

Primary Care Services

GP Indemnity Costs Policy Version 1.1

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Ratified By	Directorate Management Team Meeting
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Name and Job Title of Author	Dr Vaishali Ashar - Medical Director of Primary Care Irfaan Ibne - Assistant Director of Primary Care
Executive Director Lead	Dr Mohit Venkataram
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Version Control Summary

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1.0	April 2023	Dr Vaishali Ashar & Irfaan Ibne	Based on: NHS England- https://www.england.nhs.uk/gp/investment/indemnity/ The British Medical Association- https://www.bma.org.uk/advice-and-support/medical-indemnity/medical-indemnity/state-backed-gp-indemnity-scheme
1.1	March 2024	Irfaan Ibne	Change to expenses claim process

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1. Executive Summary

This document is intended to set out arrangements for the reimbursement of indemnity fees to GP's working within the primary care directorate at East London Foundation Trust (ELFT).

The Government's state-backed clinical negligence scheme for general practice (CNSGP) came into operation on April 1, 2019. It covers clinical negligence liabilities arising from NHS patient care that takes place on or after that date.

Information about the scheme can be found on the [NHS Resolution website](#), which provides more detail on CNSGP and what it covers.

Cover for areas falling outside CNSGP

It is also important to note staff may need to take action in relation to areas that fall outside of the scheme. For example, membership of a medical defence organisation or other indemnity providers will be needed for activities and services not covered by CNSGP. This includes **non-NHS** or private work, inquests, regulatory and disciplinary proceedings, employment and contractual disputes, and non-clinical liabilities.

This arrangement is comparable to the position of clinicians in secondary care who have cover with an MDO or other provider for services not included in the clinical negligence scheme for trusts.

Run-off cover

Medical negligence is a “long tail business”, which means claims can arise many years after the incident. Many GPs will have had occurrence based cover, which means any incidents of clinical negligence that have an incident date during that indemnity.

Some GPs, however, have claims made or claims paid cover, which means the product only covers incidents either reported (made) or reported and concluded (paid) during a specific period.

It is important staff ensure they have the correct cover. Anyone unsure should contact their existing indemnity provider.

GPs and practice staff are urged to assure themselves of arrangements for all aspects of clinical practice and take time to understand the new scheme.

For further information please visit the [NHS Resolution website](#).

2. GP’s working for ELFT in the primary care directorate

GPs working within ELFT primary care services will reasonably be expected to undertake **non-NHS work**; this work is part of day to day practice and will include activity such as writing insurance reports, performing HGV and adoption medicals etc. ELFT should reimburse the cost of this cover. The Trust indemnity scheme will cover any claims relating to clinical negligence for any work undertaken at the Trust. GP’s should maintain their own indemnity insurance for run off cover, medicolegal advice and any work undertaken outside the Trust.

3. GP’s working for other organisations (non-ELFT)

Work done by GPs for other organisations such as agencies, other practices, out-of-hours, voluntary work etc. will not be reimbursed by ELFT and should therefore be included in the MDO breakdown of cover to detail which portion of the whole fee is reimbursed by ELFT.

4. Covering Indemnity Costs for GP's- Process Map for Primary Care Services

