



HEE block indemnity arrangements provided by Medical Protection Frequently Asked Questions

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Who is eligible?

Medical Protection have been appointed by Health Education England (HEE) to provide funded membership to trainees in certain medical specialities from 4 August 2021 (for new speciality trainees) and 5 August 2021 (for those already in training).

Eligible specialities:

- General Practice
- Public Health
- Palliative medicine
- Occupational medicine
- Community, sexual and reproductive medicine
- Genito-urinary medicine
- Sports and exercise medicine
- Aviation and space medicine

Eligible regions/deaneries:

Midlands:

- East Midlands
- West Midlands

South East:

- Kent, Surrey and Sussex
- Thames Valley
- Wessex

Northeast and Yorkshire:

- North East
- Yorkshire and Humber

North West:



- Mersey
- North Western

If a trainee moves to a placement in an out-of-scope region as part of an Out of Programme Training (OOPT) agreement, they remain in membership with Medical Protection during that period. We just ask that they keep us up to date with the details of their placement.

Is membership guaranteed?

Yes. No trainee covered by the terms of our agreement with HEE will be refused membership based on their claims history or new claims notified to us during this period of membership. This includes trainees who have had GMC suspension and are subsequently reinstated with conditions.

What is the scope of indemnity protection during training?

Trainees have the right to request indemnity for clinical negligence claims arising from clinical and non-clinical activities which are not indemnified by either the Clinical Negligence Scheme for Trusts or the Clinical Negligence Scheme for General Practice, including out-of-hours work, where:

- training placements are part of a trainee's official training programme rotation at approved centres
- the trainee is appropriately supervised throughout this element of their rotation
- the trainees only undertake procedures and tasks they are suitably trained, qualified and competent to carry out

This could include, but is not limited to, providing palliative care within a care home, supporting consultants with a procedure not available under the NHS and carrying out 'category 2' or 'fee-paying work' in the course of their NHS employment.

Trainees also have the right to request indemnity and assistance in relation to Good Samaritan Acts worldwide as a benefit of Medical Protection membership.

Medical Protection indemnity provides access to end-to-end claims management and meets all the financial costs of the claims we manage. There are no limits on the number of claims members can make and no caps on the amount we will pay out. It is offered on an occurrence basis meaning assistance can be sought for any adverse incident that took place during the period of membership, even if the claim is brought several years later.

Does membership include indemnity for private work?

While the scope of the agreement with HEE does not extend to indemnity for work undertaken outside ST training (i.e. private work) we provide medical specialty trainees with free membership for this work where their gross annual earnings are £10,000 or less. If they earn more than £10,000 from private work annually, a membership fee of £1,100 per year will apply. They can add this option to their membership during the application process or at any time during their membership.

There are no restrictions to where trainees can undertake private work (ie it doesn't matter whether it is in an 'in-scope' region) but there are some exclusions to the type of work we can indemnify. They cannot be the clinician in overall charge of the clinical care of the patient (i.e. specialist) and their earnings cannot be derived from any of the following activities:

- air ambulance/repatriation
- bariatric surgery



- benefits work
- circumcisions
- complementary medicine
- cosmetic/aesthetic medicine (other than Botox, or other non-permanent fillers and superficial chemical peels)
- general practice
- health screening (other than DVLA medicals)
- medical nonclinical work (e.g. appraiser, coroner, tribunal officer, responsible officer)
- medicolegal work
- neurosurgery
- obstetrics
- occupational medicine
- ophthalmology (including refractive laser surgery)
- oral and maxillo-facial surgery
- plastic surgery, reconstructive and aesthetic surgery
- slimming clinics
- sports club doctor
- spinal procedures/surgery
- pregnancy termination

What medicolegal support does Medical Protection provide?

As well as access to indemnity for clinical negligence claims which are outside the scope of the CNST and the CNSGP, trainees need complementary protection for the range of medicolegal issues that can arise from their practice.

Medical Protection membership includes:

- access to our medicolegal adviceline, including emergency support 24/7.
- the right to request advice and legal representation for coroner, disciplinary and regulatory proceedings and criminal investigations related to professional practice. This can include, but is not limited to, GMC fitness to practice investigations, representations at Medical Practitioner Tribunal Service and in high court appeals, help to prepare a case for a disciplinary hearing, support preparing a case and representation in a coroner's court.
- the right request assistance with complaints to the GMC arising from personal or professional conduct or health issues from the first stages of the investigation through to the end.
- expert help responding to and resolving complaints.
- a team dedicated to dealing with unwanted media attention in relation to a case or claim, including preparing statements and responding to the media.

As with claims indemnity, medicolegal protection and support is offered on an occurrence basis to provide reassurance that you are protected throughout your career, provided they were in membership at the time the incident occurred.

Are there any additional benefits of membership?

Essential skills training

Indemnity and medicolegal support address problems as they arise, but it is important that trainees have the knowledge to practise safely and with confidence a wide variety of settings and circumstances.



We provide a comprehensive, member-focused risk prevention programme including workshops, online courses and webinars with accredited CPD to help you develop your communication and risk management skills, and risk management resources including our *Casebook* journal.

Wellbeing support

We know wellbeing can affect the progression of ST training and interactions with patients. We include a wellbeing service in our core membership offer, including free and confidential counselling. Any trainee suffering work-related anxiety or stress, or who is involved in a case or claim, can access this service.

How do trainees join Medical Protection?

New members can join Medical Protection online through our HEE partnership application portal. They can do this at medicalprotection.org/hee from 4 August 2021. However, they don't have to complete their application straightaway. They have until 29 October 2021 to apply and backdate their membership to 5 August, so there won't be any gaps in their protection if they aren't able to apply straight away.

This also applies if they currently have an inactive (deferred) Medical Protection membership, which means their indemnity has been provided by another MDO but they have continued to access to our online learning platform and other resources.

We will be writing to trainees with more information about their membership benefits and how to join week commencing 19 July 2021.

Can trainees join while on a period of statutory leave eg maternity leave?

Yes. We would encourage trainees who are eligible for a HEE block arrangement with Medical Protection to join us straight away using the application portal and then call us on 0800 561 9000 so we can update their membership status. This means they can continue to access Medical Protection resources, courses, advice and medicolegal support during their statutory leave and are protected for Good Samaritan Acts.

Can trainees join if they have an open case or claim with another indemnity provider?

Yes. Any member who joins Medical Protection and has a current open case, incident or matter, or one which comes to light from a period when they were not in Medical Protection membership, should continue to seek assistance from their previous provider in respect of this. However, members can contact our medicolegal team and ask for guidance on how to approach this, should they require any additional support. The majority of indemnity organisations operate on an occurrence basis which means even if a trainee has left that provider they are entitled to seek assistance in relation to a case, incident or matter that occurred while they were a member.

What should trainees do if they are already a Medical Protection member?

They don't need to take any action. We will match data from HEE with our records and automatically update their membership on 4 or 5 August and then send them confirmation with a new membership certificate. If they have previously told us about work undertaken outside ST



training for which they need indemnity (ie private work), we will set this membership up at the same time.

We will be writing to current members with more information about this transition week commencing 19 July 2021.

Will membership renew automatically?

When trainees join Medical Protection, or we transfer them to an HEE block indemnity arrangement, their annual renewal date will be the same month as their expected date for completion of training. This may mean their first membership period is less than 12 months but it will then be automatically renewed.

We will continue to renew trainee memberships annually for the duration of their training. We ask that they keep in contact with any changes to their training or personal circumstances, such as taking a break from your training or going OOPT.

Once their training is complete, we'll let you know about your options for remaining in membership as a newly qualified GP, hospital doctor or consultant.