

deafness toolkit


Claims validation, assessment and anti-fraud service

Introduction

Handling Noise Induced Hearing Loss (NIHL) claims, the DWF deafness toolkit is a claims validation, assessment and anti-fraud resource, comprising a useful set of tools and calculations, ensuring accurate reserves and swift resolution on deafness claims.

Factors driving demand

Deafness claims have quadrupled since 2008; the advent of a claims portal for RTA and lower value EL and PL claims accompanied by a fixed recoverable costs regime for those claims has led to a huge surge in farmed, long-tail disease claims, particularly in relation to deafness, as Claimant legal practices and their funders look to replace falling income and profits with more lucrative work.



The Toolkit enables users to take a real time view of claims behaviours and outcomes.

As a result these claims have, in some quarters of the industry press, been labeled the “new whiplash”. Containing costs and managing the surge in numbers has become a real issue.

Do you need help with this specialist and complex area of EL disease work?

- Concerned about fraud?
- Do you want a better process for identifying duplicate claims
- Do you need a means of robustly responding to deafness claims against your business

Key features

DWF’s deafness toolkit can determine whether the diagnostic requirements for NIHL are satisfied, based on the criteria set out in the Coles, Lutman & Buffin guidelines (2000).

The toolkit calculates:

- the level of Noise Induced Hearing Loss
- the period by which the requirements for hearing aids has been brought forwards
- the claimant’s expected “Hearing Threshold Level” (HTL)
- the “Noise Immission Level” (NIL).

DWF deafness toolkit provides an estimate for general damages based on the expert’s and the toolkit’s respective assessments of NIHL and guides the user through a verification and anti-fraud process.

Benefits

- Quick calculation of NIHL levels
 - Confidence in reserving accurately and reaching swift settlements on cases
 - Speedy identification of potentially fraudulent or exaggerated claims
 - Robust data and MI
 - Readily accessible picture of overall claims performance
-

Statistics and outcomes for DWF clients (MI)

DWF is currently handling a number of outsource arrangements for composite insurers and self insured clients in relation to deafness cases. We have a minimum **70% plus successful repudiation rate in relation to our deafness work**, in some cases **90% plus**. On the cases that we do pay we

are achieving a **32% saving on third party costs paid against claimed**. We have a database of historic claims created over the last 12 years covering alleged exposures back to the 1930's and containing **over 6,000 individual entries**.

Case studies

The screenshot shows the IPAD software interface for a 'Deafness' claim. The top navigation bar includes 'Home', 'Claims', 'Search', 'Case Con Lists', 'Trial Calendar', 'Success Stories', 'Closed Files', and 'Reports'. The main content area is divided into several sections with dropdown menus and text input fields:

- Insured / Broker Enquiries:** Includes 'Is the Insured trading?' (dropdown), 'Broker details?' (dropdown), and 'OHR/Personnel Records?' (dropdown).
- Medical Expert(s):** Includes 'Noise Surveys?' (dropdown) and 'Witness particulars?' (dropdown).
- Medical:** Includes 'Have we received any other documents/records?' (dropdown) and 'Any further info to note from Insured/broker?' (text input).
- Technical Expert(s):** Includes 'Claimant Enquiries' with multiple dropdowns for 'C's witness statements and other docs relied upon?', 'Claimant's GP/medical records?', 'Claimant's medical evidence?', 'PAP compliant chronology?', 'Claimant's HMRC Schedule?', and 'Claimant's ELTO Searches?'.
- Reserve:** Includes 'Cover confirmed?' (dropdown) and 'RSA on cover during period(s) of alleged exposure?' (dropdown).

Claims Verification:

The Toolkit poses a series of questions to identify potentially fraudulent claims.

The screenshot shows the IPAD software interface for a 'Generic Documents' repository. The top navigation bar is the same as in the previous screenshot. The main content area is divided into two columns of document entries:

- Generic Documents:** A table with columns for 'Doc ID' and 'Document'. It contains one entry: '85 Noise Survey - Main Factory, Packing & Distribution Centre - 29/08/1997'.
- Generic Documents From Previous Claims:** A table with columns for 'Doc ID' and 'Document'. It contains one entry: '85 Noise Survey - Main Factory, Packing & Distribution Centre - 29/08/1997'.

Document Repository:

the Toolkit saves and stores documents such as historic Noise Surveys to enable prompt decisions to be made about exposure.

The Toolkit enables users to take a real time view of claims behaviours and outcomes. Here are some examples:

Analysis – 1 November 2014

Claims Status

| Status | Claims |
|--------------|------------|
| Closed | 513 |
| Costs Only | 26 |
| Live | 85 |
| Litigated | 48 |
| Total | 672 |

Litigated Claims Status

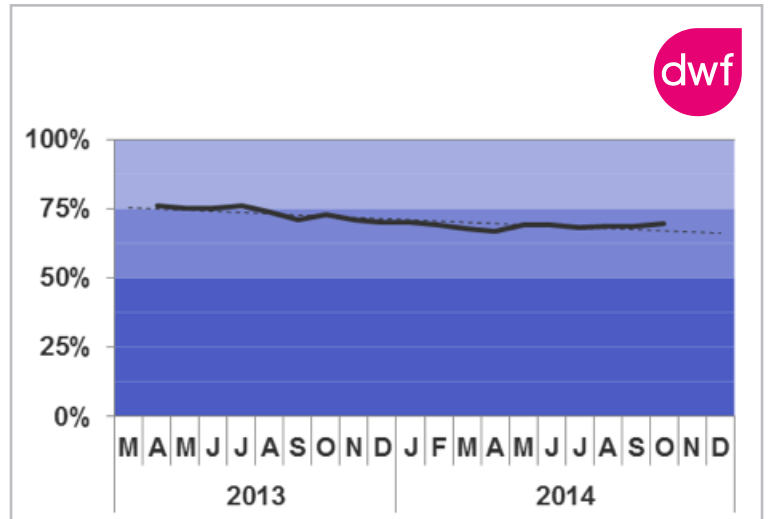
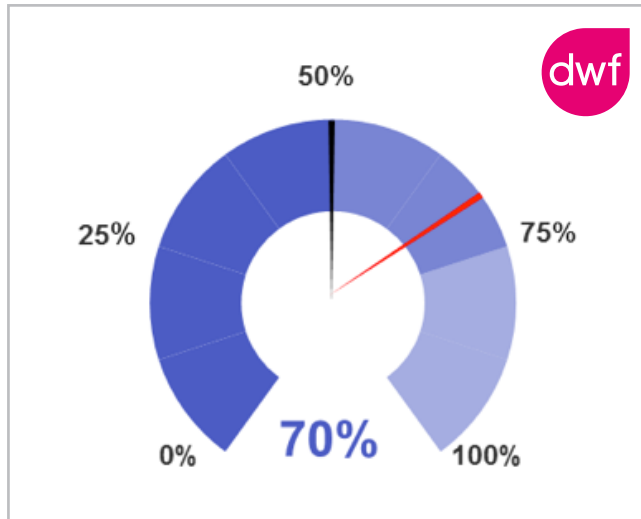
| Status | Claims |
|--------------|-----------|
| Closed | 14 |
| Costs Only | 10 |
| Live | 24 |
| Recovery | 0 |
| Total | 48 |

Nil Damages Rate (Closed & Costs Only Claims)

| Settlement Type | Claims | % |
|-----------------------|------------|-----|
| Nil Damages Paid | 395 | 70% |
| Damages Paid | 151 | 27% |
| Costs Inclusive Basis | 14 | 2% |
| Not Settled By DWF | 7 | 1% |
| Total | 567 | |

| | | |
|----------------------------|---------------------|------------|
| Nil Damages Paid KPI | Nil damages rate of | 50% |
| DWF Performance | Nil damages rate of | 70% |
| Performance -v- KPI | | 39% |

Nil Damages Rate (Closed & Costs Only Claims) DWF Performance -v- KPI



Go further

DWF is the legal business where expertise, industry knowledge and leading edge technology converge to deliver solutions that enable our clients to excel. Embracing our diverse skills, we gain a unique and more valuable legal perspective that can empower our clients, giving them a competitive advantage or simply delivering new solutions to old problems.

With over 2,500 people across the UK and Ireland, we make sure that wherever you are, wherever you aim to be, we will go further to help you get there.

Find out how DWF can help you



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