

Email:

25 June 2015

Your reference:

Our reference: FOI 2015-0491

Dear

## **FREEDOM OF INFORMATION ACT 2000 - DISCLOSURE**

The council has completed its search relating to your request for information about personal injury claims in schools, which we received on 19 June 2015.

The council does / does not hold information within the definition of your request.

### **Question 1**

How many personal injuries claims have been made in total at both primary and secondary schools over the past five years, since September 2009 to date, and how many of those were successful?

#### **Answer 1**

39 injury claims were notified between 1<sup>st</sup> September 2009 and 31 May 2015 involving children at local authority schools within Cumbria. 8 claims are currently unsettled and, of the 31 that have been settled, 11 were successful.

### **Question 2**

The total amount of compensation that has been paid out as a result of successful PI claims made after children were injured while at both primary and secondary schools since September 2009.

#### **Answer 2**

The total amount paid in compensation in relation to the 11 successful claims was £54,716

### **Question 3**

A list detailing the cause of each individual incident, which resulted in a successful claim, and the amount of money that was paid out per incident in a successful claim since September 2009.

#### **Answer 3**

Whilst the council holds information relating to this part of your request details of individual claims cannot be disclosed as it may lead to the identification of individuals. I can confirm that the causes of claims referred to in Answer 2 include slips, trips, falls, collisions, burns/scalds or being hit by objects.

### **Question 4**

An outline of the procedure carried out by both the school and the local authority once an injury claim has been made.

#### **Answer 4**

Once the school/local authority is in receipt of a letter of claim for injury it is acknowledged and passed to the Council's insurers. The matter is investigated by the insurer's claims inspector which might entail a site visit or interviewing key witnesses. Claims inspector is assisted by the Council's Corporate Health and Safety team.

The Council/school has a duty to disclose evidence that might have a bearing on the claim. Based upon the evidence the insurers make a judgement on liability, with referral to the Council, to decide whether to admit or deny liability.

Since the introduction of the new MOJ rules, claims submitted (or which are eligible to be submitted) through the claims portal are acknowledged within 1 business day. They are then investigated and a decision on liability is made within 40 business days of the date of receipt

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If you are dissatisfied with the way the council has responded to your request you can request an Internal Review. If you would like to request a Review please contact the Information Governance Team using the details at the top of this letter.

Further information can be found on the council's website: <http://www.cumbria.gov.uk/council-democracy/accesstoinformation/internalreviewscomplaints.asp>

Yours sincerely,

Information Governance Team  
Chief Executive's Directorate  
Cumbria County Council