



A guide to insurance policies after brain injury

Introduction

Following a serious injury, it is important that the injured party or their family checks their insurance policies to establish whether they have no-fault cover or critical illness cover which provides payment in the event of illness or injury.

Ideally you will have specialist personal injury cover. If not, insurance may be available on standard policies such as home, car, or travel insurance or perhaps as a benefit to a credit card or bank account. Cover may also be provided by employers. It is therefore important to check all these possibilities.

Also, if you have payment protection insurance (PPI) this could cover debt, loan and mortgage payments in the event of a serious injury or illness.

What to do first

The first step is to check all insurance policy documentation, or to telephone the insurer or broker in the event that documentation cannot be found. It is important to do this as soon as possible as claims are often subject to strict time limits set out within the policy document.

The insurer will provide a claim form and may require the claimant to undergo a medical assessment, or to release their medical records, before a decision is made.

What if the claim is reduced?

If the claim is refused, or if a reduced amount is awarded, you can make a complaint to the insurance company. If you are still unhappy with the decision, a complaint can be made to the Financial Ombudsman Service. The Financial Ombudsman Service is an independent and impartial service which aims to settle disputes between businesses and their customers.

The Financial Ombudsman Service will not accept a complaint until the insurance company's own complaints procedure has been followed to completion. A complaint to the Financial Ombudsman Service must be made within six months of the date of the final response from the insurance company.

If the consumer accepts the Ombudsman's final decision before the set deadline, the decision becomes legally binding. This means that the organisation at fault is legally



required to do whatever the Ombudsman tells it to do to put things right for the consumer, even if the organisation disagrees with the Ombudsman's decision.

The consumer does not have to accept the Ombudsman's decision if it is not in their favour. In this case, the decision is not legally binding and the consumer is free to make a claim through the Courts (although the consumer should note that time limits and other restrictions may apply).

Further information

Advice UK

Web: www.adviceuk.org.uk

Association of British Insurers

Web: www.abi.org.uk

Citizens Advice Bureau

Web: www.citizensadvice.org.uk or www.adviceguide.org.uk

Financial Ombudsman Service

Tel: 0800 023 4 567 (usually free from landlines) or 0300 123 9 123 (usually free from contract mobiles)

Web: www.financial-ombudsman.org.uk

Acknowledgements

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To download *A Guide to the Law Following Serious Injury* visit www.stewartslaw.com/services/personal-injury/legal-guides.aspx.

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About Headway

Headway - the brain injury association is a charity set up to give help and support to people affected by brain injury.

A network of local Headway Groups and Branches throughout the UK offers a wide range of services including rehabilitation programmes, carer support, social re-integration, community outreach and respite care.

The Headway helpline provides information, advises on sources of support, finds local rehabilitation services and offers a listening ear to those experiencing problems.

Other services provided by Headway include:

- Supporting and developing local Groups and Branches
- Promoting understanding of brain injury and its effects
- Producing a range of publications on aspects of brain injury
- Lobbying for better support and resources to be made available by statutory health and social care providers
- Campaigning for measures that will reduce the incidence of brain injury
- Accreditation of UK care providers through the Approved Provider scheme

Make a donation

I wish to help Headway - the brain injury association to improve life after brain injury by making a donation £

Your personal details

Mr/Mrs/Miss/Ms

Full name

Address

Postcode

Daytime tel. number

Email

Your payment details

I enclose my cheque for £ made payable to Headway - the brain injury association

Please debit my Visa / Mastercard / Diners / Maestro card number:

Security code*:

*3 digits on reverse of card

Expiry date: /

Start date: /

Issue no. (Maestro only):

We (Headway - the brain injury association) hold the information you supply to us on our database. From time to time we may send you information regarding other services and products we provide. If you do not wish to receive such information, please tick this box.

Please tick this box if you do not want a receipt

Gift Aid

giftaid it Gift Aid will increase the value of your donation by 25% at no extra cost to you. Please tick the Gift Aid box below if you want Headway to reclaim the tax you have paid on your donations since 6th April 2008 and any future donations you make. Please note that you must pay an amount of income tax or capital gains tax at least equal to the amount we can reclaim on your donation in any tax year.

I confirm I have paid or will pay an amount of income tax and/or capital gains tax for the current tax year (6 April to 5 April) that is at least equal to the amount of tax that all the charities and Community Amateur Sports Clubs (CASCs) that I donate to will reclaim on my gifts for the current tax year. I understand that other taxes such as VAT and council tax do not qualify. I understand the charity will reclaim 25p of tax on every £1 that I have given.

Donate by phone or online

- To make a donation by phone, call: **0115 924 0800**
- To make a donation online visit: **www.headway.org.uk**

Completed forms should be sent to: The Fundraising Team, Headway - the brain injury association, FREEPOST RSGU-CSKS-CSJS, Bradbury House, 190 Bagnall Road, Old Basford, Nottingham, NG6 8SF