

Legal and insurance aspects of vehicle accidents

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1 Introduction

- 1.1 This policy gives information regarding Brigade vehicles (which include any Brigade river craft) that are involved in an accident. The actions and principles in this note apply to all Brigade vehicles, including cars and vehicles supplied on a hired or on a loaned basis. In the case of cars being used within the provisions of the essential, lease or casual car user scheme, or vehicles being used by the Brigade on a hire/loaned contract (i.e. they do not have fleet numbers), the provisions of Policy number 410 – Reporting of traffic accidents involving essential, lease and casual car users and hire/loaned vehicles must also be considered. Loaned vehicles include demonstrators and sponsored vehicles.

2 Duty to stop and report accidents

- 2.1 The driver (which includes the coxswain of a river craft) of any Brigade vehicle (which includes any Brigade river craft) that is involved in an accident must stop and give their name, Brigade address (**do not give home address**) and the registration mark of the vehicle, to the other party involved and/or a police officer. The operational fleet vehicles are operated by the London Fire Commissioner and enquiries should initially be addressed to The Commissioner, London Fire Brigade Headquarters, FAO Fleet (VAT) Procurement Dept, Union Street, SE1 0LL.
- 2.2 If it is not possible to provide these details at the time, the driver is to report the accident at a police station or to a police constable as soon as possible and in any event within 24 hours of its occurrence. In the case of a river craft accident, the Harbour Master, Port of London Authority must be notified within 24 hours of the occurrence. Any driver who is involved in an accident, in addition to complying with the requirements of the law, is to complete a copy of form No. 18 before leaving the scene of the accident and offer the left-hand half of this form to the other party involved. If the driver is unable to complete this form, then it is to be completed by their line manager or nominated representative.

3 Vehicle/river craft accident en-route to an emergency call

- 3.1 An appliance which is involved in a minor collision whilst it is responding to an emergency call but is still roadworthy in the opinion of the driver, and subject to any directions given by a police officer, may proceed to that emergency providing that the driver has complied with the requirement to exchange particulars. If another crew member is qualified to drive the appliance the driver should remain at the scene whilst the appliance proceeds. Following exchange of particulars by the driver, a crew member may be left at the scene of the accident to complete the Form No.18.
- 3.2 In all cases involving an accident whilst responding to an emergency incident, Control is to be informed immediately by radio that the appliance will be delayed.
- 3.3 If following an accident, it is decided that the vehicle should not proceed the following action is to be taken:
- Control is to be informed that the vehicle is unable to proceed due to a traffic accident and request appropriate resources if necessary.
 - Administer first aid as required.
 - Request the duty senior accident investigator (SAI) is informed.
 - As soon as possible exchange details and arrange for the form 18 to be completed.
- 3.4 Other than at the scene of the accident, no contact is to be made with any injured member of the public, witness or third party involved.

4 Persons injured

- 4.1 First aid is to be rendered, and every attention is to be given immediately to any person (Brigade employee or not) injured by a Brigade vehicle, regardless of whether the Brigade is considered to be at fault. The attendance of an ambulance is to be ordered, if necessary.

5 Witnesses

- 5.1 When an accident occurs, the driver/line manager of the vehicle involved is to make every effort to obtain the names and addresses and the telephone numbers of the witnesses, whether their evidence is likely to be for or against the Brigade.

6 No admission of liability

- 6.1 Following an accident involving a Brigade vehicle, questions will arise as to liability. To prevent prejudicing the Brigade's position **no expression of opinion as to how the accident occurred should be made in the presence of any person not in the Brigade's service**, nor should any statement be made, which could be construed as admitting liability for the accident. However, if it appears clear to a driver, coxswain or other employee of the Brigade that the accident was caused through the neglect or default of someone not in the Brigade's employment, there is no objection to a statement to that effect being made.

7 Certificate of insurance

- 7.1 Vehicles managed by LFB (that carry a Brigade fleet number) are exempt from the requirements under the Road Traffic Act 1988 (S144 (2)(a) relating to compulsory insurance and steps have been taken to ensure that drivers of Brigade vehicles involved in accidents are not asked by police officers to produce a Certificate of Insurance. It is for this reason that a certificate of ownership, on a white disc bearing the vehicle registration mark is displayed on all Brigade vehicles. The wording on the disc is as follows: 'Road Traffic Act 1988 - Compulsory Insurance. I hereby certify that the owner of this vehicle of which the registration mark is, for the purposes of section 144(2), (a) of the above Act, the London Fire Brigade, under arrangement with Babcock International ' followed by '800 Field End Road South Ruislip Middlesex HA4 0QH' and signed by the Head of Procurement on behalf of LFB. However, if the officer is requested to produce documents, they will still be required to provide their own driving licence. If an MOT certificate is requested, contact Fleet Team; Technical and Services Support Department as soon as possible.

8 Police enquiries

- 8.1 Every assistance will be given to police officers making enquiries regarding an accident. There is no objection to answering questions of a general nature regarding the circumstances of the accident such as the direction of travel, position on road, the actions of other drivers etc. However, if the driver fails a breath test, is arrested or cautioned at the scene of the accident the SAI must be informed.

9 Interviews regarding accidents

- 9.1 Under no circumstances is a Brigade employee to consent to be interviewed regarding an accident by the police or a third party (or their representative) except on instruction from the General Counsel to the Commissioner Branch or SAI. General Counsel will make arrangements for drivers to have legal representation at any such interview. This representation includes the

provision of a solicitor outside normal office hours; however, this facility can only be activated with the permission of General Counsel to the Commissioner (or their representative) or by the SAI.

- 9.2 When the Brigade's General Counsel or Insurers desire to see a Brigade employee regarding an accident, arrangements for the interview will be made by VAT, through the appropriate line manager. Should a third party or his representative visit a fire station or other Brigade establishment with regard to an accident, no statement or opinion as to the cause of the accident is to be expressed, but every facility is to be afforded for particulars of any damage to the Brigade vehicle/property to be noted.

10 Correspondence regarding accidents

- 10.1 Correspondence received by Brigade employees relating to vehicle accidents is to be forwarded through the usual channels to the VAT for necessary action. Questionnaires received are to be completed in pencil and forwarded to VAT.

11 Reporting accidents

- 11.1 All accidents, including alleged accidents, involving Brigade vehicles are to be reported on form number TR/D3/1 by the driver. A single copy of the TR/D3/1 is to be completed within twenty-four hours and forwarded immediately to the VAT.
- If an accident involves more than one Brigade vehicle each driver is to submit a completed form TR/D3/1.
 - An accident involving equipment whilst carried on a Brigade vehicle is also to be the subject of a report on form TR/D3/1 (e.g. a ladder comes off an appliance and hits a parked car).
- 11.2 If the driver is not available to complete the form TR/D3/1 or there are other special circumstances that would delay its completion, the line manager of the station/establishment is to obtain the necessary information and complete as much of the form as is possible from the available details. The form is to be forwarded direct to the VAT with a memorandum indicating that the driver was unavailable to complete the form and that a further fully completed form will be forwarded by the driver at the earliest opportunity.
- 11.3 To assist drivers to obtain all information necessary for the completion of form number TR/D3/1, a form No. 18 is to be carried on every Brigade vehicle. This form is to be completed fully at the scene of the accident and is to be used as an aid to the completion of form number TR/D3/1. The driver concerned may retain the form number 18.

12 Completion of form TR/D 3/1

- 12.1 The information recorded on a form TR/D3/1 is used only for administrative purposes in respect of claims by or against third parties, the assessment of damage needing repair and for monitoring the causes of accidents in relation to vehicle design. Therefore, when completed, it is to be sealed in an envelope by the driver (or line manager if prepared by them) and forwarded direct to VAT. It is the responsibility of the line manager to ensure that the completed form is sent without delay.
- 12.2 The driver may seek the advice of the line manager with regard to the completion of the form but there is no requirement for the contents of the form to be shown to or be agreed by the line manager.
- 12.3 To assist the Brigade's insurers, who deal with third party claims against the Brigade, and VAT who deal with claims against third parties, it is essential that form TR/D3/1 is completed

accurately, including all circumstances and details relevant to the accident. Copies of form TR/D3/1 are produced by VAT for the Brigade's Insurers and Legal Services. Therefore, it is essential that the form TR/D3/1 is legible.

12.4 When completing the TR/D3/1 all sections are to be completed noting the following:

- The number generated by SERD is to be inserted as the 'Serial Number'.
- In the section 'Purpose for which vehicle being used' it is to be clearly indicated what the vehicle was engaged on at the time e.g. en-route to an emergency call, returning to station, general driving duties etc.
- All damage is to be identified and recorded so that if the vehicle is involved in another accident the damage arising from each can be attributed. If the damage is so severe that the vehicle must be withdrawn from service immediately, a more general description will suffice. Disposable cameras are to be used wherever possible to record damage to vehicles.
- Damage to other vehicle(s)/river craft/property involved is to be as precise as possible to enable proper and fair consideration to be given to any third-party claim received. Disposable cameras are to be used to record damage to third party vehicles wherever possible and record other damage on the vehicle, which is not related to the accident, stating clearly that the damage was not caused by this accident.
- In the section 'Particulars of any injuries to persons or animals or property'.
 - If Brigade personnel are injured, it is to be stated whether they remained on duty.
 - The name and address of the owner of any animal injured or property damaged is to be included whenever possible.
- It is essential that the 'Driver's Report' describes all circumstances relevant to the accident and, if appropriate, give details of the type of audible/visual warning devices being used immediately prior to the accident, any infringement of traffic regulations at the time of or immediately before the accident, any remarks made by a third party and any unusual features which may have contributed to injuries or damage sustained.
- The sketches section of the form is to include the number/name of the nearest property or particulars of some easily identifiable landmark if the exact location of the accident is not self-evident from the information previously recorded.

13 Preliminary notification of an accident

13.1 The driver of a vehicle involved in an accident is to report the fact to their line manager at the earliest opportunity.

13.2 The vehicle accident is to be reported by the line manager by completing an entry in the Safety Event Reporting Database (SERD) in accordance with Policy number 368 – the Health, Safety and Environmental Event Investigation Policy. Unless directed otherwise by the SAI all witness statements, diagrams, photographs etc. are to be forwarded directly to VAT.

13.3 The line manager is to notify the Control Operational Resourcing and Events (CORE) Team of the SERD number, in accordance with Policy number 368 – The Health, Safety and Environmental Event Investigation Policy, and the following:

- The date, time and place of the accident.
- The details of the Brigade vehicle involved (fleet and registration number) and description of any damage sustained.
- The name of the driver and name of Brigade employees injured.
- The name(s) of any member(s) of the public involved and the extent of any injuries.
(Note: In the event of a death or serious injury to anyone the line manager is to inform the duty SAI immediately through Brigade Control).

- Any notification received from the Police of their intention to examine the vehicle involved in the accident. If this happens the duty SAI is to be informed.
- The telephone notification is to be forwarded to Fleet by the Core Team by posting the 'Safety Event Notification' to the VAMS2 Mailbox in public folders.

14 Repairs to damaged Brigade vehicle/river craft and equipment

- 14.1 If as a result of an accident any Brigade vehicle that is damaged or disabled, this is to be reported as a defect in accordance with section 8 of Babcock International. Emergency procedures. The SERD number is to be entered on to the TLG 1 form.
- 14.2 If an accident is believed to have been as a result of a failure of or suspected defect in any Brigade vehicle, river craft or equipment carried on or in that vehicle/river craft and there is a possibility of a claim being made against the Brigade, repairs are not to be carried out until the SAI is satisfied that any post-accident inspections/investigations have been concluded. Once released by the SAI, the consent of General Counsel and CMG must be obtained before repairs are commenced. In these cases, General Counsel will be responsible for liaison with the Brigade's Insurers.

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	17/04/26	SDIA	L – 15/04/26	HSWIA	15/04/26	RA	N/A
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Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
Page 7	Subject list and FOIA exemptions tables updated.	22/12/2014
Throughout	Changes made to team, department and organisation name to reflect the changes in organisational structure and governance due to the abolition of the London Fire and Emergency Planning Authority.	10/04/2019
Throughout	References to the Resource Management Centre (RMC) updated to the Control Operational Resourcing and Events (CORE) Team.	27/08/2025
Throughout	Changes made to team, department and organisation name to reflect the changes in organisational structure and governance due to the abolition of the London Fire and Emergency Planning Authority.	10/06/2026

Subject list

You can find this policy under the following subjects.

Accidents	Motor vehicle
Insurance	

Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	FOIA exemption	Security marking classification