

## What to do if you've been involved in an incident

The most common incidents that befall our members occur whilst out training and racing on the public highway either due to the negligent actions of a motorist, or perhaps due to the defective surface of the road. If you have been involved in an incident, the following important information will help to improve the chances of pursuing a successful claim:

### AT THE SCENE

#### **Obtain details of other parties involved**

If your accident involves a motorist, try to obtain a full note of the driver's name, address, insurance details and vehicle registration number.

#### **Notify the police**

If you have any problem securing the motorist's details, make sure you report your concern to the police immediately so that they can take any necessary action. In any event it is always worth reporting incidents involving another vehicle to the police as soon as possible. Failure to report the incident to the police in these circumstances could make it harder to pursue your claim. The police may not attend the scene if there are no significant injuries but it is often useful to have a record of the incident.

#### **Obtain details of any witnesses**

Obtain contact details of any witnesses to the incident as their evidence may be very helpful.

#### **Take photographs**

If it is safe to do so, take photos of the accident location and any damage to your bike and other vehicles involved. If the accident occurs due to the condition of the highway, take photos of any nearby landmark (house number or lamppost number) and photos of the defect itself. If you have hit a pothole, it is very useful to have an indication as to the size and in particular the depth of the pothole. Objects such as water bottles can help in demonstrating this.

### LATER ON...

#### **Report the incident**

If you have not done so at the scene, consider whether to report the matter to the police. This is particularly important if you have concerns that the information provided by the third party is incorrect or incomplete. If the incident was a result of a defect on the highway, this should be reported to local council. Most local authority websites will have a page where such defects may be reported. You should also report the incident as soon as possible to the British Triathlon Insurance Centre (<http://www.britishtriathloninsurance.co.uk>)

#### **Seek medical assistance**

If you did not go to hospital straight from the scene of the incident, consider whether you need to attend A&E or your GP. Even if you feel that the injuries are likely to resolve, it is usually worth getting checked out, and also provides a contemporary record of your injuries.

**Keep records**

Keep a record of all of your expenses incurred in connections with the incident. If you incur any expenses as a result of the incident (e.g. travelling or seeking medical treatment) keep receipts, or a record of mileage. If your bike has been damaged, take it into a bike shop for a repair estimate or a quote confirming its pre-accident value. We recommend that you don't dispose of any damaged items until advised it is fine to do so.

**Take photographs**

Take photographs of any damaged items, including all damaged parts of your bike. Photos of any visible injuries may also assist, particularly if they are relatively minor and are likely to heal quickly. If you were unable to take photos at the time of the accident it may be worth returning to the scene if it convenient to do so. This is particularly relevant where you have been injured as a result of a highway effect, as you can take a tape measure or ruler to provide accurate measurements as to the size of the defect.

**To contact Leigh Day with any legal claims service inquiries, telephone 01613933530 or email [mcradmin@leighday.co.uk](mailto:mcradmin@leighday.co.uk)**