



PROTECTION: INSURANCE AND INCIDENTS

Keeping you and your bike safe



WHO WE ARE

The London Cycling Campaign is a volunteer-led, community based organisation working to make London a world-class cycling city. Since 1978, we've been improving facilities, providing information and raising the profile of cycling across London. With over 10,000 members, we are the largest urban cycling organisation in the world.

WHAT WE DO

We bring about real improvements for cyclists in London. Among our key campaigning issues are better conditions for cycling in London, increased provision of cycle parking, and more cycle training in schools and communities. See www.lcc.org.uk/campaigns for more information.

Our **local groups** are made up of LCC members who campaign on a borough level, as well as organising rides and events and providing expert advice to local authorities on routes and facilities.

The **Community Cycling Fund for London (in which LCC is a partner)** allows community groups to apply for up to £5,000 for cycling projects that will

encourage, support and promote cycling in their community: see www.lcc.org.uk/community for more information.

Our **free public enquiry line** staffed by cyclists, comprehensive website and information leaflets on everything from bike maintenance to cycling with children means new and experienced cyclists alike have access to useful advice.

We help people start and keep cycling through our membership package which includes free third party insurance, discounts in over 90 bike shops across London, free delivery of our bi-monthly magazine London Cyclist and more. Join today: www.lcc.org.uk/join

London Cycling Campaign is a registered charitable company.
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While cycling is a safe way to travel and the health benefits outweigh the risk of injury, it's sensible to stay safe and protect yourself and your bike.

This leaflet is designed to give practical advice on how to stay safe on the roads, getting insurance for your bike and yourself and what to do in the event of a crash or collision. LCC members are entitled to free legal advice: call us on 020 7234 9310 for more information.

AVOIDING CRASHES

Taking a confident and responsible cycling can make a significant difference to how safe you are on the road. Learning how to look after your bike and yourself will help you to have fun and stay safe.

Look after your bike

Keeping your bike in a roadworthy condition is simple to do and will help you avoid crashes as a result of your bike. Here are some important things to look out:

- Check your brake cables for signs of fraying and replace them regularly.
- Make sure your brakes well-adjusted: you should not have to pull the levers all the way back to stop.
- Make sure your wheels are attached firmly to the frame.
- Keep an eye on the rims of your wheels to make sure there are no cracks.
- Inspect your frame carefully for cracks or signs of weakening due to rust, especially if it's second hand.

Have a look at our leaflet 'Cycle maintenance' for more information on looking after your bike and how to solve problems with it.

Ride assertively

An excellent way to improve your skills and confidence is to get some cycle training. Many local authorities in London offer free or subsidised cycle training to people who live, work or study in the borough: visit your borough's website to find out if you are eligible, or visit www.lcc.org.uk/info for a list of cycle training suppliers and contacts.

Cycle training is useful for beginners, returning cyclists and even old hands: lessons can be customised to your level of ability. You may want to learn the basics, learn about road positioning and roundabouts or how best to tackle a route to work by riding with an instructor.

One of the key principles of safe cycling is to cycle in a prominent position on the road where you can be clearly seen. Avoid cycling very close to the kerb or edge of the road, which reduces your room for manoeuvre and makes you more likely to hit drain covers and potholes: in many situations the safest position is in the middle of your lane, particularly when approaching a junction where it may be unsafe for a vehicle to attempt to overtake you.

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Alix Stredwick



Adrian Lewis

Never cycle up the left of a long vehicle approaching a junction. Articulated lorries may swing right before turning sharply left, and red lights may change while you are still approaching the junction.

It is difficult for drivers of large vehicles to see cyclists: keep well behind a lorry in front, and position yourself so that you can be seen in its side mirrors: never assume that you have been seen. See our leaflet 'Cycle Sense' for more information on riding assertively and responsibly.

Stay aware and report problems on the road

Be careful of catching your front wheel in ruts in the road, drain covers and other risks. Potholes, debris and other problems on the road can be very dangerous to cyclists, and it's important to report them to prevent accidents.

Reporting potholes

Transport for London are responsible for repairing the trunk routes in London (the major A roads). Other roads are the responsibility of local borough councils. A very small number of roads are private (or 'unadopted') - the local authority will be able to provide information.

If the road in question is a trunk road, you can contact Transport for London's Street Faults Contact Centre on 0845 305 1234. You can also report street faults to Transport for London online at: www.streetfaults.tfl.gov.uk. Otherwise, visit your local council's website to find their street fault reporting number. The LCC website has a list of contacts for reporting potholes via phone and online.



For repairs outside of London, the CTC runs a site where you can log potholes and they will notify the relevant authority: see www.fillthathole.org.

Theft insurance

Bike theft is common in London, and while there are things you can do to protect your bike from being stolen and to improve your chances of getting it back (see our leaflet 'Bike Security'), it can happen to anyone. While theft insurance won't get your bike back, it will provide the money to buy a replacement.

You may wish to add your bike to your household insurance, or to insure it separately with an insurance company. Including your bike in your household insurance will probably cost you less than insuring it separately, but it's important to make sure that you know what you are covered for. Household insurance companies often refuse to insure more expensive cycles, and you may have to pay a larger excess on the bike if you do have to make a claim than you would by insuring it separately.

Things to look out for when you are choosing your insurance include:

How much your excess is.

Whether your cycle will be covered for the full amount it will cost to replace it. Some companies will only replace your cycle at a depreciated value once it reaches a certain age (often after 2-3 years).

Whether your cycle will be covered for theft when it is not in your home.

Whether your accessories will be covered if your cycle is stolen.

Whether the insurance company will give you the choice of where your replacement cycle comes from or will simply order in a cycle of similar specification from a large supplier.

If you make a claim under the policy, whether this will increase the premium you have to pay the following year.

Whether you will be covered for travelling abroad with your bike.



Adrian Lewis

Whether you will need to buy a certain approved lock.

If you need insurance for time-trialling, road racing or circuit racing, ask whether you need to pay a racing extension.

You may also wish to take out personal accident cover in case you are injured while cycling. If you take out theft insurance through LCC as an LCC member, you automatically get free personal accident cover: see www.lcc.org.uk/info or call 020 7234 9310 for details.

Third party insurance

Third party insurance offers protection if you are involved in a collision where you injure someone else and/or damage their property and they decide to make a claim against you. Third party insurance is mandatory if you are a car driver, but

cyclists can choose whether or not to take out third party insurance. It may not seem as if you and your bicycle could do much damage to another's vehicle or property, but you could find that a little dent on an expensive car could cost you dearly. Injury to another person can be even more expensive. The cover offered by most insurance companies will be at least £1 million for damage or injury.

Some insurance companies offer third party insurance as part of their theft insurance policy. Members of LCC get third party insurance free as a membership benefit.



THINGS TO DO IN CASE OF A COLLISION

These pages are a guide to what to do immediately after a collision, whether it's with another road user or as a result of poor road surface or facilities. If you need further help, LCC members are entitled to free legal advice: call 020 7234 9310 for more information.

Crashes involving another party

Note the other party's (this could be a pedestrian, cyclist or driver) name, address and registration number.

Note the name, phone number and address of at least two witnesses if possible.

Make a rough sketch of the collision while it's fresh in your memory. If you have a camera integrated into your mobile, take pictures of the immediate aftermath of the collision, particularly where the other party ended up. Otherwise, come back later with a camera; this will allow you to record road defects and general layout.

Report the collision to the police or ask someone else to do so. Note down the name of any police officers attending the scene, their station and if applicable a 'CAD' (Computer Aided Despatch) or 'CRIS' (Crime Reference Information System) number.

Write down or record a message on your phone describing what happened. Do this as soon as possible after the collision, whilst it is still fresh in your mind.

See a doctor, even if you feel OK. Injuries sometimes show up later and a doctor's examination can provide vital evidence.

It is important not to admit any responsibility (e.g. say sorry) as this may count against you later in any compensation or insurance claim. Courts

often divide up blame between parties and allocate damages accordingly. Where the party suing (the 'Claimant') is held to be partially to blame, this is called 'contributory negligence'. Do, however, note any admission by the driver.

It doesn't matter if a witness is known personally to you or is related, though it may mean not so much weight is given to their evidence as if they were simply a bystander.

Crashes not involving another road user

Note the name and address of any witnesses.

Ask local people if there have been other incidents at the same place.

Take photos as soon as possible, before the road can be repaired. A close up with a mobile phone camera can be enough.

Write down what happened.

Report the incident to the highway authority which will be the local authority, unless it is a major road such as a red route, in which case it will be Transport for London.

Even if another road user is involved you may still have a claim against the highway authority where there is a surface defect or negligent design of a road. They will only be liable for the latter.

FOLLOWING UP A COLLISION OR CRASH

How you take it from there depends on the situation, if it is your fault or the fault of the other party, and how serious the injury or damage is. You may find it is easiest to settle things out of court, with no legal help, or you may decide you need legal advice. LCC members are entitled to free legal advice: call 020 7234 9310 for more information.



Damage to your bike

After a collision always inspect your bike carefully for damage, even if it appears to be fine. Some damage can only be seen on close inspection and structural damage could prove dangerous at a later date.

If you are not sure what to look for, take your bike to a bike shop for a check. If there is damage and you decide to make a claim against the other party then you will need to get a quote from a bike shop.



Insurance for damage to your cycle

If your bicycle is damaged and you have cycle insurance, you will need to contact your insurance company or broker. They may then decide to follow up the case on your behalf with the other party's insurance company. Again, the more information you can provide for the insurance company the easier your claim will be. They will want to know details of the collision, including contacts for the other party and a police report number, as well as the degree of damage to your bike.

Stuart Coles

Claiming compensation

You may decide you want to claim compensation following a collision. Most collisions cause relatively minor injuries and damage and so result in fairly modest claims or compensation. These can usually be settled without going to court. More complex or larger claims will require specialist legal knowledge.

If the other road user is prosecuted successfully for their actions, then this can be used in a civil court as evidence that they were at fault and such evidence is extremely difficult to rebut. However, if the police decide not to prosecute, or if someone is found not guilty, you may still have a case in a civil court as the rules of evidence in the criminal courts are much stricter.

To succeed in bringing a claim for compensation against another road user, you will need to persuade either a court or insurance company that the driver was not taking reasonable care (in legal terms, 'negligence'). If the collision was not down to negligence you will not be entitled to compensation.

The same principle applies to potholes: you have to show that the local authority did not take reasonable care maintaining the road. Factors include the importance of the road (a major road should be checked and repaired more frequently) and whether the defect was there long enough that they should have noticed it and repaired it.



Lionel Shapiro

Once you have established negligence, the level of compensation depends on evidence of the extent of your injuries and losses.

If you feel you need legal advice then we suggest you contact a solicitor. LCC members are entitled to a free initial interview of up to half an hour. Most will take on further work on a no-win, no-fee basis. However you should consider the implications and in particular, ask how much you will pay in legal fees if successful.

Third party insurance

If the collision was your fault and the other party is claiming against you, and you have third party insurance (offered free to LCC members), then you will need to contact the insurers or pass on your third party insurer's details to the other party. If you are an LCC member then you can contact the insurance broker who will follow up the case for you.



Adrian Lewis

DO-IT-YOURSELF CLAIMS

If the collision was your fault and the other party is claiming against you, and you have third party insurance (offered free to LCC members), then you will need to contact the insurers or pass on your third party insurer's details to the other party. If you are an LCC member then you can contact the insurance broker who will follow up the case for you.

A solicitor will manage all the work necessary to bring a claim. If you choose not to initially use the services of a solicitor, you should complete the following steps.

- Write to witnesses asking for a statement of what they saw, including where they place responsibility for the collision. Ask the witness to sign the statement. Send them a stamped addressed envelope to encourage a reply.
- Write to the relevant police station requesting brief particulars of the incident, such as the driver's details including their insurance company. Some police stations will advise on whether proceedings are pending against the driver.

- The second stage is to request a police report. They may charge for this (around £96.00). This may not be necessary if the other insurance company has accepted liability.

- Write to the driver, (or, in the case of potholes, the local authority) setting out the date, place and circumstances of the incident. State that you sustained injuries and losses and that you will seek compensation. Request that the letter is forwarded to their insurers without delay.

- Keep a record of your financial losses and receipts wherever possible. This can include:
 - bike repairs
 - damaged clothing and accessories
 - fares or alternative transport
 - medical costs (even just aspirin tablets, plasters and dressings)
 - loss of earnings
 - any other losses or expenses as a result of the collision.

Don't forget that insurance companies process thousands of claims every year and their paperwork and procedures can put you off and wear you down. A letter from a solicitor can work wonders when trying to negotiate an out of court settlement. They will also have a better idea what is a reasonable amount to claim for "pain and suffering": For something minor such as cuts and bruises you could still be entitled to receive over £100.

Medical reports

You should consider obtaining medical evidence to back up your claim. If you went to hospital, write to them asking for a medical report with all the relevant details, including whether there is a possibility of

deterioration in future and whether your injuries might affect your employability. Such a report should describe your injuries, treatment and future prognosis. The hospital will charge between £75 and £150 for the report.

If your injuries are more serious, a further medical report may be necessary later on, giving information as to how well you are recovering.

Dealing with the insurance company

The driver's insurance company should indicate whether or not they are considering making a payment. They may say there is no dispute about whose fault the collision was, or they may say you were partly to blame, or that the driver was not to blame at all.

If there is any serious dispute about liability, or if you do not receive a response, you should think about consulting a solicitor immediately. But particularly when it comes to local authorities, you may have to be persistent as the system depends on most people being put off.

If there is no dispute about whose fault the collision was, you can begin the financial negotiations. Send the insurance company full details of your losses and expenses



including copies of available receipts and of medical evidence. The insurance company should offer a sum in settlement. A useful guideline is that the first offer will rarely be the insurer's last offer and that many cyclists undervalue their claim.

If the other road user is not insured or if you do not have their details, i.e. a "hit and run", then the Motor Insurers Bureau operates a scheme whereby they may pay compensation, including funding legal costs against an uninsured driver. As with any case you will need to decide if it is worth your while to sue someone.

Please note that this information sheet is only intended as a guide and is not a full statement of the law or of the steps to take in pursuing a legal claim.

Coping with the after-effects of a crash

While you may expect to be in shock immediately after a collision, you should not expect to this to last. However, having been involved in a collision can leave you very shaken up for quite a long time. This will not be the case for everyone, but if you do experience ongoing stress and anxiety as a result of a collision there are organisations that can offer you support. Contact the Roadpeace Victim Support Line on 0845 4500 355 or Trauma Aftercare Trust on 01242 890306, or visit your GP for support and advice.



Adrian Lewis

CONTACTS

London Cycling Campaign

You can find all this information and more on our website, including how to join and get free third party insurance and access to free legal advice.

t: 020 7234 9310

w: www.lcc.org.uk

Transport for London

Report potholes and other hazards on the Transport for London website.

t: 020 7222 1234

w: www.tfl.gov.uk

Metropolitan Police

Report crimes online or find information on the Met Police website.

t: 020 7230 1212 (999 in emergencies)

w: www.met.police.uk

Cycle Training UK

Cycle Training UK is a not-for-profit workers' co-operative promoting cycling for all.

t: 020 7231 6005

w: www.cycletraining.co.uk

MEMBERSHIP BENEFITS

Free London Cyclist magazines

For all the news affecting cyclists in the city plus features, reviews, maintenance tips, great rides and offers.

Free third party insurance

Covers you for up to £2million worth of damages if you injure someone or damage their property.

Up to 10% off bike gear

You'll get great discounts at bike shops throughout London where you can save money on everything from a new bike to a puncture repair kit.

Free legal advice

If you ever find yourself involved in an accident you can call any one of our cyclist-friendly solicitors for free advice.

A world class cycling city

LCC is the only organisation campaigning and lobbying exclusively to ensure the best possible routes, facilities and services for people who cycle in London.

PLUS special deals on theft insurance, discounts on cycle maintenance training, free leisure rides, events and campaigns in and around your borough.

ABOUT THESE LEAFLETS

There are 13 information booklets in this series.

Getting started

Buying a bike

Getting started on a bicycle

Cycling for people with disabilities

Cycle Sense

Workplace

Cycling to work

A guide for employers

Parking and storage

Leisure

Leisure rides

Cycling with children

Travelling with your bicycle

Practical

Cycle maintenance

Bike security

Protection: insurance and incidents

These leaflets can be downloaded from www.lcc.org.uk/info or ordered from the LCC office by calling 020 7234 9310.

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Get more out of cycling in London

Join the London Cycling Campaign to save money and get all the support you need to cycle in London - from free and specialised insurance, updates on the latest cycle routes and social rides, to London Cyclist magazine, the essential read for everyone who cycles in London.

Add to this the discounts you'll get in bike shops and on cycle training and you'll see why LCC membership is as necessary to you as your pedals.

In turn your membership will help us to make your cycling safer, quicker and more pleasant around London: we are constantly lobbying and campaigning on your behalf to win real improvements that affect us all.



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cycling... good for London, good for you!