

Good Practice Guide Appendices Appendix 18

Professional Indemnity

The issues around indemnity for staff employed to work in cluster teams are complex and currently being worked through at national level. A key issue relates to vicarious liability of GP practices, meaning that practices could be pursued legally if there is negligence on the part of an uninsured employee. As highlighted above, cluster teams must be absolutely clear on the scope of work that their staff are engaged in and inform their MDOs of cluster arrangements for indemnity purposes.

Rising Medical Defence Organisation (MDO) charges are becoming prohibitive for medical staff, increasing over 20% in 2 years with a likelihood of much bigger rises without an alternative solution. There are on-going discussions on the future funding of GP indemnity, with options including a state-backed solution or full prospective reimbursement of fees, and a need to resolve whole practice cover for other professional staff. MDOs vary in their willingness to indemnify some of the new cluster roles, such as Physicians' Associates, and nursing staff working in primary care no longer have indemnity included in their union membership.