14 is still immature, but the position will continue to be monitored.

11.11 The current repudiation rate for pothole/road surface claims is approximately 84% for each insurance year up to insurance year 2012/13.

Risk Management

11.12 The defence of these claims has been supported over time by the following actions taken by officers in Business and Environmental Services:

- providing detailed information to the public on the County Council Website and through the Insurance and Risk Management Section to ensure that the claimant understands the circumstances and information required to make a valid potential claim.
- vigorous defence of any claim where it is thought that NYCC are not liable
- keeping within the timescales of the new Civil Procedure Rules where possible in order to reduce claimant's solicitor's costs.
- 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 TENDER FOR INSURANCES

12.1 This year the Council's Liability insurers notified all Local Authorities that they were breaking all Long Term Agreements and increasing premiums in respect of Public Liability. Insurers advised that this decision was due to a significant deterioration in the Public Liability claims experience for all Local Authorities.

12.2 Various explanations for the deterioration in their claims experience over recent years include: an increase in the value of serious injury claims, due to improvement in medical care; an increase in the number of abuse claims and an increase in legal costs.

12.3 In light of the above the Council decided to tender for all Liability insurances and claims handling for a two year period from 1st October 2014. A £100,000 excess has been in place since 1992 and larger claims have been getting close to and exceeding the excess more often in the last five years. Therefore as part of the tender we asked insurers to provide a quote for alternative and higher excesses.

10.4 The outcome of the tender is that the Council's Liability Insurers is now QBE (Europe) Insurance Limited, which is arranged via a company called Risk Management Partners. When taking into account the additional funds that would need to be paid into the internal Insurance Fund which pays for claims within the excess, the most economical excess level was found to be £250,000.

10.5 The Council's external annual premium for all Liability policies from 1 October 2014 to 30 September 2015 with a £250,000 excess will be £538,745.

13.0 CONCLUSIONS

13.1 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 the economic climate means that 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 is increasing.

13.2 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 is recommended to

- (i) note H&S performance in 2013/14, 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.

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Shared Head of Health and Safety

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Corporate Risk and Insurance Manager

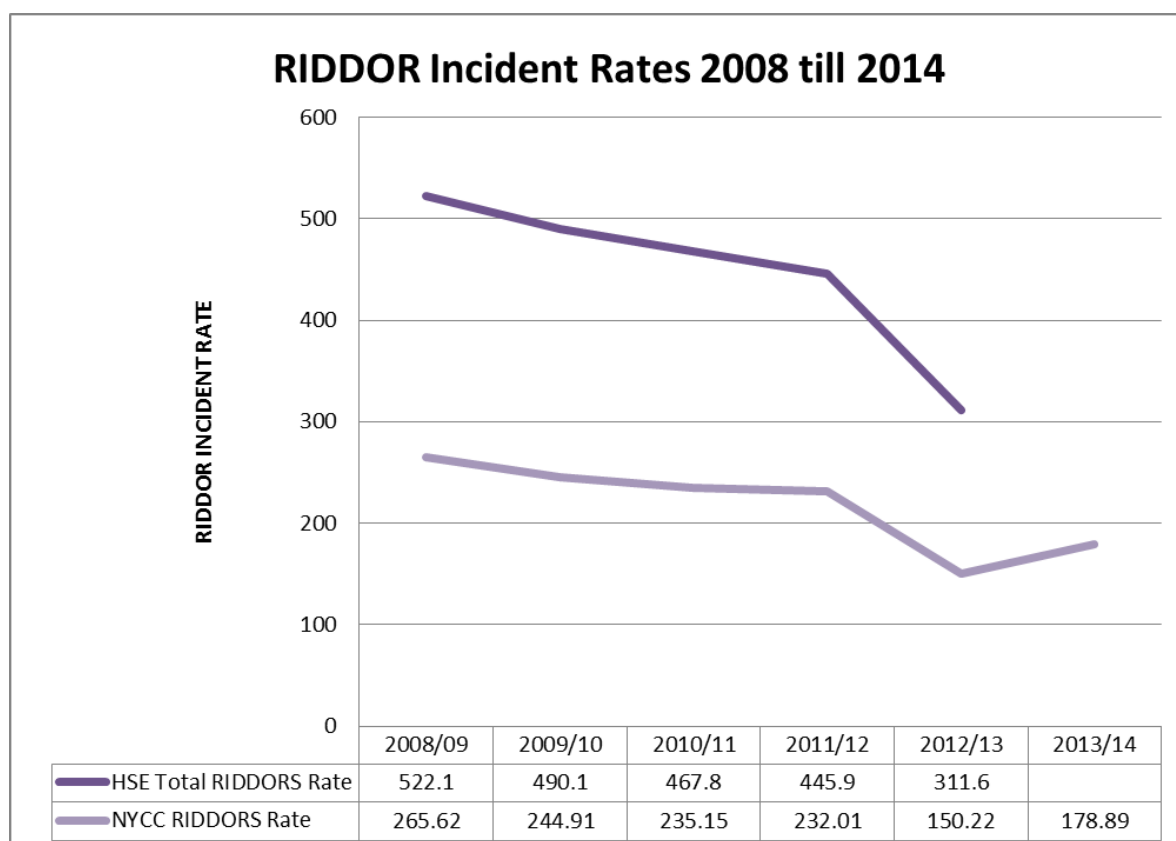
5 January 2015

Background documents: None

HEALTH AND SAFETY PERFORMANCE SUMMARY FOR 2013/2014

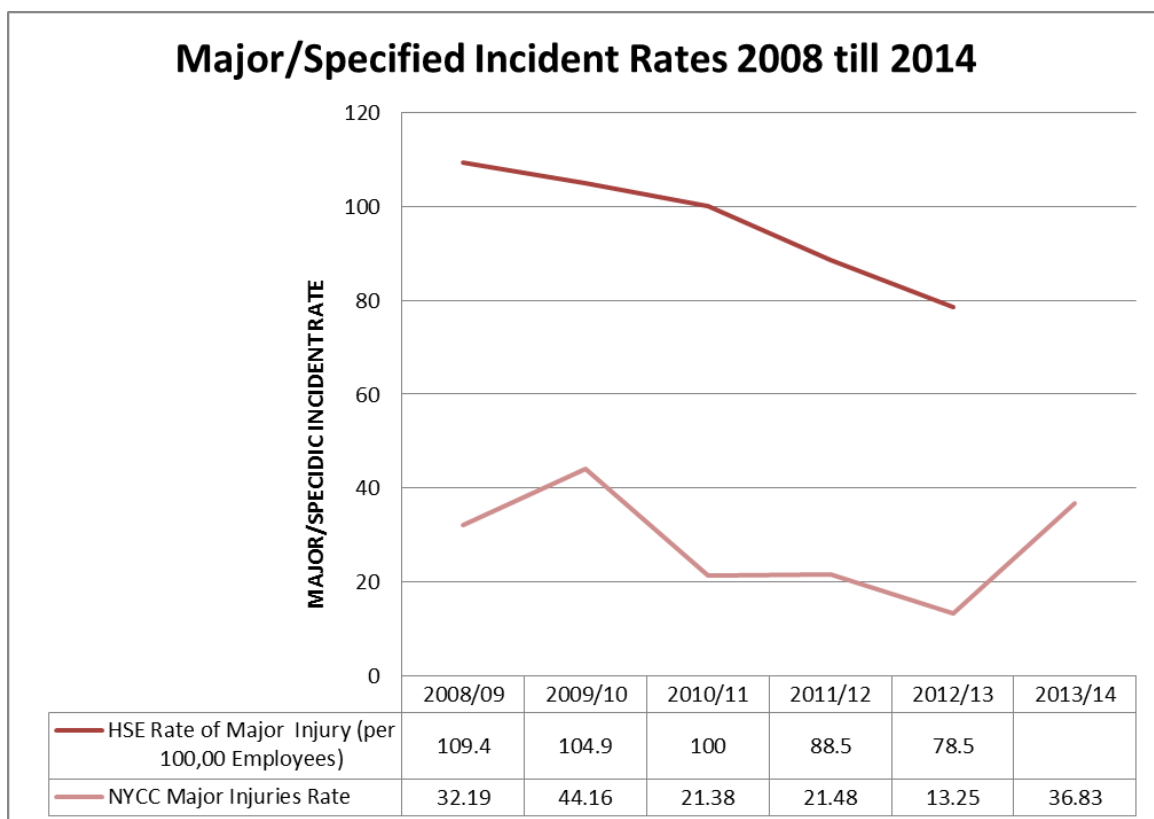
Numbers of all employee RIDDOR accidents and incident rates per 100,000 employees (Table 1)

Total RIDDORS	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
HAS	21	10	9	9	3	5	3	0
BES	4	4	2	0	2	3	1	0
CEG	1	0	0	0	1	0	0	0
CYPS	30	20	16	10	12	8	4	6
FCS	5	12	7	7	7	10	3	6
Schools	34	24	32	35	30	28	23	22
Total	95	70	66	61	55	54	34	34
Numbers of Employees	23631	24177	24847	24907	23390	23275	22633	19006
Incident Rates per 100,000	402.01	289.53	265.63	244.91	235.14	232.01	150.22	178.89



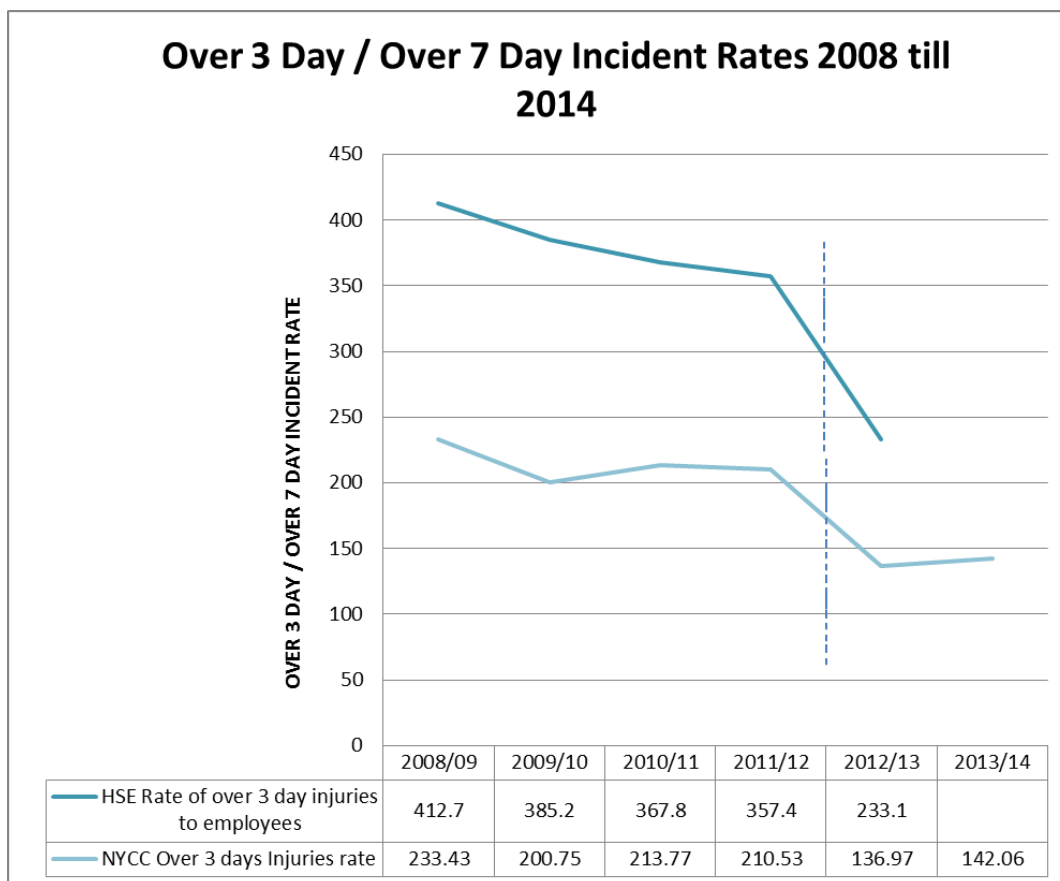
Numbers of employee RIDDOR major/specified injuries and incident rates per 100,000 employees (Table 2)

Major/Specified Injuries	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
HAS	6	1	1	0	1	0	0	0
BES	0	1	0	0	0	0	0	0
CEG	0	0	0	0	1	0	0	0
CYPS	3	5	0	0	0	0	1	1
FCS	0	0	2	2	0	1	0	0
Schools	11	2	5	9	3	4	2	6
Total	20	9	8	11	5	5	3	7
Numbers of Employees	23631	24177	24847	24907	23390	23275	22633	19006
Incident Rates per 100,000	84.63	37.23	32.2	44.16	21.38	21.48	13.25	36.83



Numbers of employee RIDDOR over 3/7 day lost time accidents and incident rates per 100,000 employees (Table 3)

Over 3/7 Day Injuries	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
HAS	15	9	8	9	2	5	3	0
BES	4	3	2	0	2	3	1	0
CEG	1	0	0	0	0	0	0	0
CYPS	27	15	16	10	12	8	3	5
FCS	5	12	5	5	7	9	3	6
Schools	23	22	27	26	27	24	21	16
Total	75	61	58	50	50	49	31	27
Numbers of Employees	23631	24177	24847	24907	23390	23275	22633	19006
Incident Rates per 100,000	317.381	252.31	233.43	200.75	213.77	210.53	136.97	142.06



Employee RIDDOR accident causation (Table 4)

Employee RIDDOR accident causation					
Cause of accident	CYPS Total	CS Total	BES Total	HAS Total	Total
Hit by Moving/Flying/Falling Object	1	0	0	0	1
Lifting/Handling/Carrying	3	2	0	0	5
Slip, Trip, Fall - Same Level	14	3	0	0	17
Fell From Height	3	1	0	0	4
Exposed to Harmful Substance	1	0	0	0	1
Physically Assaulted	5	0	0	0	5
Injury during PE	1	0	0	0	1
Totals	28	6	0	0	34

Employee all accident causation (Table 5)

All Employee accidents					
Cause of accident	CYPS Total	CS Total	BES Total	HAS Total	Total
Contact with moving machinery / material	3	0	0	0	3
Hit by Moving/Flying/Falling Object	18	3	0	0	21
Hit by Vehicle	3	1	3	0	7
Hit Fixed Stationary Object	10	2	0	0	12
Lifting/Handling/Carrying	47	6	4	1	58
Slip, Trip, Fall - Same Level	40	11	4	0	55
Fell From Height	4	4	0	0	8
Exposed to Harmful Substance	1	0	0	0	1
Injury/Damage by an animal/insect	2	0	1	0	3
Physically Assaulted	17	0	3	0	20
Hand Tools	1	0	0	0	1
Irritant	1	0	0	0	1
Repetitive Injury	4	0	0	0	4
Damage/Injury Caused by Pupil	3	0	0	0	3
Damage/Injury during PE	4	0	0	0	4
Other	1	0	1	0	2
Totals	159	27	16	1	203

Numbers of asbestos incidents reportable as Dangerous Occurrences under RIDDOR (Table 6)

Financial Year	Number of reportable asbestos releases
2013/14	1
2012/13	1
2011/12	1
2010/11	2
2009/10	2
2008/09	7
2007/08	8
2006/07	15

Note: The HSE amended the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR). The amendments 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. The changes came into effect on 1 April 2012 and HSRM have introduced the necessary changes to the County Council's reporting arrangements. There is no need for managers and employees to alter their reporting arrangements.

APPENDIX B

Motor Claims Occurring Per Insurance Policy Years Between 1st October 2011 to 30th September 2014 as at 30th September 2014

Commercial Fleet Vehicle Claims									
Directorate	2011/12			2012/13			2013/14		
	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate
BES	62	£39,607	£0	39	£20,441	£0	78	£23,101	£3,679
CSD	30	£30,626	£0	16	£8,216	£0	24	£7,794	£2,242
CYPS	39	£46,772	£512	33	£14,037	£2,815	21	£5,766	£8,331
HAS	50	£32,610	£354	55	£23,138	£144	16	£7,877	£347
HAS (via IPT)	2	£1,343	£0	1	£71	£0	1	£1,540	£0
TOTAL	183	£150,958	£866	144	£65,905	£2,959	140	£46,077	£14,600

Keyworker and Lease Vehicle Claims									
Directorate	2011/12			2012/13			2013/14		
	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate	Claim Number	Claims Paid	Claims Estimate
BES	0	£0	£0	2	£476	£0	2	£95	£0
CSD	4	£2,540	£0	1	£0	£1,808	0	£0	£0
CYPS	0	£0	£0	0	£0	£0	0	£0	£0
HAS	22	£13,462	£6,150	20	£16,729	£0	18	£7,863	£2,443
TOTAL	26	£16,003	£6,150	23	£17,206	£1,808	20	£7,958	£2,443

Appendix C

Liability Claims Occurring Per Insurance Policy Years Between 1st October 2009 to 30th September 2014 as at 30th September 2014

Public Liability Claims															
Directorate	2009/10			2010/11			2011/12			2012/13			2013/14		
	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
BES	547	£358,504	£229,235	598	£245,092	£790,352	438	£236,047	£1,523,218	846	£111,695	£922,081	375	£16,494	£902,553
CSD	4	£0	£0	1	£28,245	£0	1	£0	£0	3	£1,095	£2,900	2	£0	£3,090
CYPS	14	£58,637	£0	18	£67,160	£123,700	16	£50,370	£60,300	21	£12,617	£115,981	12	£0	£93,991
HAS	1	£0	£0	4	£8,682	£1,150,000	1	£0	£1,000	2	£0	£57,189	0	£0	£0
TOTAL	567	£417,141	£229,235	624	£349,180	£2,064,052	461	£286,417	£1,584,518	886	£126,446	£1,144,495	396	£16,494	£1,019,938

Employers Liability Claims															
Directorate	2009/10			2010/11			2011/12			2012/13			2013/14		
	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
BES	0	£0	£0	3	£0	£0	0	£0	£0	2	£0	£9,000	0	£0	£0
CSD	1	£421	£0	4	£13,200	£5,850	3	£207	£91,408	1	£1,250	£0	2	£0	£6,627
CYPS	14	£121,226	£1,505	9	£89,265	£178,600	8	£71,464	£18,180	11	£0	£184,744	4	£0	£81,242
HAS	4	£7,566	£0	3	£38,169	£0	1	£9,500	£0	5	£13,577	£29,268	3	£0	£15,137
TOTAL	19	£129,213	£1,505	19	£140,634	£184,450	12	£81,171	£109,588	19	£14,827	£223,012	9	£0	£103,006

Officials Indemnity Claims															
Directorate	2009/10			2010/11			2011/12			2012/13			2013/14		
	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
BES	0	£0	£0	0	£0	£0	1	£0	£0	0	£0	£0	1	£0	£125,000
CYPS	1	£378,059	£0	1	£0	£0	1	£9,000	£0	0	£0	£0	0	£0	£0
HAS	1	£10,392	£0	0	£0	£0	0	£0	£0	0	£0	£0	0	£0	£0
TOTAL	2	£388,451	£0	1	£0	£0	2	£9,000	£0	0	£0	£0	1	£0	£125,000

Footnote: Not included in the above figures are 6 Land Charges Claims and 1 Professional Indemnity Claim

Public Liability Claims For NYCC As At 30th September 2014

Business and Environmental Services										
	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2020	2010/2011	2011/2012	2012/2013	2013/2014
Number	281	312	335	349	392	547	598	438	846	375
Paid	£342,016	£343,805	£300,993	£706,254	£648,836	£358,504	£245,092	£236,047	£111,695	£16,494
Outstanding	£0	£0	£0	£0	£0	£229,235	£790,352	£1,523,218	£922,081	£902,553
Total Paid + Outstanding	£342,016	£343,805	£300,993	£706,254	£648,836	£587,740	£1,035,444	£1,759,265	£1,033,776	£919,047

Central Services										
	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2020	2010/2011	2011/2012	2012/2013	2013/2014
Number	6	1	2	5	4	4	1	1	3	2
Paid	£379	£9,486	£0	£14,864	£536	£0	£28,245	£0	£1,095	£0
Outstanding	£0	£0	£0	£0	£0	£0	£0	£0	£2,900	£3,090
Total Paid + Outstanding	£379	£9,486	£0	£14,864	£536	£0	£28,245	£0	£3,995	£3,090

Children & Young People's Services										
	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2020	2010/2011	2011/2012	2012/2013	2013/2014
Number	34	27	43	26	37	14	18	16	21	12
Paid	£91,204	£118,959	£142,841	£130,831	£132,898	£58,637	£67,160	£50,370	£12,617	£0
Outstanding	£0	£0	£0	£0	£11,046	£0	£123,700	£60,300	£115,981	£93,991
Total Paid + Outstanding	£91,204	£118,959	£142,841	£130,831	£143,944	£58,637	£190,860	£110,670	£128,598	£93,991

Health & Adult Services										
	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2020	2010/2011	2011/2012	2012/2013	2013/2014
Number	14	5	5	2	2	1	4	1	2	0
Paid	£5,489	£6,300	£0	£599	£19,250	£0	£8,682	£0	£0	£0
Outstanding	£0	£0	£0	£0	£0	£0	£1,150,000	£1,000	£57,189	£0
Total Paid + Outstanding	£5,489	£6,300	£0	£599	£19,250	£0	£1,158,682	£1,000	£57,189	£0

Appendix E

BES CLOSED CLAIMS EXPERIENCE AS AT 30th SEPTEMBER 2014

Insurance Year	2004/2005		2005/2006		2006/2007		2007/2008		2008/2009	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Number of closed Claims	281	100.0%	312	100.0%	335	100.0%	349	100.0%	392	100.0%
Number of closed claims settled at Nil	207	74.0%	248	79.5%	257	76.7%	298	85.4%	313	79.8%
Conceded	40	14.2%	40	12.8%	61	18.2%	38	10.9%	57	14.5%
Lost	19	6.8%	8	2.6%	7	2.1%	5	1.4%	12	3.1%
Withdrawn	61	21.7%	130	41.7%	91	27.2%	143	41.0%	203	51.8%
Won	161	57.3%	133	42.6%	174	51.9%	163	46.7%	119	30.4%
To Be Advised	0	0.0%	1	0.3%	2	0.6%	0	0.0%	1	0.2%

Insurance Year	2009/2010		2010/2011		2011/2012		2012/2013		2013/2014	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Number of closed Claims	544	99.5%	580	97.0%	415	94.7%	684	80.9%	90	24.0%
Number of closed claims settled at Nil	473	86.9%	507	87.4%	342	82.4%	571	83.5%	65	72.2%
Conceded	55	10.1%	60	10.3%	54	13.0%	91	13.3%	22	24.4%
Lost	4	0.7%	4	0.7%	4	1.0%	10	1.5%	1	1.1%
Withdrawn	371	68.2%	364	62.8%	230	55.4%	426	62.3%	54	60.0%
Won	114	21.0%	150	25.9%	120	28.9%	134	19.6%	10	11.1%
To Be Advised	0	0.0%	2	0.3%	7	1.7%	23	3.3%	3	3.4%