



FAO: Practice managers

Primary Care Commissioning
NHS England
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1 April 2019

Tel: 0113 825 1943

Dear Practice Manager

RE: State-backed clinical negligence scheme for general practice (CNSGP)

Future arrangements

Hopefully you will already be aware that the government plan to introduce a state-backed clinical negligence scheme for general practice (CNSGP) from 1st April 2019, which will cover 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 (www.resolution.nhs.uk), which will help you to understand more about CNSGP and what it covers. Please ensure that you check the website over the coming weeks, as more information is made available about how the new scheme will operate.

Cover for areas falling outside CNSGP

It is important that all clinicians in your practice are aware of actions they may need to take in relation to areas that fall outside of the scheme. For example, indemnity cover would need to be maintained for any work undertaken which falls outside the general medical services contract (e.g. A pharmacist working across groups of practices (e.g. a Primary care network) would be covered by the CNSGP, but if a practice pharmacist did sessions at a community pharmacy, additional indemnity arrangements would be required.) Consideration should also be given to activities and/or services not covered by CNSGP which include non-NHS or private work, inquests, regulatory and disciplinary proceedings, employment and contractual disputes, and non-clinical liabilities. We are advising that all practice staff check with their current provider and the wider market, the products on offer.

Run-off cover

Medical negligence is a “long tail business”, which means claims can arise many years after the incident. Some group schemes may have provided occurrence based cover

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for all clinicians which means that any incidents of clinical negligence that have an incident date during that indemnity arrangement will be covered irrespective of when the claim is reported. If this is the case, your practice staff will not need anything further in respect of 'run-off' cover.

Where a practice policy is not in place, individuals will have obtained cover in a variety of ways. Some will 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. If this applies to any of your clinicians, to ensure complete historic cover, they will require what is termed 'run-off' cover, unless the terms of their cover specify any defined circumstances where this is not the case. If staff are unsure of their current indemnity arrangements then they should contact their existing indemnity provider.

We have written separately to all GPs through the Responsible Officer network, but it is important that the practice and all clinical staff within your practice are assured that they have appropriate arrangements in place for all aspects of their clinical practise, so please take time to understand the new scheme and share this message with all staff in your practice, to ensure that any appropriate actions are taken.

Kind regards



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