

# ACCIDENT AT WORK CLAIMS

A Step-by-Step Guide

How Workplace Injury  
Claims Work in England  
and Wales



NJS Law

Accidents at work can happen in many different ways — from sudden incidents involving **machinery, falls,** or **lifting injuries,** to conditions that develop gradually due to unsafe **working environments,** repetitive strain, or prolonged exposure to hazards. When injuries occur in the workplace, they are often preventable. Employers have a **legal duty** to protect the health, safety, and wellbeing of their staff. When that duty is breached and someone is **injured** as a result, the law allows the injured person to seek compensation.

Many people hesitate to pursue a workplace injury claim. Some worry about causing problems at work, while others assume their injury is simply “part of the job.” In reality, accident at work claims are primarily about ensuring employers maintain **safe working environments** and that injured workers are not left to deal with the **financial** and **personal** consequences alone. This guide explains how accident at work claims work in England and Wales, from what to do immediately after an incident through to the **legal process** and **possible compensation**.

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## Related Services:

[Employer Liability Claims](#) | [Personal Injury Claims](#) | [Serious Injury Claims](#)



# WHY WORKPLACE ACCIDENTS HAPPEN

Workplace injuries often occur when safety systems **break down** or **risks** are not properly managed

Common causes include:

- Lack of **training** or **supervision**
- Unsafe **equipment** or **machinery**
- Failure to carry out **risk assessments**
- Inadequate safety procedures
- Poor **maintenance** of workplace environments
- Insufficient **protective equipment**

Many workplace injuries occur during **routine tasks** that employees perform every day. In these situations, workers often assume the accident was

**unavoidable** when, in fact, it resulted from **preventable safety failures**. Employers are legally required to provide a safe system of work. When they fail to do so, injuries can occur that affect both the employee's **health** and their ability to **earn a living**.

STEPS

Seek medical  
treatment and  
prioritise your  
health

Your health must always  
come first after a  
workplace accident.

Even if injuries initially **seem minor**, seeking medical attention ensures that your condition is properly **assessed** and **recorded**.

You should seek urgent medical care if you experience:

- **Head injury** or **loss of consciousness**
- Severe pain or suspected **fractures**
- Heavy bleeding
- Spinal injuries
- Dizziness, confusion, or neurological symptoms

Less urgent injuries should still be assessed by a **GP** or **urgent care centre**.

Medical records are extremely important in accident at work claims because they establish:

- **When** symptoms began
- **How** injuries were caused and the diagnosis
- Whether symptoms are **consistent** with the incident
- The **progression** of recovery

Some workplace injuries — particularly **back injuries, soft tissue damage, and psychological conditions** — may worsen over time. Early medical documentation helps demonstrate how the injury developed.

Step 2

## Report the accident and preserve evidence

Workplace accidents should be formally reported as soon as possible.

Most employers are required to record incidents in an accident book. This record provides important evidence if a claim is later pursued.

When possible, try to collect or preserve information such as:

## Photographs

Images of the accident location, defective equipment, or visible injuries can help establish what happened.

## Witness details

Colleagues who saw the incident occur or who are familiar with workplace conditions may be able to provide statements.

## Accident reports

Copies of internal reports or health and safety documentation may reveal how the accident occurred.

## Financial records

Keep records of:

- Lost income
- Medical costs
- Travel expenses
- Care or support costs

These financial losses may later form part of a compensation claim. You are not expected to investigate the incident yourself, but preserving information you already have can be helpful.



Can you claim for a workplace injury?

## Can you claim for a workplace injury?

Not every workplace accident leads to a legal claim. A successful claim usually requires proof that the employer failed to take reasonable steps to protect your safety

# A CLAIM TYPICALLY NEEDS TO SHOW:



## Duty of care

Employers have a **legal duty** to ensure their employees' safety.

## Breach of duty

The employer failed to meet appropriate safety standards.

## Causation

That failure directly **caused** the injury.

Examples may include:

- Unsafe lifting procedures
- Lack of protective equipment
- Faulty machinery
- Slips and trips caused by poor maintenance
- Failure to provide proper training

Workplace injury claims are often based on **preventable** safety failures rather than simple accidents.



Workplace injuries can occur in many industries, but some types of incidents appear frequently.

These include:

- Slips, trips, and falls at work
- Injuries from lifting or manual handling
- Machinery and equipment accidents
- Falling objects
- Construction site accidents
- Exposure to hazardous substances
- Repetitive strain injuries

Some injuries happen suddenly, while others develop gradually due to unsafe working practices.

# COMMON ACCIDENT AT WORK CLAIMS

# TIME LIMITS

In most cases, accident at work claims must be started within **three years** of:


- The **date** of the accident, or
- The date you **became aware** that your injury was linked to your work.

Because limitation rules can be **complex**, legal advice should be sought **as early as possible**.

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## Starting a workplace injury claim

There are multiple steps to starting a workplace injury claim, and we will explain everything you need to know.



Once a solicitor is instructed, they will take **responsibility** for investigating the circumstances of the accident.

Your solicitor will usually:

- Obtain **accident reports** and **safety records**
- Gather witness evidence
- Obtain medical records
- Instruct independent medical experts
- Send a formal **Letter of Claim** to the employer or their insurer

Employers are normally insured against workplace injury claims, so compensation is usually paid by **insurers** rather than directly by the employer.

Many claims resolve during this investigation stage.

# NO WIN NO FEE FUNDING

Most accident at work claims are funded under a **No Win No Fee** agreement.

This means:

- No **upfront** legal fees
- No **legal costs** if the claim does **not succeed**
- A **capped deduction** from compensation if the claim is **successful**

This arrangement allows injured employees to pursue claims **without** financial risk.

STERN

## Medical evidence and valuing compensation

Independent medical  
experts assess the nature  
and severity of the injury.

# MEDICAL REPORTS

Medical reports usually address:

- The **diagnosis** of your injury
- Whether the injury was caused by the **workplace incident**
- Your recovery progress
- Long-term prognosis

Compensation is usually divided into **two parts**.

## General damages

Compensation for **pain, suffering**, and loss of **quality of life**.

## Special damages

Compensation for financial losses such as:

- Lost wages
- Medical treatment
- Travel expenses
- Care or assistance
- Future financial losses

If the employer **admits** responsibility, interim payments may sometimes be available while the claim continues.



Settlement or

## Settlement or court proceedings

Most accident at work  
claims are resolved  
through negotiation  
without going to court.



Typical timescales include:

- Straightforward claims: around **12 months**
- More complex cases up to **3 years or longer**

The timing often depends on:

- The **seriousness** of the injury
- Whether responsibility is **admitted**
- When medical evidence becomes available

If court proceedings are **necessary**, your solicitor will guide and support you throughout the process.

## After settlement

Once a settlement is agreed:

- Compensation is normally paid within a few weeks
- Any **agreed** deductions are applied transparently
- The remaining funds are transferred to you

Your solicitor will ensure that the final settlement reflects both the **injury** itself and the **financial impact** it has caused.

# CONCLUSION

Accidents at work can have **serious consequences**, affecting **health, income**, and long-term **wellbeing**.

Workplace injury claims are designed to ensure that employees are not left to deal with the consequences of **preventable harm** alone.

Seeking legal advice **does not** commit you to bringing a claim. It simply allows you to **understand** your rights, your options, and whether the accident could have been **avoided**.

# WHY CHOOSE

# NJS LAW



Workplace injury claims are rarely just about the accident itself. They often involve uncertainty about **employment, financial pressure** caused by time off work, and **concerns** about how bringing a claim might affect relationships at work.

Choosing the right solicitor can make a **significant** difference to how **confident** and **supported** you feel throughout the process.

At NJS Law, we understand that many people feel uncomfortable bringing a claim against their employer. Some worry about being **blamed** for the accident, while others are concerned about how it may affect their job or career. Our role is to provide **clear, practical advice** so that you can understand your options **without pressure**.



# A PRACTICAL AND SUPPORTIVE APPROACH

Every workplace injury case is different. We focus on understanding the **full circumstances** of the accident and how the injury has **affected** your life.

This includes taking the time to understand:

- **How** the accident occurred
- Whether workplace **safety procedures** were suitable and followed
- The **physical** and **psychological** impact of your injury
- The effect on your **employment** and **financial stability**
- The **support** or **rehabilitation** you may need during recovery

By understanding these factors fully, we can provide advice that reflects your **real circumstances** rather than applying a **generic** approach.

# CLEAR ADVICE FROM THE BEGINNING

From the first discussion, we aim to provide **straightforward** and **honest** advice about:

- Whether your claim appears **viable**
- What **evidence** may be required
- How **long** the process is likely to take
- The potential **value** of the claim
- Any **risks** or **uncertainties** involved

If a claim is **unlikely** to succeed, we will explain **why**. If further information is needed before a view can be taken, we will explain what evidence may help clarify the position.

Our priority is that you are able to make **informed decisions**.





# CAREFUL PREPARATION OF YOUR CASE

Successful accident at work claims rely **heavily** on evidence. At NJS Law we focus on building cases **thoroughly** and **carefully**.

This typically involves:

- Obtaining **accident reports** and workplace documentation
- Reviewing **health and safety** procedures
- Identifying the **correct employer** or **insurer** responsible
- Gathering **witness evidence** where available
- Instructing independent medical experts

Each case is prepared individually to reflect the **specific circumstances** of the injury and its long-term impact.

# SUPPORTING RECOVERY AS WELL AS COMPENSATION

While financial compensation is important, **recovery** and **rehabilitation** are equally important.

Where appropriate, we may seek to:

- Secure interim payments after liability is admitted
- Support access to private treatment or physiotherapy
- Arrange specialist medical assessments
- Reduce financial pressure during recovery

Our aim is not simply to pursue **compensation** but to support your **recovery** and future **wellbeing**.

# STRAIGHTFORWARD COMMUNICATION THROUGHOUT

Legal processes can feel confusing or overwhelming, **particularly** after a workplace accident.

Throughout your claim we aim to:

- Explain **each stage** of the process **clearly**
- Keep you **informed** about **progress** and **timescales**
- Discuss any settlement offers **openly** and **honestly**
- Ensure all decisions remain yours



# NO WIN NO FEE FUNDING

Most accident at work claims are handled under a **No Win No Fee agreement**, meaning:

- No upfront legal costs
- No legal fees to pay if the claim does not succeed
- A **capped deduction** if the claim is successful

All funding arrangements are **explained clearly** before you decide whether to proceed.

# WHAT HAPPENS IF YOU CONTACT NJS LAW?

Contacting NJS Law **does not** commit you to making a claim. Many people simply want to discuss what happened and understand whether their experience **raises legal concerns**.

During an initial consultation we will:

- Listen to your account of the accident
- Ask questions to understand the circumstances fully
- Explain how **workplace injury law** may apply
- Discuss **time limits** and **evidence requirements**
- Advise on possible next steps

If you decide to proceed, we will handle the **legal process** and **communications** with the employer's insurers so that you can focus on your recovery.

Most importantly, you remain in control of the process. Our role is to **guide** and **support** you while protecting your legal position.



# FAQ

## Can I claim compensation if I was injured at work?

You may be able to claim if your injury was caused by your employer failing to take reasonable steps to **keep you safe**.

Employers have a legal duty to provide a **safe workplace, proper training, and suitable equipment**.

## Can I claim against my employer without losing my job?

Yes. Employers **must** have insurance for workplace injury claims, and compensation is usually paid by the **insurer**. You are also **legally protected** from unfair treatment for making a **genuine claim**.

## What if the accident was partly my fault?

You can still claim. If you were **partly** responsible, your compensation may be reduced, but you are **not prevented** from making a claim.

## What if I did not report the accident at the time?

You may still be able to claim, but evidence becomes **more important**. **Medical records** and **other documentation** can help support your case.

## What if there were no witnesses?

You can still make a claim **without** witnesses. Other evidence, such as **medical records** and **workplace documents**, can be used to prove what happened.

## Is there a time limit for bringing a workplace injury claim?

Yes. In most cases, you must start court proceedings **within three years** of the accident or when **you became aware** your injury was work-related. It's best to seek advice **as soon as possible**.

## How long do accident at work claims take?

Simple claims may take around **12 to 18 months**, while more complex cases can take **two to three years or longer**, especially if injuries are serious.

FAQ

# FAQ

## Will I have to go to court?

Most claims settle **without** going to court. If court proceedings are needed, your solicitor will guide you through the process.

## How does No Win No Fee work?

You do not pay **upfront** legal fees, and there are no costs if the claim fails. If you win, a **capped deduction** is taken from your compensation.

## What does compensation cover?

Compensation can include **pain and suffering, lost earnings, medical costs, travel expenses, care provided by others**, and future **financial losses**, depending on the impact of the injury.