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FAO: Practice Managers

Primary Care Commissioning Team
4E40, Quarry House
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Leeds
LS2 7UE

25 March 2020

Dear Practice Manager

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

Future arrangements

Hopefully you will already be aware that the government introduced a state-backed clinical negligence scheme for general practice (CNSGP) from 1st April 2019, which 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 (www.resolution.nhs.uk), which will help you to understand more about CNSGP and what it covers.

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 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, including nurses and pharmacists, to ensure complete historic cover they will require what is termed 'run-off' cover. If staff are unsure whether they require run-off cover, we advise that practitioners contact indemnity or insurance providers to discuss their situation and obtain cover if required. We are aware that many insurers and indemnifiers have products available to pharmacists, nurses and other general practice staff.

Funds were made available to practices in relation to indemnity inflation through the 2019/20 GP contract negotiations, paid at £1.005 per registered patient, and we would implore you to assist your pharmacists with their run-off costs from this funding.

We have written separately to all Pharmacists and GPs, 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 practice.

Kind regards

A handwritten signature in black ink, appearing to read 'Matt Neligan', with a small dot at the end.

Matt Neligan
Director of Primary Care Commissioning and Transformation