



Looking After You And Your Family

Legal Plus Service
For Members



Improving Workers' Lives – Winning For Members



Usdaw's aim is all about improving workers' lives and winning for members. Usdaw Legal Plus is at the heart of that mission and is a service to be proud of.

Usdaw provides a great range of legal services which have got better and better over the years; we have extended the types of cases where our members and their immediate family can receive full legal assistance. FirstCall Usdaw remains an extremely popular service with our members – giving access to a free accident claim line or online on the Usdaw website.

We are happy to continue to guarantee that our members will receive 100% of any compensation awarded. High Street solicitors can look to take up to 25% of any damages awarded. By guaranteeing that our members retain 100% of any damages, this sets us apart from others, improves what we offer to our members and assists in achieving our mission.

Year on year Legal Plus delivers great results and millions of pounds of compensation are secured for members.

If ever you need to make a claim you can be confident that Usdaw will be there to look after you.

A handwritten signature in blue ink that reads "Paddy Lillis". The signature is written in a cursive style and is positioned above a horizontal line.

Paddy Lillis
General Secretary

Usdaw Legal Plus gives members peace of mind

Members are fully covered for any accident, anywhere in the UK, and also for accidents/injuries and illness outside of the UK whilst on a package holiday.*

- Family members living with you are covered for any non-work related accident, anywhere in the UK and also for accidents/injuries and illness outside of the the UK whilst on a package holiday.*

- To register a new accident, injury or disease claim, call FirstCall Usdaw on: **0800 055 6333** or complete the form on the Usdaw website at: **www.usdaw.org.uk/firstcall** (see overleaf for more details).

*Package holiday claims means accidents, injuries or other personal injury claims covered under the Package Travel, Package Holidays and Package Tours Regulations 1992.

Accidents, Injuries, Diseases

As an Usdaw member, you and your immediate family will have experts ready to help you with our Legal Plus service.

It's fast-acting, effective assistance that brings real peace of mind – **it's absolutely free:**

- Any accident, anywhere in the UK, including:
 - Accidents at work.
 - Accidents outside of work.
- Accidents/illness to members whilst outside the UK on a package holiday.*
- Road traffic accidents.
- Work-related conditions or diseases.
- Slipping and tripping.
- Injuries caused by violent crime or armed robbery (CICA claims).

Family Members

Family members living with you are covered for any non-work accident anywhere.

Fast, expert help is only a free call away. Call FirstCall Usdaw to start your claim. Alternatively, complete the form on the Usdaw website.

FirstCall Usdaw – Free Accident Helpline

If you or a family member living with you have an accident, disease or injury, just phone FirstCall Usdaw on **0800 055 6333** to start your claim.

Give your:

- Name and address.
- Phone and email contact details.
- Date of birth.
- Date of accident.
- Usdaw membership number (not essential, but can speed up the call).
- Your claim will be logged immediately and you will be given a case number and put through to your Usdaw solicitor straightaway.
- Your Usdaw solicitor will ask you to confirm your details and case number. It is a legal requirement that all information is provided to the solicitor by you and not any third party (including Usdaw).
- Use FirstCall Usdaw to start all accident and injury claims.
- **Do not use this number for any other enquiries or existing claims.** After your claim has been logged, use your solicitor's direct telephone number.

*Package holiday claims means accidents, injuries or other personal injury claims covered under the Package Travel, Package Holidays and Package Tours Regulations 1992.



Saving you money...

A high street solicitor is likely to take 25% of any compensation you win. Usdaw guarantees that you keep 100% of your compensation.

Occupational Diseases

Ushaw Legal Plus covers members for work-related diseases and conditions like repetitive strain injury, deafness, occupational asthma and dermatitis.

Use FirstCall Usdaw to start your claim, call on 0800 055 6333 or complete the form on the Usdaw website.

Violent Crime

Use FirstCall Usdaw to start your claim. Usdaw Legal Plus helps members claim compensation from the CICA - Criminal Injuries Compensation Authority - which is a state-funded scheme. This service is also available to your family members living with you for non-work related incidents.

In order to qualify you must:

- Personally report the incident to the police within 48 hours and get a crime reference number. Usually, it's not enough if someone else reports it, such as a relative, friend or employer.
- See a doctor immediately for treatment for physical injuries as well as psychological ones such as stress or shock.

Employment Problems

Ushaw reps and officials are ready to help you resolve any type of employment problem, including:

- Redundancy.
- Dismissal.
- Discrimination.
- Contract claims.
- Equal pay.
- Family-friendly rights.
- Part-time workers' rights.
- Unlawful deductions.
- Minimum wage.

We'll try to settle the problems using your usual company procedures. By law, your employer must allow your Usdaw rep to come with you to all disciplinary and grievance hearings.

If we can't sort out the problem this way, your Usdaw team will advise you about taking the case further.

Our full-time officials (Area Organisers) and the Usdaw Legal Department provides the advice and representation in employment tribunal cases.

Tribunal claims must be lodged within strict time limits – normally within three months less one day from the date of dismissal or cause of complaint. You are responsible for making your claim in time, so speak to your Usdaw rep as soon as you know you have a problem. Make sure you always follow the company grievance and appeal procedures.

For help and advice about any employment problem, you can either contact your Union rep, call the Usdaw Helpline on **0800 030 80 30** or visit the Usdaw website: **www.usdaw.org.uk** – please do not use FirstCall Usdaw for employment problems.

Pensions Issues

The Usdaw Legal Department has a specialist Pensions Section, ready to help you with any problem about your company or state pension. Where appropriate, we'll also support legal action to secure your pension rights.

To contact the Usdaw Pensions Section, call **0161 413 0920** or you can find more advice on the Usdaw pensions website at: **www.usdaw.org.uk/pensions**

Health and Safety Issues

The Usdaw Legal Department has a specialist Health and Safety advice team who will be happy to help with any health and safety problems at work. You'll find more information on the Usdaw website:

www.usdaw.org.uk/healthandsafety

Legal Plus forms online...

Our BL3, BL4 and BL6 application forms can also be downloaded from our website or obtained from your rep or local office.

You can contact the Usdaw Health and Safety Section on **0161 413 0927** or email **healthandsafety@usdaw.org.uk**

Prosecution Cases

As a member, if you're prosecuted for something in the course of your work, we'll instruct solicitors to advise on your defence. If there is a defence, we will instruct them to represent you until State Criminal Legal Aid can be arranged.

For work-related prosecutions, complete our online BL6 Form at: **www.usdaw.org.uk/BL6** or phone the Legal Department clerical team on **0161 249 2473**.

If you and your family are facing criminal charges not related to work, you're entitled to free legal advice from an Usdaw solicitor.

To arrange this, complete our online BL3 Form at: **www.usdaw.org.uk/BL3** or phone the Legal Department clerical team on **0161 249 2473**.

Free Wills

It's important for your family and your own peace of mind that your affairs are in order before you die. If you want your property to pass to the people you choose, it's essential to make a will. Every Usdaw member, and their partner, can make a will free of charge through Usdaw solicitors.

Members can benefit from our free will writing service as soon as they join Usdaw – saving around £250. If your affairs are especially complex the solicitors may need to charge, but they'll discuss this with you beforehand.

To take advantage of our free will writing service, complete our online BL4 Form at: www.usdaw.org.uk/BL4 or phone the Legal Department clerical team on **0161 249 2473**.

Probate

Sorting out probate matters when someone dies can be stressful. Our Usdaw solicitors can provide you with sympathetic and professional initial advice at special, favourable rates.

To benefit from this service, complete our online BL3 Form at: www.usdaw.org.uk/BL3 or phone the Legal Department clerical team on **0161 249 2473**.



Moving House

Buying a property is a long-term financial commitment and may be one of the most important steps in your life. Usdaw solicitors will deal with all stages of your property transaction professionally and efficiently, at favourable rates for Usdaw members.

You'll receive a written quotation at the outset, so you won't have any unwelcome surprises.

To take advantage of this service, complete our online BL3 Form at: www.usdaw.org.uk/BL3 or phone the Legal Department clerical team on **0161 249 2473**.

Saving you money...

Members can benefit from our free will writing service as soon as they join Usdaw. A free will for you and your partner could save you over £250.



Free Initial Advice Scheme

Usdaw's Legal Plus service doesn't stop when you clock off work. You're entitled to free initial advice about any non-work related legal problem. For example, you may have:

- Bought a car or a washing machine that simply isn't up to standard and the salesperson refuses to do anything about it.
- A dispute with your landlord, the council, or with nuisance neighbours.
- A matrimonial or other family problem at home.

If there's more legal work required after you've received our solicitors' advice, they'll offer you special terms.

For non-work related problems, complete our online BL3 Form at: www.usdaw.org.uk/BL3 or phone the Legal Department clerical team on **0161 249 2473**.

Help for Your Family

Family members living with you are covered for any non-work related accident, anywhere in the UK (including where they are victims of violent crime) and also if injured outside the UK on a package holiday*.

Call FirstCall Usdaw on **0800 055 6333** or use the form on the Usdaw website.

*Package holiday claims means accidents, injuries or other personal injury claims covered under the Package Travel, Package Holidays and Package Tours Regulations 1992.

Privacy Notice

The data you provide us will be used to process your request for legal assistance as well as updating any contact details held on your membership record. The data that we collect about you will be stored securely. Our policy and privacy statement pursuant to the Data Protection Act 2018 is available on the Union's website - www.usdaw.org.uk/Privacy-Notice

Rules of Legal Plus

1. Usdaw has complete discretion on whether to grant or to continue legal assistance to its members or their families. We will exercise that discretion fairly and consistently in accordance with these rules.
2. To be eligible for legal assistance:
 - You must be a fully paid up member at the time of the event or incident giving rise to your claim.
 - In employment cases you are not entitled to legal assistance if the issues relating to your claim arose before you joined the Union.
 - You must remain a fully paid up member.
 - You must comply with the Rules of Legal Assistance.
3. Cases will be supported only if they have reasonable prospects of success, they are proportionate in value to the cost of pursuing the claim, they are not an abuse of process or fundamentally dishonest and no reasonable offer of settlement has been made.
4. Once legal assistance is granted the case will be kept under review to ensure that the rules are complied with and the case continues to enjoy reasonable prospects.
5. Legal assistance may be refused or withdrawn in any of the following circumstances (the list is not exhaustive):
 - If you cease to be a member.
 - If you are in arrears of membership contributions.
 - If you are in breach of the Union's rules.
 - If your claim brings you into conflict with the Union; its policies; its ethos; or officers.
 - If you have instructed or taken legal advice outside the Union.
 - If you instruct or take advice from any other legal representative.
 - If you have been dealing with a claim yourself or through another representative and you ask us to take over conduct of it.
 - If you reject the reasonable advice of the Union appointed representative as to the conduct and/or settlement of your claim.
 - If you fail to provide reasonable instructions or fail to provide instructions at all.
 - If you appear to have no cause of action and/or your claim does not enjoy reasonable prospects of success and/or it is an abuse of process.
 - If you behave in a manner which has or is likely to destroy trust and confidence between you and your representative.
 - If you require the Union or its solicitors to act improperly.

- If you deliberately mislead the Union or its solicitors or provide false information or if all or any part of the claim is fundamentally dishonest.
 - If the necessity for legal advice has been caused by drunkenness, drug use, wilful neglect of duty or other misconduct or by any criminal act on your part.
 - If you fail to co-operate.
 - If you insist upon dealing with the claim in a way that is significantly disproportionate to the amount or issues involved.
 - A claim made against the Union, its employees, Executive Council, officers and representatives.
- 6.** You must co-operate with the Union and its solicitors; your representative and any experts appointed on your behalf:
- You must use the solicitors appointed by Usdaw.
 - You must keep appointments.
 - You must provide any information or instructions requested by the deadline set.
 - You must behave reasonably and provide reasonable instructions to your case representative.
 - You must provide honest and accurate information.
- You must remain in contact with Usdaw and your case representative and respond promptly to letters; email; and calls.
 - You must deal with your representative politely and treat them with respect.
- 7.** You must authorise Usdaw and/or its solicitors to:
- Disclose to the court, tribunal and opponents all relevant information in respect of the claim and/or recovery of costs.
 - Disclose to Usdaw Legal Department and/or the Executive Council and/or the Central Officials of the Union their advice and any information relating to your claim.
- 8.** You are entitled to reject the advice of Usdaw and/or the solicitors and instruct another representative, but Usdaw will not be responsible for their charges and disbursements nor any costs awarded against you.
- 9.** If Usdaw legal assistance is refused or withdrawn, the Union will not be liable for any legal costs or expenses you subsequently incur.
- 10.** Usdaw can refuse to pay your legal bills and those of other parties and can require you to pay to the Union any sums it has paid out on your behalf if costs are awarded against you or are not recovered because of:

- Your own false statements.
 - There is a finding that part of, or all of the claim is fundamentally dishonest.
 - You have deliberately concealed or failed to disclose important information.
 - Your unreasonable actions or failure to act after legal proceedings have been commenced.
 - A settlement being made by you without the knowledge and/or approval of the Union.
- 11.** In an employment tribunal claim Usdaw will not meet any costs awarded against you when:
- You have been given a costs warning by the tribunal and/or ordered to pay a deposit.
 - You have been advised by the Union that the prospects of success are poor and there is a risk of costs being awarded against you.
 - The tribunal has awarded costs because of your dishonesty or unreasonable conduct.
- 12.** In prosecution cases solicitors will be instructed to give preliminary advice as to assess whether there is a defence to the charge.
- Legal assistance will only be continued if the solicitors advise that there are reasonable prospects of a defence to the charge.
- Members are required to apply for State Legal Aid at the earliest opportunity.
- 13.** You must co-operate with your solicitors in recovering legal costs including any success fee or additional amount from your opponent.
- 14.** If you settle the claim outside the terms of this Agreement then you agree that you will pay the costs and any additional amount due to Usdaw and its solicitors for the work done by them, if necessary from your compensation or your new solicitors' costs.
- 15.** By accepting Usdaw legal assistance you agree that should there be any arrears of Union contributions at the date compensation is agreed in your favour; the Union and/or its solicitors may deduct the amount of the arrears from the compensation.
- 16.** Family members must also comply with these rules and the member must maintain their Union membership and remain up-to-date with contributions.
- 17.** Assistance will not be granted to a family member if they are employed in a company where Usdaw is recognised for any purpose and they should have been in membership.

Usdaw Legal Plus for Members

What Are the Benefits?

- Cover for accidents and injuries, anywhere in the UK and also if injured on holiday outside the UK.
- Family members living with you are covered for any non-work related accident, anywhere in the UK and also if injured or taken ill on holiday outside the UK.
- Help for you and your family.
- It's free from the day you join.
- Ensures you keep 100% of your compensation if you win – plus, there are no hidden charges.
- Works for people, not profits.
- Delivered by the Usdaw team of reps, officials and professionals in the Usdaw Legal Department, backed by a nationwide network of solicitors.
- Employs reputable/trusted solicitors who are experts in accident and disease cases, and are committed to the work of the Union.

If you, or a family member living with you, have an accident call FirstCall Usdaw on **0800 055 6333** to start your claim or use the form on the Usdaw website.

Join Usdaw

To join Usdaw contact your rep in your workplace or call the Usdaw Helpline **0800 030 80 30** or you can join online at: www.usdaw.org.uk/join



Scan to join today.

What Happens Next

Once we process your application, you will receive a membership card with our Helpline telephone number and a New Member's Pack giving details of all the benefits and professional services available to you.

