

A Guide On: Fatal Accidents



Fatal Accidents

Better health and safety and working conditions have led to a decrease in fatal injuries in the past 20 years. Unfortunately, fatalities in the workplace do still occur and when they do the level of devastation left behind is massive.

This devastation often goes beyond the emotional side and can be accompanied by other worries such as financial concerns. For example, if a husband was the sole earner in a household, this loss of income could lead to the family struggling to survive.

No amount of compensation can replace a loved one or make up for the devastation but it can help alleviate any other concerns such as financial issues.

Fatal Accident Facts

- It is estimated that 142 people died as a result of a workplace accident in 2014/15
- Agriculture and construction are the industries with the highest risk of a fatal workplace accident
- Services industry accounts for the highest number of fatal accidents but the lowest risk rate per 100,000 employees
- Falls from a height, being struck by a vehicle, being hit by an object or being trapped under something are the main causes of fatal work injuries

Employers Responsibilities

All employers have a responsibility to ensure workers are provided with a working environment which is safe. Risks need to be assessed, managed and communicated, appropriate equipment needs to be provided and all staff should be adequately trained.

If employers fail in their duty of care and as a result an accident occurs resulting in personal injury or death, then they are liable.

Can You Make a Claim?

If you have lost a loved one through a workplace accident that wasn't their fault, then you may be entitled to claim. Compensation claims can be brought by either the estate of the deceased and/or any dependants.

There are three types of claim that can be made:

- Bereavement claim under the Fatal Accident Act 1976

0800 285 1411

INJURY-LAWYERSUK.COM

A Guide On: Fatal Accidents



- Dependency claim under the Fatal Accident Act 1976
- Damages claim under the Law Reform (Misc Provisions) Act 1934

Fatal Accident Act 1976

As noted above, there are two main types of claim you can make under the Fatal Accidents Act; bereavement and dependency.

Bereavement Claim

Only dependants can make a bereavement claim and this award is capped at a maximum value of £12,980. If the funeral expenses are paid for by dependants, then this claim can also cover them.

Dependency Claim

The main aim of this type of claim is to ensure that those left behind will be no worse off financially as a result of the death of their loved one. Those eligible for the claim ordinarily includes:

- Husband
- Wife
- Civil partner
- Children
- Grandparents
- Brothers and sisters
- A person who has lived with the deceased for 2 or more continuous years

A dependency claim is designed to cover the financial and service losses of losing a loved one. The award will typically take into account any income, pensions, and other allowances that the deceased may have been eligible for.

Services lost include an amount for the things that the deceased used to do for the dependant that they aren't able to do themselves. Examples of this include gardening, cooking, and cleaning.

The calculation is based on how much the deceased would have earned for the rest of their life taking into account the above factors. It also takes into consideration any potential future promotions the deceased may have had before adjusting the claim by the proportion that wouldn't have been spent on supporting the dependants (e.g. the deceased own personal spend).

0800 285 1411

INJURY-LAWYERSUK.COM

A Guide On: Fatal Accidents



The Law Reform (Miscellaneous Provisions) Act 1934

This act was brought in to provide compensation for any suffering that was incurred by the deceased before death. Essentially, it is what the deceased would have been able to claim had they not have died from their injuries. Therefore, if the death were considered instantaneous, there would be no award payable.

This act is to cover any losses incurred between injury and death. Examples include:

- Nursing care
- Travel
- Loss of earnings
- Housing adjustments
- Medical aids

How Can Injury Lawyers UK Help?

Here, at Injury Lawyers UK, we know that making a claim is likely to be the last thing on your mind if you've just lost a loved one. However, it may be necessary to ensure that you don't suffer any more than you already are.

We aim to take the stress away from making a claim. We have a team of experienced lawyers who have successfully won cases over the past 20 years and they will deal with making the claim for you so you don't have to have that stress.

We work on a no win, no fee basis so you'll never have to pay anything up front meaning there is no risk or financial pressure on you as a result of making a claim. Using our in depth knowledge of the law, we fight hard to get you the maximum award possible.

We deal with all claims compassionately and sensitively, speak in plain English and give you regular updates throughout so you always know what's happening without having to chase.

Get In Touch With Injury Lawyers UK

Get in touch with Injury Lawyers UK today to discuss whether you could be eligible to make a claim for compensation for injuries sustained in a workplace accident. Call us on [0800 285 1411](tel:08002851411), send an email to claims@injury-lawyersuk.com or submit an online enquiry form on our web site: injury-lawyersuk.com

0800 285 1411

INJURY-LAWYERSUK.COM