

Briefing note: Searching for EL insurers.



This note aims to provide a summary of all the ways in which members can search for insurance information for defunct companies.

As occupational diseases often manifest themselves many years after exposure, many negligent employers or exposers will no longer be in existence.

In such circumstances it may be necessary to locate either or both the employers' liability and public liability insurers of the company and also reinstate the company itself, in many circumstances.

In order to locate insurers, members should consider the following courses of action:

1. Check your own company files. It is surprising how many firms have the information being sought within their closed client files. Setting up internal procedures to ensure that all EL or PL insurance policy details are logged for all relevant defendants bears fruit in the long term;
2. Search the past ABI search results tables which are on the APIL website at <http://www.apil.org.uk/members/InsurersSearch.aspx>. Log into the members section, On the menu list on the top of the screen click on the heading 'Information Exchange' and then click on the 'APIL database' link. Then click on 'insurers' to access the searchable information on the APIL site. This facility enables members to search a table of information supplied by APIL members and also two sets of EXCEL tables which list past enquiries for insurers dealt with by the ABI between 1999 and 2004. There is a chance that the company you are searching for has already been the subject of a similar enquiry. APIL would prefer the ABI to release more recent data to regularly update this invaluable resource, which is so far unforthcoming;
3. Obtain a full company search from Companies House. Many APIL members report that they often trace the identity of insurers by directly contacting the directors listed in the final documents files with Companies House and asking those directors to recall details of their insurers;
4. Post a request for information on the APIL members' insurers search forum. Go to: <http://www.apil.org.uk/membersforum/forums/7/ShowForum.aspx> (log-in required);

5. Search the APIL members' insurance forum to find other members who may have searched for the same firm in the past. Link is as in item 4 above;
6. Place a request for assistance in APIL's PI Focus. This is free of charge for members of APIL. Send requests by post or email to: The Editor, APIL newsletter, 11 Castle Quay, Nottingham NG7 1FW, Dx: 716208 Nottingham 42, Fax: 0115 924 3485 or email: helen.blundell@apil.org.uk;
7. Search the online archive of requests for assistance: other members may have made similar enquiries in the past;
8. Contact the ABI and make your own search request. Go to: <http://apps.abi.org.uk/elcode/admin/AEDupdate.asp> and submit your enquiry online. The information required by the ABI is: the name of the employer, address or at least an indication of the geographical location, the nature of the business in which the employer was involved, details of the employee, type of illness or injury to which the claim relates and any other relevant information you may hold.

If you think you know the name of the insurer or syndicate at Lloyds which provided insurance cover, submit your enquiry direct to them. An enquiry to a Lloyd's Syndicate should be sent to:

[Syndicate name]
Lloyd's
One Lime Street
London EC3M 7HA.

If the insurance may have been provided by a syndicate but you do not know which one, submit your enquiry electronically to the ABI as above.

6. In return, the ABI has agreed to look at whether further data or analysis is available on a number of issues. These include looking at the drop in performance in the final year of the review (operating year 2003) when it appears that the monthly rate of successful enquiries fell from a consistent 40-41 percent in the two previous 12 month periods, to 25 per cent in the final period. The ABI will look at whether there is any data to explain this fall in successful enquiries. The ABI will also look at analysing the type of enquirer, ie: personal injury firms, claims farmers and so on.

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