

Claims Portal Executive Dashboard – Q & A's

General

1) Why won't Claims Portal Ltd publish Management Information (MI) at organisational level?

The primary role of Claims Portal Ltd is to provide a safe and secure electronic system for the delivery of documentation to facilitate the Pre-Action Protocol for Low value Personal Injury Claims in Road Traffic Accidents and Employers' Liability and Public Liability Claims.

As such, the Board's decision is to produce MI relating to the Portal as a service and only to produce high level MI on the process. The Portal User Agreements also determine the use of any MI.

By way of a reminder the Portal is not a repository for claims data and as such users have been encouraged from an early stage to monitor their own performance and MI.

A key principle of the Portal governance was not to produce MI that could give any company or organisation any commercial benefit by use of organisational level information.

2) Are there organisations that do not use the Portal? If so does this make the figures inaccurate?

All claims that fall within the Ministry of Justice's pre-action protocols for low value personal injury claims (RTA and Employers'/Public Liability) must be processed through the Claims Portal.

There are currently over 2,800 Claimant Representative organisations and 240 Compensator organisations registered as users of the Portal and more than 3,000 claims are securely notified to compensators each day through the Claims Portal.

This is evidence that a significant proportion of claimant and insurance organisations have embraced the principles of the MoJ's Protocol.

MI specific

3) Why do so many Claim Notification Forms (CNFs) time out at the end of Stage 1?

There are many factors that influence the numbers of Claim Notification Forms (CNFs) that time out at the end of Stage 1 liability. These factors include, but are not limited to, operational efficiencies, duplicate claims, claims that are transferred between organisations and claims that are not within the scope of either Protocol.

Whilst the Exit function enables users to provide more detail on why claims are leaving the Portal, without input from the organisations that most affect the numbers that time out, Claims Portal Ltd is not in a position to provide detailed reasoning.

4) Can the Claims Portal show the number of CNFs that go to a Stage 3 Court hearing?

Claims Portal Ltd is unable to show the numbers that go to a Stage 3 Court hearing.

It is essential when considering the RTA and EL/PL PI Claims Processes, to recognise the distinction between the Process or Protocol on the one hand and the Claims Portal system on the other.

The Protocol sets out the rules of the Process. The Portal is merely the electronic vehicle that facilitates the handling of claims.

Following the agreement of a Court Proceedings Pack, the claim leaves the Portal for the Claimant Representative to issue Court Proceedings and follow Practice Direction 8b. This process is conducted outside the Portal, therefore, Claims Portal Ltd is unable to produce any MI relation to the number and outcome of Court hearings.

5) How are the average General Damages figures calculated?

To calculate average General Damages, the sum of General Damages on claims marked as settled during the month is divided by the total number of claims marked as settled during the month.

The General Damage figure used is net of any deduction for contribution.

A claim is marked as settled where a Compensator confirms agreement to a Stage 2 Settlement Pack within the first 15 days or the Claimant Representative has accepted a counter offer made by a compensator with the total 35 day (or otherwise agreed extended) negotiation period.

The data does not include details of any pre-medical settlements where the parties have agreed settlement and used the Exit process to take the claim out of the Portal.

The data does not include claims settled in the period between the end of Stage 2 and the start of Stage 3 or those settled during Stage 3

6) Can Claims Portal Ltd provide more detail on the underlying reasons for claim volumes and trends?

The Claims Portal provides a safe and secure electronic means for claimant representatives and compensators to transmit claims information in accordance with the relevant pre-action protocol.

While Portal MI shows events within the process, CPL is not in a position to provide reasons or motivating factors that could be used to explain the behaviour of the users.