

FREQUENTLY ASKED QUESTIONS

This document has been compiled by us in conjunction with underwriters MPLC to assist you in personally deciding whether you need or want Professional Indemnity Insurance at any of the limits of cover available, in order for you to make your own decision to apply for cover and be considered by the Underwriters. AfPP cannot offer any advice or recommendation to assist you with this decision, as noted in our Keyfacts document named 'Keyfacts about our insurance services'. AfPP can only assist you in the administration of the scheme and liaise with the MPLC on your behalf about the progress of your application and issue proof of cover if you are accepted to be covered under the Master Policy.

Q If I decide to join AfPP's Medical Professional Liability Insurance scheme how will the insurance premium be collected?

A Payment will need to be made by Credit Card / Debit Card at the time of renewing your insurance. All new insurance policies underwritten from 1 April 2019 will need to pay in full by Credit Card / Debit Card. Please note that you will pay for each month in full regardless of what date in that month your policy commences.

Q What if I want to join the AfPP Medical Professional Liability Insurance scheme part way through my membership term?

A All new policies underwritten from 1 April 2019 will be required to pay in full by Credit Card / Debit Card. The scheme can be joined part-way through, and we will take payment for the pro-rata policy period up until the next 1 April. There is then the option to renew for a 12 month period.

Q How does cover operate?

A Medical Professional Liability Insurance cover is written on a 'Claims made' basis. This means that any claims are dealt with under the terms of the policy in force at the time the claim is notified, not the policy that was in force at the time of the original error or omission that has led to the claim. For this reason, it is important that you do not allow insurance cover to lapse as this will mean that you will be responsible for settling any claims notified during the period cover is not in force. Please keep the above in mind when completing your preferred 'start date of insurance' and when considering the cancellation of any previous cover held. It is essential that we have plenty of time to deal with your request to confirm or decline cover before your existing insurance expires or is cancelled.

Q What is my retroactive date?

A This is the date you originally took out any type of suitable 'Claims made' medical insurance cover (providing there have been no gaps). Underwriters will confirm if your retroactive date is acceptable.

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AfPP Limited is an appointed representative of Jelf Insurance Brokers Ltd, which is authorised and regulated by the Financial Conduct Authority (FCA). Not all products and services offered are regulated by the FCA. Registered in England and Wales number 0837227. Registered Office: Hillside Court, Bowling Hill, Chipping Sodbury, BS37 6JX.

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Q What does retroactive date mean?

A Underwriters shall not be liable for any claim or defence costs directly or indirectly caused by or arising out of or in any way connected with any act, error, omission, circumstance or event occurring or committed or alleged to have been committed prior to the retroactive date.

Q Does the scheme cover work outside the perioperative environment?

A The scheme is **restricted** to perioperative practitioners who are AfPP members and who provide perioperative services defined as pre-operative anaesthetic care, intra-operative care and post-operative recovery care.

Q Does the scheme cover work performed outside of the NHS i.e. work for private hospitals/clinics or private work for Surgeons/Consultants?

A The Medical Professional Liability Proposal Form asks members to provide a summary of any activities they perform outside of the NHS i.e. work performed on a private basis as a perioperative practitioner or for private/independent hospitals or clinics. Underwriters will then review this information and decide on an individual case by case basis whether the type of work declared can be afforded cover under the scheme.

It is also worth noting that if private work is carried out directly on behalf of a Medical Practitioner(s) / Surgeon(s) / Consultant(s) and / or if a member is paid directly by a Medical Practitioner(s) / Surgeon(s) / Consultant(s) the member is only permitted to take out the £3m limit of cover and will be subject to a higher premium.

Q Does the scheme cover advanced roles?

A The Medical Professional Liability Proposal Form contains questions addressing this. Members occupying advanced roles will be asked to answer these. The Underwriters will then decide on an individual case by case basis whether the applicant is eligible to join the scheme. For example, whilst this list is not exhaustive, the following roles may be classed as advanced: Surgical First Assistant (SFA)/Advanced Scrub Practitioner (ASP) and for Surgical Care Practitioner (SCP), Nurse Practitioner (NP), Clinical Nurse Specialist (CNS), Nurse Consultant (NC), Specialist Nurse (SN), Advanced Nurse Practitioner (ANP), Non-Medical Prescribers (NMP).

Q Am I covered for my work in maternity and obstetrics?

A With effect from 1 April 2015 exclusions on maternity and obstetrics solely apply to registered midwives performing midwifery services. As from 1 April 2015 cover will be afforded subject to all policy terms and conditions to perioperative practitioners who are

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accepted by the scheme Underwriters (as listed in Underwriters Schedule A) while present during, and assisting with, the provision of maternity or obstetric services in a hospital. The Underwriters shall not be liable under this extension to pay more than £1,000,000 in the aggregate in respect of all Claims made against the Insured and notified to Underwriters during the Policy Period in respect of all Claims arising directly or indirectly from or in any way connected with this extension. A full version of the policy is available on our website.

Q Does the Scheme provide for Limited Companies?

A The scheme is designed to cover individuals. However if your Limited Company is created purely for fiscal purposes and you **do not employ** any other individuals providing a Medical / Clinical service, you may be accepted onto the scheme, subject to prior approval by the Underwriters.

However, should you employ, subcontract or enter into any other agreement with any other clinical, medical, dental, complementary practitioner, or therapist then cover cannot be provided under the scheme.

Q Which geographical locations are included in the insurance?

A Great Britain, Northern Ireland, Channel Islands and Isle of Man. This does not include British Overseas Territories.

Q I work in the military. Am I covered for work overseas?

A No, only for work in Great Britain, Northern Ireland, Channel Islands and Isle of Man excluding British Overseas Territories.

Q Is my Medical Professional Liability Insurance premium tax deductible?

A AfPP members can reclaim the tax paid on fees or subscriptions. The insurance premium may be eligible for tax relief, please check with HMRC.

Q Before I stop my Trade Union cover and move to AfPP's Medical Professional Liability Insurance cover is there anything I should know?

A Yes. Although the AfPP Medical Professional Liability Insurance scheme is an alternative to Trade Union membership which includes Medical Professional Liability Insurance, the terms of cover may be different.

As from 1 May 2011 (separately to the Professional Indemnity cover) AfPP has offered its members legal representation as part of its membership benefits - this includes legal costs and expenses of up to £50,000 for employment disputes and representation at any formal

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investigation or disciplinary hearing by any trade association, professional or regulatory body, plus identity theft, personal injury claims and more. More details about this insurance / service can be found in the 'Keyfacts about our insurance services' document on our website and you can also call the membership team for full details.

Q If I am a member of a Trade Union which includes Medical Professional Liability Insurance in its membership is it worth purchasing the AfPP Medical Professional Liability Insurance as well?

A No. The AfPP Medical Professional Liability Insurance is a 'contingent scheme'. This means it only starts once all the other forms of Medical Professional Liability Insurance a person or organisation holds have failed. If you have Medical Professional Liability Insurance that is good enough for your purposes through your Trade Union there is no point joining AfPP's scheme as well.

Q Do I need to be an AfPP member to have access to the AfPP's Medical Professional Liability Insurance scheme?

A If admitted onto the scheme, you will need hold and retain paid-up AfPP membership for the whole of the cover period for the policy to be valid.

Q What if I take a year out to look after a sick relative?

A You will need to maintain indemnity and AfPP membership during this period. Usually 100% premium for year one. Please contact us to update your records and enable us to liaise with Underwriters for confirmation of cover.

Q What happens if I am going on maternity leave?

A You will need to maintain indemnity and AfPP membership during this period. You do not need to take any action until your policy is due for renewal, at which time you should inform us. Usually 100% premium for year one. Please contact us to update your records and enable us to liaise with underwriters for confirmation of cover.

Q What if I take a year out to go travelling?

A You will need to maintain indemnity and AfPP membership during this period. Usually 100% premium for year one. Please contact us to update your records and enable us to liaise with underwriters for confirmation of cover.

It is important to note that cover is solely in respect of activities performed in Great Britain, Northern Ireland, Channel Island and the Isle of Man. Any treatments or procedures provided elsewhere will **not** be afforded cover.

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Q What happens if I change my occupation?

A This will depend on what you are changing your occupation to. You may well need to have Run Off Cover if you are leaving the profession for a change in career or retiring. Please contact us to update your records and enable us to liaise with underwriters for confirmation of cover.

Q What does Run Off cover mean?

A Run Off cover is a policy that is required to meet claims that could arise from past treatments you have undertaken, where potential future liabilities remain unknown. This cover is activated when you wholly cease to practice (irrespective of the reason).

To qualify for Run Off cover you must have been a full member of the AfPP and purchased Medical Professional Liability Insurance for a minimum of 12 months.

You must notify the AfPP of your intention to cease all practice. Run Off cover shall only be afforded following receipt of confirmation of your acceptance by Underwriters. Terms and conditions will apply.

Q What happens if I retire?

A If you permanently retire from your current role, then you need to consider Run Off cover for work or treatment provided prior to ceasing to practice. Please contact us for further details.

Q What is the 24/7 Legal Helpline?

A By joining our Medical Professional Liability Insurance Scheme, after claim notification, you are provided with a 24 hour/7 days a week legal advice line which is manned by medical professional liability lawyers. If you require any legal advice which relates to the provision of Medical Services which may give rise to a claim, you can contact them for advice. Details are available on our website <http://www.afpp.org.uk/membership/Medical-Liability-Insurance>

Do you have a question we haven't answered? You can call our membership team on 01423 881300 (we are available from 8am to 5.30pm Monday to Thursday and 8am to 5pm Friday).

Further information is available on our website, including the Master Policy Wording, visit:
<http://www.afpp.org.uk/membership/Medical-Liability-Insurance>

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