

**Wales State Backed GP Professional Indemnity Scheme
Stakeholder Reference Group**

**Communication Statement
January 2019**

The Stakeholder Reference Group (SRG) met for the second time on 17 January 2019, with representatives attending from Welsh Government, GPC Wales, Local Health Boards, Shared Services Partnership – Legal and Risk Services, and GP practice managers.

A number of operational aspects of the scheme required clarity in relation to the role of Shared Services Partnership – Legal and Risk Services (currently the preferred scheme operator for Wales GPs) ; the role of Medical Defence Organisations and the process through which the scheme could work. Further engagement with stakeholders, including GPs and medical defence organisations will help to clarify operational issues.

A key issue was the need for better communication to stakeholders on the proposals for the state backed scheme. A brief FAQ is attached setting out some clarity on the proposals.

FAQs: State Backed Scheme for GPs in Wales

When will the state backed scheme come into force?

The state backed scheme for clinical negligence claims arising from April 2019, known as the Future Liabilities Scheme (FLS), is planned to come into force on 1 April 2019. This is the same time as the state backed scheme announced for GPs in England. The Minister for Health and Social Services has committed to the state backed scheme covering claims arising prior to April 2019, known as the Existing Liabilities Scheme (ELS), subject to completion of legal and financial due diligence and satisfactory discussions with MDOs.

Who will operate the new scheme?

On 15 November 2018, NHS Wales Shared Services Partnerships – Legal and Risk Services were announced as the preferred partner to deliver the state backed scheme in relation to clinical negligence claims arising from April 2019, known as the Future Liabilities Scheme (FLS). A final decision on the delivery of the FLS in Wales will be made over the coming weeks, following further engagement with medical defence organisations and other stakeholders.

What does the state backed scheme cover?

The scheme will cover the activity of all contractors who provide primary medical services, plus any other integrated urgent care, delivered through Schedule 2 of the NHS standard contract. It will indemnify providers of GP services in Wales against claims arising from clinical negligence for NHS work. This includes the delivery of general medical services in prisons.

The scheme will cover clinical negligence liabilities of general practice staff delivering primary medical services commissioned under GMS, PMS and APMS contracts and any integrated urgent care delivered by general practice through schedule 2L of the NHS standard contract. The scheme will not cover private work, complaints, involvement in coroners' cases, GMS hearings, privately funded primary healthcare and other matters relating to professional regulation. GPs will be expected to ensure that they have indemnity to cover all aspects of their work not covered by the state backed scheme.

Will the scheme cover GP practice staff?

The scheme will cover clinical negligence liabilities arising from the activities of GP practice staff and other medical professionals, such as salaried GPs, locum GPs, practice pharmacists, practice nurses and healthcare assistants.

Will the scheme cover GP trainees?

The scheme will cover GP trainees placed for training purposes in GP settings for clinical negligence liabilities incurred whilst in such a setting. As with all other

professionals covered under the scheme, medico-legal cover for GP trainees will need to be provided separately as the scheme will not provide such cover.

Will the scheme cover pharmacists, paramedics and other healthcare professionals employed by primary care clusters and/or federations but working in GP practices?

The scheme will cover all general practice employees delivering the services or activities described above. As long as primary care networks and/or federations are commissioned to provide services under GMS, PMS and APMS contracts and integrated urgent care delivered by general practice through schedule 2L of the NHS standard contract, they will be covered by the scheme.