



# Medical Protection

the journey  
with you

Your guide to  
membership

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# Medical Protection

1 May 1892, we began protecting professionals like you

## Thank you for choosing Medical Protection

Since we started out over 130 years ago, we've grown to become an organisation with more than 350,000 members working at the frontline of healthcare.

As the world's largest member-owned, not-for-profit medical defence organisation, we're here to protect your career, reputation, and finances. We're here to help you navigate the rocky landscape of medical risk and ethics. And we're here to campaign for regulatory and legal reforms on your behalf.

We know the intensity of your world because we've lived it. Our medicolegal consultants, doctors like you, are here when you need them – at any time of the day or night if a medicolegal emergency is keeping you awake. Along with our specialist in-house solicitors and case managers, they bring expertise and empathy to supporting you through complex and daunting legal challenges.

To help prevent problems arising in the first place, you have a huge range of online risk management and essential skills courses included in your membership, along with counselling and wellbeing support to help you stay grounded.

We are the only medical defence organisation to run a global, not-for-profit research initiative – The MPS Foundation – dedicated to improving patient safety, reducing risk and enhancing the wellbeing of all healthcare professionals.

And because everyone's wellbeing is inextricably linked to the health of the planet, we are working hard to support a greener, safer world, from investing responsibly to working towards carbon zero.

You can find out more about how we protect and support you on our website. At [medicalprotection.org/uk](http://medicalprotection.org/uk) you'll find the Statement of Benefits relevant to your professional status, and the voluntary Code of Practice developed by the main medical defence organisations in conjunction with the UK government. Alongside your membership documentation, which is available to download in your online account, these give you everything you need to start making the most of your membership.



**Dr Rob Hendry**  
Chief Member Officer

# Medical Protection

top of every detail

## Indemnity and medicolegal protection explained

When we talk about protecting you as a healthcare professional, we mean two things. Firstly, we can provide indemnity for clinical negligence claims, if you need it. Secondly, we provide personal and regulatory assistance for other medicolegal problems you might face.

Indemnity for clinical negligence is a legal requirement for doctors, and a condition of holding a GMC licence. Access to assistance for other medicolegal problems is not a legal requirement, but most doctors see it as essential. These problems, which include GMC inquiries, coroners' inquests or fatal accident inquiries, can have a serious impact on your career, finances and reputation – made worse if you don't have legal representation.

## Indemnity through your workplace

Many healthcare professionals have indemnity arrangements through their place of work, which cover some of their clinical negligence liabilities. This is the case if you work for an NHS Trust or Board, an HSC body in Northern Ireland, or in general practice in England and Wales. Some independent healthcare providers also offer indemnity for their employees as part of their employment contract.

You can read about the schemes that apply for different employers in various parts of the UK on the GMC website. Where these arrangements are in place, Medical Protection doesn't provide claims indemnity or claims management for claims-related work covered by them.

## Limitations of workplace indemnity arrangements

Some healthcare professionals don't have workplace indemnity arrangements – for example, GPs and general practice employees working in Scotland and Northern Ireland.

Some work that's part of employment by NHS trusts or boards, or an HSC body, isn't covered by an existing indemnity scheme because it's not primarily concerned with treating NHS or HSC patients. This includes Category 2 work in hospitals – for example, cremation forms and report writing for courts or insurance companies. It also includes fee paying services in general practice in England and Wales, such as private travel vaccinations or HGV medicals.



Any additional private work you undertake won't be covered by NHS and HSC indemnity schemes – and independent work may not be either – so you'll need additional indemnity for it. Remember, this may be the case even if you're working on NHS or HSC premises, or treating NHS or HSC patients.

### Indemnity through Medical Protection

Bearing all these variables in mind, it's important to make sure your Medical Protection membership gives you access to claims indemnity for any work that's not covered by a workplace indemnity arrangement. This would be in addition to the regulatory and medicolegal support we always provide to our members.

Locum doctors not directly employed by the NHS, and GPs providing services not commissioned under a GMS, PMS, or APMS contract in England or the Welsh GP contract, should take extra care to check whether they have adequate protection through an existing indemnity scheme (or equivalent), or need to make their own arrangements.

### Indemnity for Good Samaritan acts

Indemnity for Good Samaritan acts is not a legal requirement and isn't covered by any NHS or HSC indemnity scheme. Medical Protection membership protects members for claims arising from Good Samaritan acts that happen anywhere in the world.

### Make sure you're always protected

If a claim were to arise from work where you're not protected by an existing indemnity scheme, you may have to fund the legal costs yourself. This could amount to tens of thousands of pounds or more.

### To prevent this from happening, always:

- Check what your contract states about where indemnity lies, to see whether you need to arrange your own indemnity
- If you do need to arrange indemnity, contact us as soon as you can before starting the work
- Get indemnity arrangements in writing for each job
- Keep all your contracts together in one place so you can easily refer to them later
- Keep us up to date with your scope of work, so we can help to make sure you stay fully protected under your Medical Protection membership



# Medical Protection

your side through every challenge

## Your Medical Protection indemnity explained

Medical Protection offers discretionary indemnity – not insurance. Exactly what's included in your membership depends on your practice. You can find out more about this on **page 25**, in the relevant Statement of Benefits, and in your membership documentation in your online account.

First, here's an overview of the type of protection you get with Medical Protection: occurrence-based discretionary indemnity for clinical negligence arising from your clinical practice.

Let's break that down.

### What is occurrence-based indemnity?

There are two types of professional protection: claims-made and occurrence-based.

- **Occurrence-based indemnity** is the type Medical Protection provides in the UK. It protects you for incidents that occur during your period of membership, even if a claim related to the incident is not made until years after. Providing you were in membership and paying the correct subscription at the time of an incident that's given rise to a case or claim, we can protect you even if you're retired or no longer in membership. That means that you are protected for future claims arising from any year in which you were a member.
- **Claims-made indemnity** is what insurance policies are usually based on. This type of indemnity protects you for claims related to your practice that arose, and are reported during, a continuous period of membership. This means that if a claim arose outside of that period of membership, you would not be able to seek assistance unless you bought 'run off' cover (also known as extended reporting benefits). This can be expensive and limited to a set number of years, whereas claims can arise even decades after an event.

## What is 'discretionary' indemnity?

The principle of discretion means having the freedom to decide what should be done in any given situation.

The discretionary approach to indemnity gives us the flexibility to help members where a tightly worded contract might rule out help. It also means that unlike claims-made insurance, your indemnity isn't restricted by financial limits, and there are no excesses to pay.

Discretionary protection is particularly suited to medicine, where new challenges are constantly arising. It's a nuanced approach that reflects the nuances of your chosen career.

This is why we use people, rather than contracts, to decide how best to help members. At the heart of our team are specialist solicitors, case managers and medicolegal consultants – doctors who understand the challenges you face. They use their insight to determine the right course of action, and bring their expertise and understanding to support you every step of the way.

We are owned by members, so our starting point is always to see how we can help.

It's only in exceptional circumstances that we're unable to – for example, if a member wasn't in membership when the incident occurred, or had under-paid their subscription or underdeclared their scope of work. We are dedicated to treating members fairly and placing them at the heart of everything we do.

You can find out more about the limitations of membership on **page 25** and in your **Statement of Benefits**.

**“Easy to contact and very responsive. Reassuring to talk to a medical doctor not an insurance broker. Sensible, knowledgeable and comprehensive written advice.”**

UK Medical Protection member



# Medical Protection

call 24/7

## Advice and complaints handling support

Our team are here for you via our advice line – Monday to Friday, 08.30 to 17.30. If it's a medicolegal emergency, they're here for you at weekends and any time of the night too. The team includes legal experts, case managers, and medicolegal consultants. Between them, they've helped countless members successfully navigate a broad range of challenges.

A complaint can happen to any medical professional at any time. If it happens to you, our support is just a phone call away. With more than 130 years of specialist experience behind us, we can advise how best to respond, helping to resolve the issue before it escalates.

Never hesitate to call the advice line, even if you just need some reassurance. You have unlimited access to it, and the number of times you call us won't affect your subscription rate.



**“It was a relief to have a human being on the phone who was calm, knowledgeable, empathetic, and reassuring.”**

UK Medical Protection member

# Medical Protection

a case-by-case basis,  
we go to extraordinary  
lengths for our members

## Protection for clinical negligence claims

Because we're a member-owned, not-for-profit organisation, we don't have shareholders to pay. We invest members' subscriptions straight back into the organisation for the benefit of members. As part of the global MPS group, we have the strongest mutual fund of any UK member-owned medical defence organisation, which we grow by investing responsibly on your behalf.

The indemnity we provide to medical professionals in the UK isn't restricted by financial caps or contractual terms, and protects you for even never-before-seen circumstances.

So, if we are assisting you with a clinical negligence claim, you can depend on us to support you through what can be a stressful and complex process.

Remember, we can only assist you with clinical negligence claims if you've declared to us any work you do that's not covered by a workplace indemnity arrangement. You can update your membership at any time by logging into your online account or by calling us on **0800 561 9000**.

## General practice in England and Wales

If you are a GP working in England and/or Wales, and provide services outside an NHS primary medical services contract, you will need to contact us to add Claims Protection to your membership. You must hold Claims Protection with us in order to seek our assistance for clinical negligence claims arising from work considered out-of-scope of state or employer indemnity.



### Relieving the burden, from outset to outcome

If your membership includes protection for claims, and you receive a claim from work that is not indemnified by the state, here's an outline of how the process works.

The most crucial step is the first. This is down to you. It's vital you let us know as soon as you receive the first sign of a claim, so we can act quickly for you.

The first sign might be correspondence from solicitors, or a patient or their representative seeking compensation. From the moment you alert us to the problem, we can take on the complexities of managing the claim on your behalf. We can take care of all legal costs and compensation payments for the period of time of the claim where you were a member, working closely with you at every stage to get the best outcome.

As part of this process, we will investigate the allegations fully, seeking expert opinion if need be. Based on our findings, we will work with you to decide whether to prepare a letter defending the claim, or make a settlement offer with a view to compensating the patient as quickly as possible.

### Whenever you need us, we're here

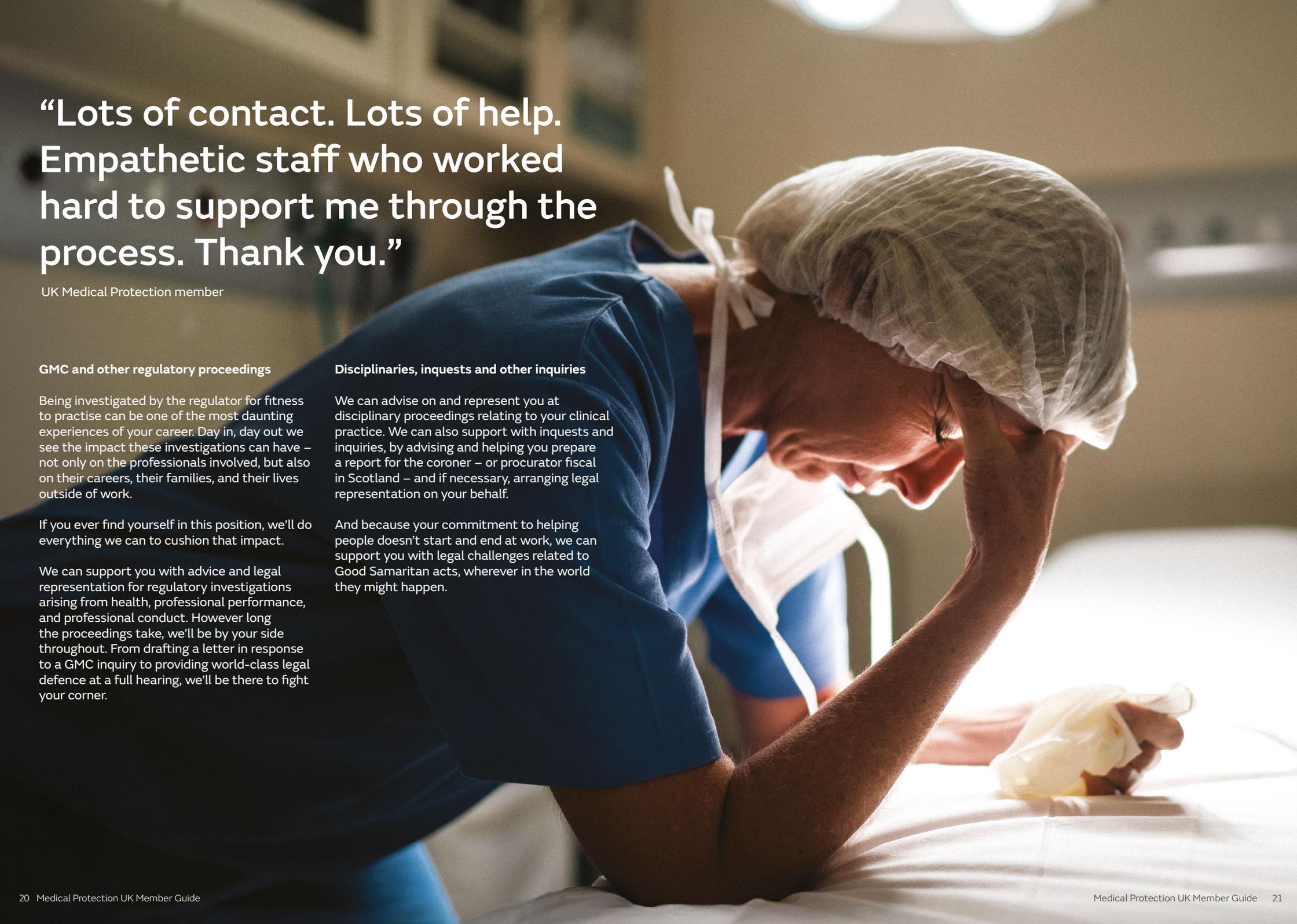
Your dedicated team includes medicolegal consultants and case managers, and, if necessary, one of our in-house solicitors with specialist knowledge of clinical negligence.

We completely understand the distress claims and complaints can cause – remember, we're only ever a phone call away.



**“The efficient way that everything was put into place as soon as I had logged my case helped me feel supported at a time when my life felt to be in complete turmoil.”**

UK Medical Protection member



**“Lots of contact. Lots of help. Empathetic staff who worked hard to support me through the process. Thank you.”**

UK Medical Protection member

#### **GMC and other regulatory proceedings**

Being investigated by the regulator for fitness to practise can be one of the most daunting experiences of your career. Day in, day out we see the impact these investigations can have – not only on the professionals involved, but also on their careers, their families, and their lives outside of work.

If you ever find yourself in this position, we'll do everything we can to cushion that impact.

We can support you with advice and legal representation for regulatory investigations arising from health, professional performance, and professional conduct. However long the proceedings take, we'll be by your side throughout. From drafting a letter in response to a GMC inquiry to providing world-class legal defence at a full hearing, we'll be there to fight your corner.

#### **Disciplinary, inquests and other inquiries**

We can advise on and represent you at disciplinary proceedings relating to your clinical practice. We can also support with inquests and inquiries, by advising and helping you prepare a report for the coroner – or procurator fiscal in Scotland – and if necessary, arranging legal representation on your behalf.

And because your commitment to helping people doesn't start and end at work, we can support you with legal challenges related to Good Samaritan acts, wherever in the world they might happen.

# Medical Protection

demand professional development and support

We're not just here for when things go wrong. We're also here to help make sure things go right. One of the ways we do this is by equipping you to manage some of the risks that come with being a medical professional.

## Professional development that puts you in control

To help you protect and advance your career, we have a huge range of professional development resources and risk management courses, all available exclusively to Medical Protection members at our Online Learning Hub.

From short essential skills courses to on-demand webinars, everything is included in your membership at no extra cost.

## Find out more at [medicalprotection.org/professionaldevelopment](https://medicalprotection.org/professionaldevelopment)

Twice a year we'll email you our digital publication, Casebook, featuring the latest medicolegal insight and real-life case studies. You can also make the most of the Medical Protection library of podcasts, in which medical educators, medicolegal consultants, and global experts share their knowledge to help protect and connect doctors across the globe.

Search Medical Protection Podcast wherever you get your podcasts.

## Wellbeing support to help you stay grounded

Medicine is tougher than it's ever been. The pressure, the pile up of problems, the long running battle with burnout. And when a patient complaint, or a claim, or a disciplinary gets thrown into the mix, it can just feel too much.

To help support you, we include confidential counselling from our trusted partners, Lyra, in your membership at no extra cost.

To access this benefit, just call Lyra on 0808 189 4385 and let them know your Medical Protection membership ID.

You can also make the most of a personalised online wellness service, and receive 50% off the Portal Premium app, which uses immersive technology to virtually transport you to some of the world's most beautiful and tranquil places. And to help you survive everything from a difficult workplace culture to a patient complaint, your membership includes an exclusive range of wellbeing-focused webinars and podcasts.

Get all the details at [medicalprotection.org/uk/wellbeing](https://medicalprotection.org/uk/wellbeing)

**“I was on the edge, feeling extremely distraught. Medical Protection provided me with the much-needed light at the end of the tunnel.”**

UK Medical Protection member

# Medical Protection

the need-to-know stuff

## Inclusions and limitations

### How we protect you

Your membership gives you tailored protection for your individual personal practice. Membership benefits differ depending on where you're based in the UK and whether your work is carried out in primary or secondary care settings, as outlined on **pages 7&8**. Here's a summary of what's included:

#### Representation for:

- ✔ Regulatory matters, such as GMC inquiries
- ✔ Disciplinary procedures
- ✔ Criminal allegations arising from clinical practice
- ✔ Coroners' inquests/fatal accident inquiries

#### Support with:

- ✔ Medicolegal advice (emergency helpline available 24/7)
- ✔ Defamation cases (legal costs only)
- ✔ Complaints handling
- ✔ Unwanted media attention
- ✔ Confidential counselling and other wellbeing resources
- ✔ Professional development and online courses

#### Indemnity for clinical negligence arising from:

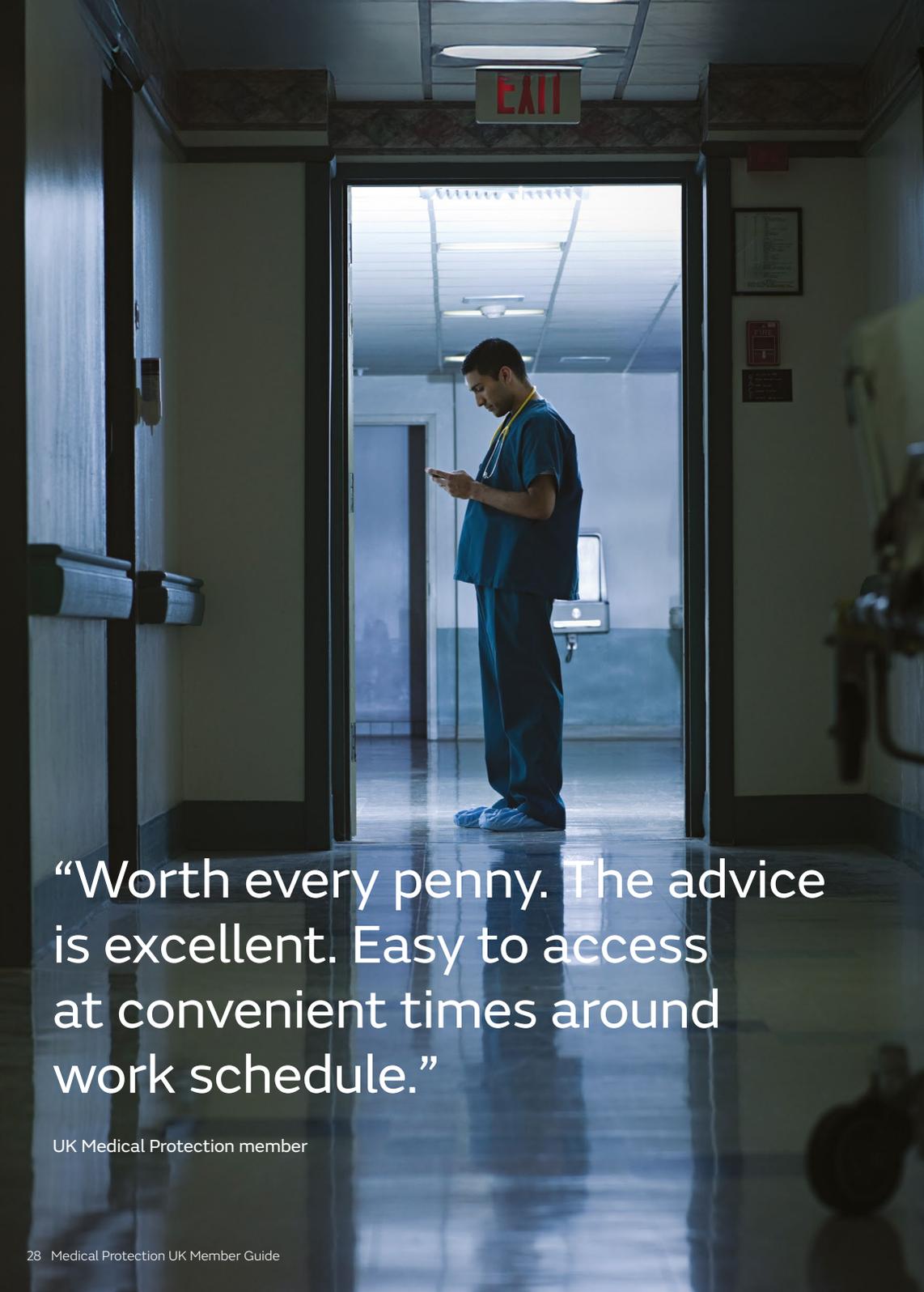
- ✔ Some fee-paying work (for example, medicolegal reports)
- ✔ Private practice/non-NHS work
- ✔ Good Samaritan acts (worldwide)
- ✔ Voluntary, humanitarian or charity work (with prior approval)

## When we're unlikely to assist

We carefully consider each request for assistance on a discretionary basis, but there are some circumstances in which we likely won't be able to help. These include:

- Circumstances or claims arising from any malpractice incident, negligent act, error, omission, breach, or loss that occurred before the membership start date
- Matters related to deliberate, reckless, or criminal acts
- Matters related to personal conduct, unless brought before your professional regulator
- Assistance with research for academic projects
- Claims or vicarious liabilities that fall under the provisions of NHS indemnity or equivalent
- Assistance with criminal investigations or proceedings arising from non-professional practice, for example, drink-driving offences, possession of drugs, or assault
- Assistance with allegations of fraud
- Payment of fines or financial penalties
- Claims brought outside the territorial limits (excluding Good Samaritan acts that are worldwide)
- Matters that fall outside of healthcare indemnity, such as claims relating to property, including its damage or destruction, or claims arising from cyber-attacks and/or cybersecurity breaches
- Claims arising from your vicarious/extended liability
- Matters of commercial interest, such as partnership, employment, or agency disputes (whether contractual or otherwise), or compensation claims
- Claims brought under the Data Protection or Equality Acts. We may use our discretion to assist where the claim arises from a clinical consultation
- Claims relating to making, distributing, or selling any product or the use of any unsuitable or defective product (product liability)
- Other matters that may not be in the wider interests of our members, for example, damages awarded in a claim for defamation against you, or personal costs arising from your attendance at court, hearings, or meetings with us about a case.





“Worth every penny. The advice is excellent. Easy to access at convenient times around work schedule.”

UK Medical Protection member

#### How to request help

To request our assistance with a medicolegal matter, call the advice line on **0800 561 9090** or email [assistance@medicalprotection.org](mailto:assistance@medicalprotection.org)

The advice line is open between 08.30 and 17.30, Monday to Friday, excluding Bank Holidays. If it's a medicolegal emergency, we're here any time of the day or night, every day of the year.

Remember, it's important to call us at the first sign of a problem. The sooner you contact us, the sooner we can get to work resolving it on your behalf.

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If you find yourself in the media spotlight and need expert help, call the advice line or email [pressoffice@medicalprotection.org](mailto:pressoffice@medicalprotection.org)

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#### How to update and manage your membership

Making changes to your membership and personal information is quick and easy. Just log into your online account at [medicalprotection.org/uk](http://medicalprotection.org/uk) to update your details, or call us on **0800 561 9000**

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If you are looking to retire, take a career break, or pause practising – for instance, due to long-term sickness or parental leave – you can ask us to place your membership in our 'Retired/Deferred' category. As a retired or deferred member with occurrence-based protection, you pay no subscription and can still apply for assistance with any medicolegal problems arising from a Good Samaritan act. Please contact us on the number above if you'd like to defer your membership.

Remember, it's vital to keep us up to date on your current scope of work and practice details, to ensure you're always fully protected.

More information about our complaints process and your rights is available at [medicalprotection.org/uk](http://medicalprotection.org/uk)

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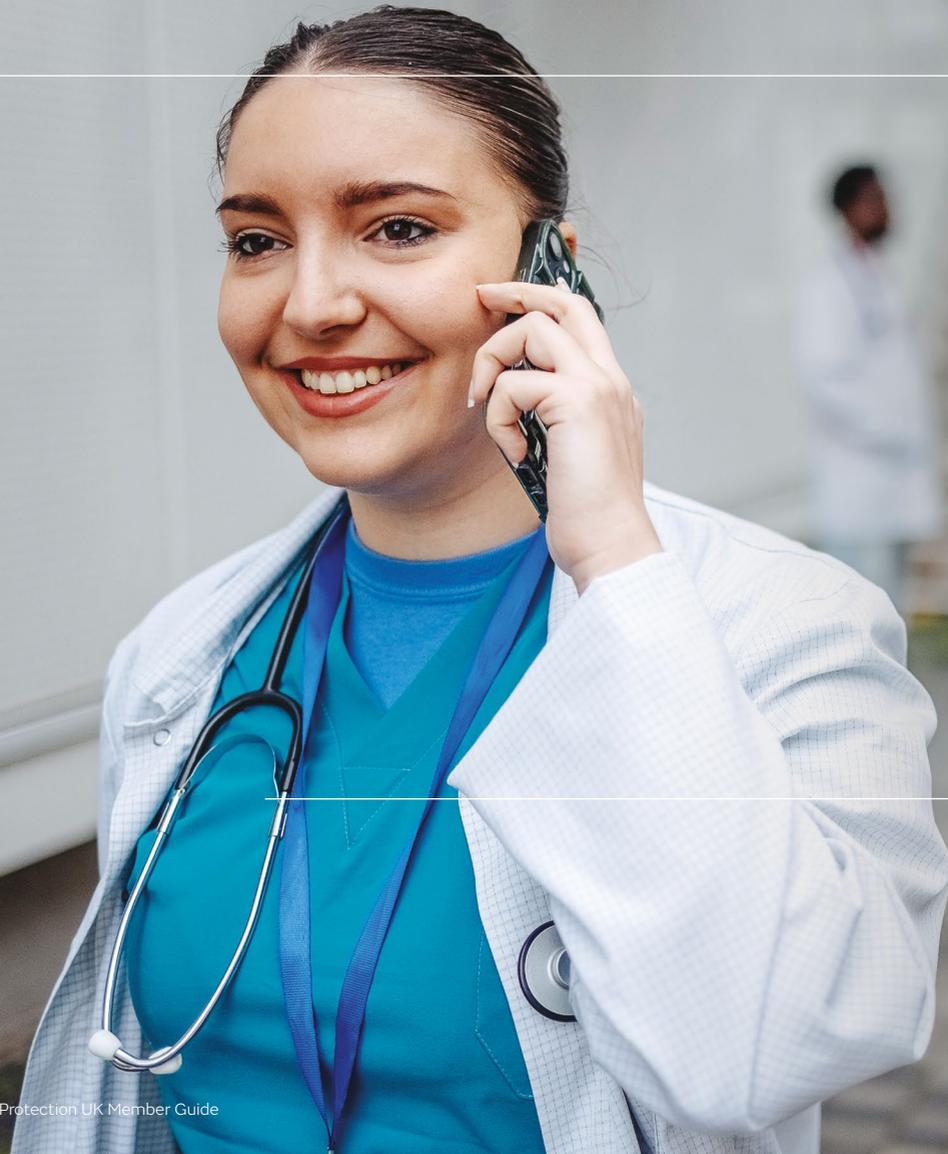
#### How to make a complaint

We're always looking for ways to improve the service we provide. For complaints regarding your membership, please visit the Contact page at [medicalprotection.org/uk](http://medicalprotection.org/uk) call us on **0800 561 9000** or email [memberrelations@medicalprotection.org](mailto:memberrelations@medicalprotection.org)

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# Medical Protection

the phone, online and  
on your side



Here are the contact details and links you'll need, all in one place for easy reference.

Medicolegal advice

**0800 561 9090** or [assistance@medicalprotection.org](mailto:assistance@medicalprotection.org)

Membership queries and support

**0800 561 9000** or go to

[medicalprotection.org/contact](https://www.medicalprotection.org/contact) to get help online

Media guidance

[pressoffice@medicalprotection.org](mailto:pressoffice@medicalprotection.org)

Confidential counselling through Lyra

**0808 189 4385**

Professional development resources

[medicalprotection.org/professionaldevelopment](https://www.medicalprotection.org/professionaldevelopment)

Wellbeing resources

[medicalprotection.org/uk/wellbeing](https://www.medicalprotection.org/uk/wellbeing)

Complaints

**0800 561 9000** or email

[memberrelations@medicalprotection.org](mailto:memberrelations@medicalprotection.org)



[medicalprotection.org](https://www.medicalprotection.org)  
Always there for you



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