



## The online decision support tool for personal injury claims handling

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### Introduction

The advent of the claims portal and government reform of the personal injury claims environment has resulted in a complex decision-making process. It is vital that your claims handling team identifies which regime applies to any given claim.

This information enables them to evaluate the options in order to determine the most effective handling strategy and also calculate costs at the conclusion.

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### Arrive at the right decision

Accessible through DWF's password-protected client extranet, evaluate is an online system for recording, managing and calculating costs on personal injury claims for motor, EL and PL cases. Designed with insurers and claims handlers in mind, evaluate helps your team ensure that the correct payment of costs are calculated on all third party personal injury claims. It allows handlers to compare different handling approaches, for instance, the introduction of a contributory negligence argument, and assess the impact of this on the overall cost of the claim.

evaluate from DWF is an online software tool designed to help your teams arrive at the best decision through:

- Simple online input of claims information
  - Providing a report that summarises the key aspects of the case and the costs applicable, broken down into individual cost elements
  - A data store which allows your handler to retrieve information relating to a claim
  - The ability to run up to four different settlement scenarios within a claim, for example comparing the costs of accepting full liability with different scenarios where there are varying degrees of contributory negligence
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## Case study: motor claim

**Claims information** – A 12 month whiplash claim, following an RTA where liability is admitted and the claim starts as well as finishes in the portal with the claimant having agreed a CFA with his/her solicitors. The damages figure is £3,000 and the degree of liability accepted by the insurer is 100%.

### 1. Claim details

You are here: Online Services - evaluate

Reference: ABC123

Save New Form Report Compare Cases

Claimant Name: Jane Jones

Claimant's Solicitors: XWZ LLP

Notes: 12 month whiplash injury to neck valued at £3,000

Summary Funding Costs

\* Value of Gross Damages: £ 3000

\* Liability % Accepted: 100%

\* Type of Claim:  Motor  Employer's Liability  Public Liability

\* Admitted failure to wear a seatbelt?:  No

\* Date of Incident: 01/05/2014

\* Date of TP Claim: 01/06/2014

\* Do you want to find out about funding?:  Yes  No

\* Do you want to calculate the costs payable?:  Yes  No

Next Section >

Your handler enters the key details into the summary section.

By using the individual reference given for each claimant, your handler will be able to search against previously saved claims.

Searches can also be done on the claimant's name.

Inputting the name of the claimant's solicitor may enable evaluate to allow for trend analysis against certain firms.

Notes can be inputted to use as a reminder of the scenario being run.

As this is a motor case, the toolkit asks whether the claimant has admitted to not wearing a seatbelt. If your handler answered 'yes' to this then the liability figure will need to be reduced by the appropriate amount (usually 15 to 25%).

Entering the date of the incident and the date of the TP claim affects the costs calculation performed.

### 2. Funding

You are here: Online Services - evaluate

Reference: ABC123

Save New Form Report Compare Cases

Claimant Name: Jane Jones

Claimant's Solicitors: XWZ LLP

Notes: 12 month whiplash injury to neck valued at £3,000

Summary Funding Costs

Type of Funding:  CFA

Date of CFA pre-01/04/2013?:  No

Is there an ATE premium?:  No

Date of settlement post-01/04/2013?:  Yes

Is there a London uplift?:  No

Disbursements including VAT: £ 500

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Your handler then completes the second section which details the funding.

In this case, the claimant had agreed a CFA with the solicitor but the CFA was not signed prior to 1st April 2013 and the claimant had not taken out ATE insurance.

This section factors in whether the claimant's solicitors are entitled to a 'London uplift' on their costs; in this case the uplift doesn't apply.

Your handler may enter a figure in respect of the claimant's disbursements, although this is likely to be an estimate.

### 3. Costs

The final section is where your handler inputs details which enable a costs calculation to be performed, provided that the claim falls within one of the fixed costs regimes.

You are here: Online Services - Evaluate

Reference: ABC123 Save New Form Report Compare Cases

Claimant Name: Jane Jones

Claimant's Solicitors: XWZ LLP

Notes: 12 month whiplash injury to neck valued at £3,000

Summary Funding Costs

Did the claim start in the Portal?  Yes  No

Has the case settled within Stages 1&2?  Yes  No

Previous Section

In this case, the claim started in the portal and has been settled at stage 2.

Once all the sections have been filled out, the data can be saved and the report produced.

### 4. Report

Reference: GABC123

Claimant Name: Jane Jones

Protocol: New Protocol & New Costs

Success: No Recoverable Success Fee

Uplift: Remember to Apply 10% Uplift on General Damages

ATE: No ATE Premium

QOCS: Claimant has QOCS protection

Cost Regime: New Portal Costs

Note: Remember to deduct any Stage 1&2 costs already paid

Final Damages Figure	£3,000.00
Solicitor's Costs (including uplift and success fee if applicable)	£500.00
Solicitor's Costs + VAT	£600.00
Solicitor's Costs + VAT + Disbursements	£1,100.00
Total Amount Payable	£4,100.00

Answers Print Close

A report is generated based on the data that has been inputted. The report calculates the final damages figure, solicitor's costs – with and without VAT (including any success fee and/or 'London uplift' applicable) – the solicitor's costs plus disbursements and the total amount payable in respect of damages and costs combined.

If your handler wants to compare results with different scenarios, it is possible to do so using the comparison tool.

## 5. Comparison tool

Questions	Scenario 1	Scenario 2	Scenario 3	Scenario 4
Value of Gross Damages	3000	3000	3000	3000
Liability % Accepted	100	75	50	25
What are the injury related damages?				
Disbursements including VAT	500	500	500	500
Has the case settled within Stages 1&2?	Yes	No	No	No
Does the user want to stay within the Portal?		No	No	No
Is the case Pre-Litigation or Litigated		Pre-Litigation	Litigated	Litigated
Stage of Litigation?			Post-allocation/Pre-listing	Post-listing/Pre-trial
Reference	ABC123			
Claimant Name	Jane Jones			
Cost Regime	New Portal Costs			
Note	Remember to deduct any Stage 1&2 costs already paid			
Final Damages Figure	£3,000.00	£2,250.00	£1,500.00	£750.00
Solicitor's Costs (including uplift and success fee if applicable)	£500.00	£550.00	£2,180.00	£2,805.00
Solicitor's Costs (including Counsel's Fee if applicable)				£3,305.00
Solicitor's Costs (including Counsel's Fee if applicable) + VAT	£600.00	£660.00	£2,616.00	£3,966.00
Solicitor's Costs (including Counsel's Fee if applicable) + VAT + Disbursements	£1,100.00	£1,160.00	£3,116.00	£4,466.00
Total Amount Payable	£4,100.00	£3,410.00	£4,616.00	£5,216.00

Using the comparison tool, your handler can input a further three scenarios in order to compare total costs. In this case, these scenarios are:

1. Liability disputed, claim settles pre-litigation on a 75/25 basis
2. Liability disputed, litigation commenced, claim settles on a 50/50 basis at post-allocation stage
3. Liability disputed, litigation commenced, claim proceeds to trial where liability is apportioned 25/75

The comparator displays the results based on those different scenarios, enabling your claims handler to make an appropriate decision.

## A clear interface, an intuitive process

No competitor system offers insurers and claims handlers the powerful and effective range of functionality that evaluate provides. For fast, accurate cost-effective claims handling, contact DWF and ask for a demonstration today.

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## Outstanding benefits

- Quicker and more cost effective decisions
  - Faster claims handling and improved productivity, allowing your teams to quickly progress the claim to the best conclusion
- Greater precision
  - Guaranteed application of correct regime/costs allows for accuracy and consistency, resulting in reduced claims 'leakage'
- Visibility and transparency
  - Understanding individual claims spend
- Strategic insight
  - Better knowledge of third party solicitors' tolerances leads to more accurate initial settlement offers
- Decision support
  - Evaluate handling and settlement options
- Drive performance
  - Audit outcomes and processes, to identify areas for improvement

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## Key features and functionality

- Identify the correct costs regime and apply this to an individual claim
  - Create a case summary report that contains:
    - The key details of the case
    - The cost findings and protocol regime that have been applied to it
    - Full breakdown of the costs
  - Comparison tool
    - Produce, compare and save up to four different scenarios for any given claim
    - See how the costs of various scenarios compare
- Future development of the platform is already underway, including:
- Case store
    - Confidential archive for all cases with inbuilt search function
  - Analytics
    - Export results and explore trends; compare settlement values by client, handler or third party solicitor
  - Export options
    - Save reports in PDF format, store in client folders, email to colleagues

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## Evaluate, compare and review a claim

The example featured is intended to demonstrate the benefit of allowing realistic liability disputes to drop from the portal and litigate by comparing the overall cost of the claims for each scenario.

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## Go further

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