



Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG

QUESTIONS AT ANY TIME TO CABINET PORTFOLIO HOLDERS

Response by the Portfolio Holder:

Thank you for your questions regarding pot hole claims. My responses to your questions [shown in bold] are given below:

- **How many claims have been received in the last two years?**

For period 01.04.18 to 06.06.20 there have been 295 claims for potholes and 39 claims for trip incidents related to highways/pavements, etc.

- **How many claims have been denied vs accepted in that period?**

Details per following table:

Pot Hole Claims	Open	Closed	Closed - referred to other Parties	Closed - Repudiated	Closed - other reason	Closed - Settled	Total Settlement Value
295	85	210	13	121	6	70	£46,460
39	16	23	6	14	0	3	£2,148

Please note that Gallaghers' ability to defend claims successfully is obviously based on the Council's inspection regime, adherence to this regime, robust inspection information from the Highways Inspectors, the Inspection records being made available within the specified time limit and timely repairing of any issues highlighted as a result of the inspections.

- **The amount paid to Gallagher Bassett to handle claims in the last two years?**

It is not straightforward to calculate the total amount actually paid to Gallaghers in the last two years as the data included in the table above is based on incident date as opposed to date of claim. As such, it is more relevant to quote the set fees which are as follows:-

£124.00 per claim where it relates to damage to a vehicle of some sort including bicycles

£296.00 if it relates to personal bodily injury e.g. where a pedestrian claims to have fallen due to a pothole/raised drain, etc.

- **Why is Powys employing a large multinational firm rather than a Welsh firm?**

The Council has no say in who is appointed as the claims' handler – they are appointed by the Council's insurers. Insurers are procured via a tender exercise.

- **How is their performance monitored?**

The Council's insurance broker reviews the claims handler, usually on an annual basis, to ensure good practice, etc. is being maintained. We understand the relevant insurer also monitors them as part of their contract with them.

- **How many complaints have been received by Powys about the company and how many complaints have Gallagher Bassett received in relation to these claims?**

The Council has not had any complaints about Gallagher Bassett as a company.

We do get complaints about their decisions in relation to claims when liability has been denied, when the Council has adhered to its inspection regime. The standard repudiation letter sent to all claimants by Gallaghers does state that, if the claimants disagree with the decision, they can seek legal advice. However, some claimants subsequently just complain direct to the Council.

We are not aware of how many complaints, if any, Gallaghers have received from claimants who are not happy with the denial of liability.