



Counteroffer

Support Guide

6-16-2023

OFFICIAL
INJURY
CLAIM

Counteroffer

Support Guide

Once the compensator for your claim has provided you with an offer you will need to review this offer and decide how you wish to proceed. This guide will look at the steps you will need to take to dispute the offer and provide the compensator with a counteroffer.

Claim status (this shows what stage your claim is at. Click 'Continue' to open the claim).

My claim New

Claimant name	h h
Accident date	07 August, 2021
Portal reference	OIC-01-22-4005
Claim reference	r
Status	Pending-ReviewOffer

[Continue](#)

Instruction text (this explains your next step in the process).

What you need to do

The compensator has made you an offer for your claim, if you choose to accept this offer this will be the settlement of your claim.

View offer

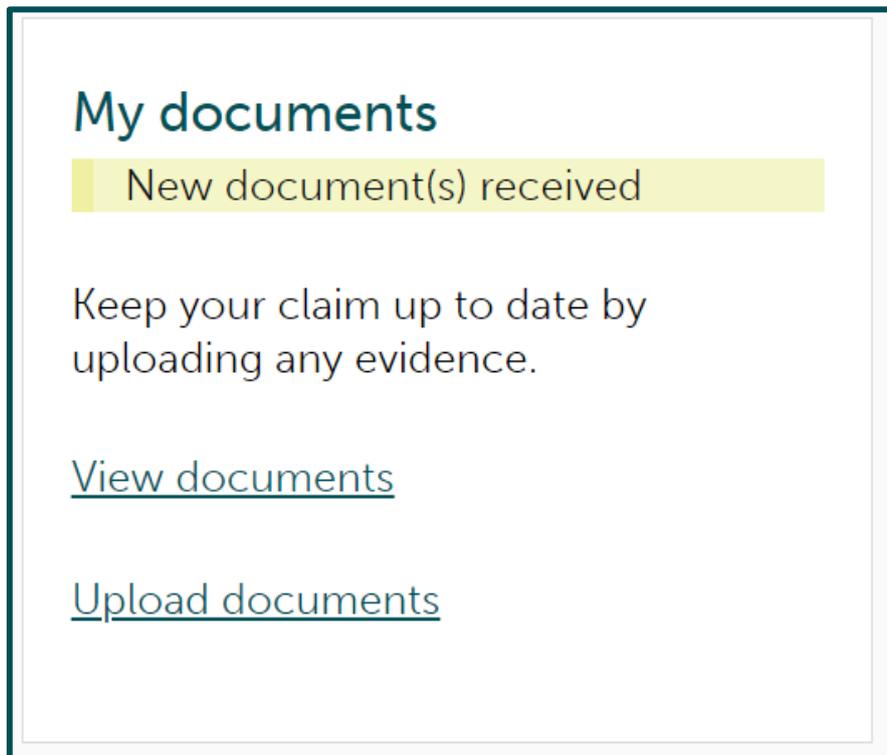
There are two ways you can view your offer. You can click 'View offer' in the green box. Once you have clicked here at the bottom of your screen you will see this box which displays the total amount of compensation that you have been offered. If you click on 'View the offer summary' you will be able to see a breakdown of how this offer has been made.

Compensator's offer	£615.00	View the offer summary
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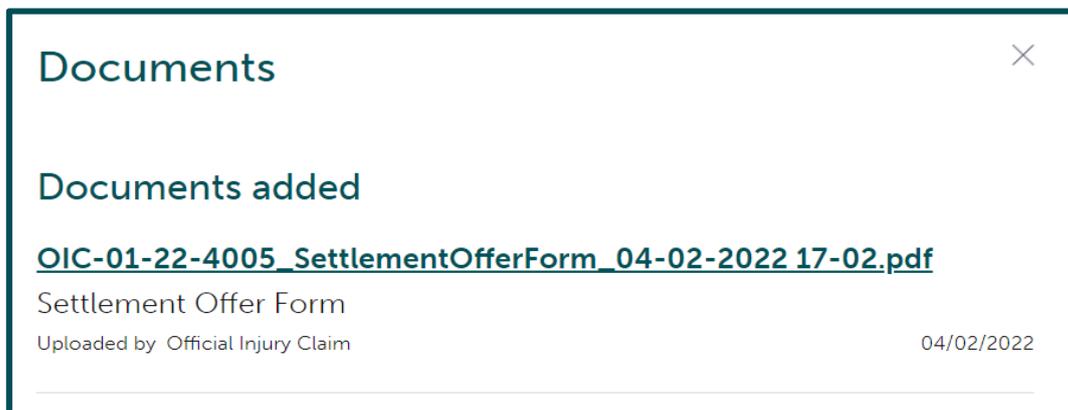
The breakdown will show the amounts that have been offered for different aspects of your claim. This will be broken down into the separate losses and injury categories. For the losses, it will show you the amount you claimed for this under 'Loss' and the amount the compensator has offered you under 'Compensator's offer'. There are three different injury categories. Tariff will be for whiplash injuries. The tariff amount is set by the Ministry of Justice and will depend on how long your whiplash injury lasts for. Please see a summary of the tariff amounts [here](#). Tariff uplift will be for any uplift offered for your whiplash injuries. If the uplift is agreed, the uplift is capped at 20% of the tariff amount. Non-tariff will be for non-whiplash injuries.

Offer summary		
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What are tariff and non-tariff injuries		
Claimant losses		£600.00
Compensator offer summary		
Losses before any liability deduction		£615.00
Liability deductions		£0.00
Offer net of liability, before other deductions		£615.00
Other deductions		£0.00
NET OFFER		£615.00
Property - repairs / total loss	Loss £0.00	Compensator's offer
Property - storage / recovery	Loss £100.00	Compensator's offer £50.00
Property - temporary vehicle	Loss £0.00	Compensator's offer
Property - loss of use	Loss £0.00	Compensator's offer
Property - travel expenses	Loss £0.00	Compensator's offer
Property - excess	Loss £150.00	Compensator's offer £0.00
Property - diminution	Loss £0.00	Compensator's offer
Property - other items	Loss £0.00	Compensator's offer
Injury related - treatment costs	Loss £250.00	Compensator's offer £250.00

Alternatively, you can view a document that breaks down the offer called the 'Settlement offer form'. This can be found in the 'My documents' section of the 'Claim overview' page.



Once you have clicked on 'View documents' you will be presented with the full list of documents uploaded to your claim. The 'Settlement offer form' will look like this:



Double click on the name of the document to download it. The document will be around 6 pages long and the first page will look like the below screenshot. This again breaks now your offer into the different losses and injury categories.

OFFICIAL INJURY CLAIM

Settlement Offer Form

Date created Portal number

This settlement offer was created by:

The compensator
 The claimant

Section A Claimant's Details

Claimant's name

Claimant representative's details

Name

Reference number

Compensator's details

Name

Reference number

Date of response CRU reference

Section B Seat belt

If there are allegations being made about the seat belt usage, based on those facts and the medical and any other evidence that has been seen, below is the percentage contribution the compensator has proposed to deduct from the injury element of the offer.

Reason for seat belt contribution

The portal support centre will be able to assist you in finding where you can view your offer and how you can navigate the system to decide on how to proceed. If you have any queries around the contents of the offer and how the amount has been decided, it will be best to contact the compensator of your claim who will have made this decision.

To respond to the offer in the portal you will need to select 'View offer' from the screenshot displayed on page 2 of this guide. You will then be presented with the screen below. To reject this offer and make a counteroffer, you will need to select 'Reject offer'. If an agreement has not been reached between both you and the compensator around whether you have a whiplash injury, then you will also be asked 'Do you say there is a whiplash injury?'. Please see the 'Challenge Non-Whiplash' guide for further guidance on this stage.

Check offer

*Note that all fields marked with * are mandatory.*

The compensator has made you an offer. You now have 3 options:

Option 1: Accept offer. The compensator will contact you to arrange payment.

Option 2: Reject offer, stating the reasons why. You can then send the compensator a counter offer or prepare for court proceedings.

Option 3: Wait out prognosis. Your claim will not progress until you return and confirm the following:

- proceed to offer (for example when you have recovered from your injury).
- you have not recovered by the end of the recovery prognosis period as stated in your medical report.

What would you like to do next? *

Accept offer
 Reject offer
 Wait out prognosis

Compensator's offer	£615.00	View the offer summary
Fees offer	None	

Continue
Save and Exit

On the next screen you will need to select 'Go back to the compensator' and hit 'Continue'. You will have 3 opportunities to go back to the compensator with a counteroffer. After you have challenged the offer 3 times, you will only have the option to accept the offer or go to court. You can choose to go to court at the first offer, but you may want to try to reach an agreement with the compensator before choosing this option.

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Decide rejection options

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You have rejected the compensator's offer. You now have 2 options:

Option 1: Go back to the compensator. This means you go back to the compensator with your counter offer.

The compensator will:

- accept your counter offer, which will be final
- reject your counter offer. The compensator may choose to improve the offer, or send the same offer again.

Option 2: Go to court. Your claim will be closed, which means you will not be able to use the portal for court proceedings but you will be able to access your documents.

You should only go to court if you cannot reach an agreement with the compensator.

How would you like to proceed? *

Go back to the compensator

Go to court

[Continue](#) [Save and Exit](#)

On the next screen you will see a breakdown of the offer you have been made. There will be a box for every section of the claim that the compensator has made you an offer on. This box will display how much the compensator has offered you for that specific section. For your losses, it will also show you how much you originally claimed for each loss. The compensator can also make deductions on your offer. These will also fall under separate categories. If any deductions have been made to your offer they will be displayed on this screen, and you will also have to make a counter to each deduction.

Make counter offer

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Offer summary

	Compensator's offer	Counter offer
Losses before any liability deduction	£615.00	£0.00
Liability deductions	£0.00	£0.00
Offer net of liability, before other deductions	£615.00	£0.00
Other deductions	£0.00	£0.00
NET OFFER	£615.00	£0.00

You have rejected the compensator's offer. You can make a counter offer.

▶ [What are tariff and non-tariff injuries](#)

Tell us why you disagree with the compensator's offer by selecting the relevant item and fill in your counter offer.

Important: if you are not making a counter offer you must put in the compensator's offer.

Property - storage / recovery	Loss £100.00	Compensator's offer £50.00	Counter offer >
Property - excess	Loss £150.00	Compensator's offer £0.00	Counter offer >

Injury related - treatment costs	Loss £250.00	Compensator's offer £250.00	Counter offer	>
Injury related - prescription costs	Loss £100.00	Compensator's offer £25.00	Counter offer	>
Tariff amount		Tariff amount £240.00	Counter offer	>
Tariff uplift		Compensator's offer £0.00	Counter offer	>
Injury - non-tariff		Compensator's offer £50.00	Counter offer	>
Losses before any liability deduction		Compensator's offer Counter offer	£615.00 £0.00	
Liability deductions		Compensator's offer Counter offer	£0.00 £0.00	
Other deductions		Compensator's offer Counter offer	£0.00 £0.00	

Continue **Save and Exit**

To make a counteroffer, you will need to propose a figure that you feel you should be offered for every single section the compensator has made you an offer on. This means you will need to make a counteroffer for every single box displayed on your screen. To do this you will need to click on the arrow on the right-hand side of the box.

Property - storage / recovery	Loss £100.00	Compensator's offer £50.00	Counter offer	
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This will then open the below screen. At the top you will be able to view the amount the compensator has offered and by clicking 'View reasons' you can view the justification the compensator has given for their offer. If this is for a loss you have claimed, above this you will be able to view the amount you originally claimed for this. For any offers relating to injuries, you will only be able to view the compensator's offer and reasons as you will not have specified an amount for these in advance of receiving your offer.

Property - storage / recovery

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*Note that all fields marked with * are mandatory.*

Tell us why you disagree with the compensator's offer.

Upload any supporting evidence using the "My documents" option on your "Claim overview" page.

Loss / Fee

£100.00

▶ [View details of losses/fees](#)

1st offer

£50.00

▼ [View reasons](#)

The invoice is only for £50.00 not £100.00

Below the amount and reasons will be the below section. This is what you will use to provide your counteroffer. You will need to type in the amount of money you would like to be offered for this section in the top box. In the bottom box, you will need to provide your reasoning for disputing the offer. Once you have added the amount and comments you will need to select 'Save and Continue'. This will take you back to the main counteroffer screen where you can continue to add to your counteroffer.

If you are not making a counter offer then put in the compensator's offer (Compensator's offer) as stated above

What is your counter offer? *

£ 100.00

If you disagree with the compensator's offer, provide a reason why, otherwise enter NA. *

I have now uploaded the full invoice for £100.00

Remaining: 452 characters

Save and Continue Cancel

If you are satisfied with the amount you have been offered for the section you are looking at, you will need to type the same amount that the compensator have offered you into the top box and in the bottom box put 'Agreed' or 'NA'.

If you are not making a counter offer then put in the compensator's offer (Compensator's offer) as stated above

What is your counter offer? *

£ 250.00

If you disagree with the compensator's offer, provide a reason why, otherwise enter NA. *

Agreed or NA

Remaining: 488 characters

Save and Continue Cancel

If you have a soft tissue injury (known as whiplash) as a result of the accident, the compensator will have made you an offer using the whiplash tariff set by the Ministry of Justice. The Tariff sets the amount of compensation that should be offered for a whiplash injury based upon the time it is expected to recover from the injuries. There is some important text on this screen that will help you to understand the tariff amount that has been offered to you. There is also a link that will give you some further information regarding the tariff.

Tariff amount

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*Note that all fields marked with * are mandatory.*

The compensator has selected this tariff: **Whiplash**

The compensator has used the following duration of whiplash injury when selecting your tariff amount. This information was contained in the medical report.

Duration of whiplash injury	Compensator tariff amount
More than 3 months, but not more than 6 months	£495.00

1st offer

£495.00

[▶ View reasons](#)

You need to explain why you are challenging the tariff amount. The tariff amount is fixed dependent on the duration of your whiplash injuries. You can only challenge the compensator's figure if you disagree over the tariff the compensator has used, or the duration selected. If you need more help about tariff amounts, further details can be found on the [tariff amounts information page](#).

You now need to select the duration you consider is correct or use the Back button to accept the tariff amount.

Based on the injuries suffered and the findings from the medical report select the tariff you want to use

Which tariff do you want to use? *

Whiplash
 Whiplash and minor psychological

Save and Continue

Cancel

When countering the Tariff amount, there is no text box where you can write in any amount of money. Instead, you will need to select what tariff you would like to use. Select 'Whiplash' for just a soft tissue injury. Select 'Whiplash and minor psychological' if you have a soft tissue injury and a minor psychological injury such as shock or anxiety. The type of injury you have will be specified in your medical report.

You now need to select the duration you consider is correct or use the Back button to accept the tariff amount.

Based on the injuries suffered and the findings from the medical report select the tariff you want to use

Which tariff do you want to use? *

Whiplash Whiplash and minor psychological

Save and Continue Cancel

You will then need to select the time period that it will take or has taken for your injuries to heal. This should be specified in your medical report.

Which tariff do you want to use? *

Whiplash Whiplash and minor psychological

Select duration of whiplash injury *

Select duration of whiplash injury *

- Select--
- Select--
- Not more than 3 months
- More than 3 months, but not more than 6 months
- More than 6 months, but not more than 9 months
- More than 9 months, but not more than 12 months
- More than 12 months, but not more than 15 months
- More than 15 months, but not more than 18 months
- More than 18 months, but not more than 24 months

Claimant tariff amount
£0.00

Reason why, otherwise enter NA. *

Save and Continue Cancel

The tariff uplift section will be for any uplift claimed for whiplash injuries. If you have not claimed an uplift for your whiplash injuries, you can just counter £0 on this section. If you have claimed an uplift, you may wish to challenge the percentage that the compensator has awarded you. To do so, enter the amount you would like to counter under 'What is your counteroffer' and provide reasoning for your counter offer in the text box below.

Tariff uplift

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*Note that all fields marked with * are mandatory.*

Tell us why you disagree with the compensator's offer.

Upload any supporting evidence using the "My documents" option on your "Claim overview" page.

1st offer

£0.00

▶ [View reasons](#)

If you are not making a counter offer then put in the compensator's offer (Compensator's offer) as stated above

What is your counter offer? *

If you disagree with the compensator's offer, provide a reason why, otherwise enter NA. *

Remaining: 500 characters

[Save and Continue](#) [Cancel](#)

Non-tariff injuries will be any injury that is not considered whiplash. There is no tariff for these injuries, the compensator will use the Judicial College Guidelines (JCG) to assist in making their offer. You can find extracts from the JCG on page 54 of the 'Guide to Making a Claim'. If you have both a whiplash and non-whiplash injury, the compensator may have made a deduction on your non-tariff offer due to there being mixed injuries. For further guidance on mixed injuries with page 16/17 of the 'Guide to Making a Claim'. Under view reasons they should have provided a description following this template:

1. The amount for the non-whiplash injury alone
2. The deduction applied for the overlap
3. The net amount after the deduction is applied

When making your counteroffer you should follow the same template which should be added into the reasoning box at the bottom of the page. You should enter the net amount in the counteroffer box as that will be the overall amount of your counteroffer for non-tariff injuries.

Injury - non-tariff

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*Note that all fields marked with * are mandatory.*

Tell us why you disagree with the compensator's offer.

Upload any supporting evidence using the "My documents" option on your "Claim overview" page.

1st offer

£160.00

[▼ View reasons](#)

1. 200
2. 20%
3. 160

If you are not making a counter offer then put in the compensator's offer (Compensator's offer) as stated above

What is your counter offer? *

£ 320.00

You need to explain how the offer is made up within the reason box below.
You should include:

1. The amount for the non-whiplash injury alone
2. The deduction applied for the overlap
3. The net amount after the deduction is applied i.e., figure in the box above

so that the compensator can understand the offer made
(Note that the overall offer for whiplash injury and non-whiplash injury together can never be less than the amount at 1 for the non-whiplash injury alone)

If you disagree with the compensator's offer, provide a reason why, otherwise enter NA. *

1. 400
2. 20%
3. 320

Remaining: 480 characters

Save and Continue
Cancel

Once you have added your counteroffer into each section, your main counteroffer screen should look like the below screenshot. At the bottom of the screen, you will be able to see the total amount you were offered by the compensator and the total amount of your counteroffer. If you are happy with this, you will need to select 'Continue'.

Property - storage / recovery	Loss £100.00	Compensator's offer £50.00	Counter offer £100.00	>
Property - excess	Loss £150.00	Compensator's offer £0.00	Counter offer £150.00	>
Injury related - treatment costs	Loss £250.00	Compensator's offer £250.00	Counter offer £250.00	>
Injury related - prescription costs	Loss £100.00	Compensator's offer £25.00	Counter offer £25.00	>
Tariff amount		Tariff amount £240.00	Counter offer £495.00	>
Tariff uplift		Compensator's offer £0.00	Counter offer £0.00	>
Injury - non-tariff		Compensator's offer £50.00	Counter offer £50.00	>
Losses before any liability deduction		Compensator's offer	£615.00	
		Counter offer	£1,070.00	

You will then be taken to a review screen. Here it is important to check the amounts and comments you have selected as this will be your last opportunity to change them before submitting your counteroffer. It is important that you are happy with the amount you are countering as you will not be able to increase this amount in future counter offers. If you do need to make changes you will need to select 'Change' on the required section. If you are happy with your counteroffer, select 'Continue'.

Check your decision

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You have decided to send a counter offer to the compensator. If the details are correct select Confirm and Send.

If you want to change anything then do so before selecting Confirm and Send.

You will not be able to make any changes after this point.

Important information you should be aware of

① If you believe your claim for damages for injury is worth more than £5,000, or your overall claim (including damages for injury) is worth more than £10,000, you should not continue your claim through this portal. You will need to notify the compensator of this but you may want to seek advice first.

Summary

Property - storage / recovery Change	
Loss	£100.00
Compensator's offer	£50.00
Counter offer	£100.00
Reasons	I have now uploaded the full invoice for £100.00
Property - excess Change	
Loss	£150.00
Compensator's offer	£0.00
Counter offer	£150.00
Reasons	receipt attached
Injury related - treatment costs Change	
Loss	£250.00
Compensator's offer	£250.00
Counter offer	£250.00
Reasons	Agreed or NA
Injury related - prescription costs Change	
Loss	£100.00
Compensator's offer	£25.00
Counter offer	£25.00
Reasons	N/A
Tariff amount Change	
Compensator's offer	£240.00
Counter offer	£495.00
Reasons	I feel you have selected the wrong amount
Tariff uplift Change	
Compensator's offer	£0.00
Counter offer	£0.00
Reasons	N/A
Injury - non-tariff Change	
Compensator's offer	£50.00
Counter offer	£50.00
Reasons	N/A

Total summary
Compensator's offer **£615.00**
Counter offer **£1,070.00**

Lastly, you will need to sign a Statement of Truth and select 'Confirm and Send'.

Verify the facts of your settlement counter offer

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Note that all fields marked with * are mandatory.

Statement of Truth

I believe that the facts stated in this Settlement Offer Form are true. I understand that proceedings for contempt of court may be brought against me if I make, or cause to be made, a false statement in a document verified by a Statement of Truth without an honest belief in its truth.

Name of the signatory

First name *

Middle name

Last name *

Confirm and Send

Save and Exit

Once you are past this point, your counteroffer will have been submitted. The compensator will now review your counteroffer and can either accept this, which means your claim will be settled and you will receive the amount you have countered or reject this and provide you with a new offer. You will not be able to progress the claim until the compensator have reviewed your counter offer and made a decision.

What you need to do

The compensator is reviewing your counter offer. You do not need to do anything else at this stage.