

## AfPP Medical Professional Liability Insurance FREQUENTLY ASKED QUESTIONS

This document has been compiled by us to assist you in personally deciding whether you need or want Medical Professional Liability Insurance at any of the limits of cover available. AfPP cannot offer any advice or recommendation to assist you with this decision, as noted in our Keyfacts document. AfPP can only assist you in the administration of the scheme.

### **Q1 Do I need to be an AfPP member to apply for the AfPP's Medical Professional Liability Insurance?**

**A** Yes, only AfPP members are eligible to apply for Medical Professional Liability Insurance through the AfPP Scheme. Please note: AfPP membership must be current and valid throughout the period of cover for the policy to remain active. Please note that in the event of a claim Marsh will contact AfPP to check the policy is in place firstly.

### **Q2 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.

### **Q3 Does the scheme cover work performed outside of the NHS i.e. work for private hospitals/clinics or private work for surgeons/consultants?**

**A** Work carried out outside the NHS can be covered by AfPP's Medical Professional Liability Insurance, but it is important to remember that each application is reviewed on a case-by-case basis and cover is not afforded to everyone who applies.

### **Q4 Does the Scheme provide for limited companies?**

**A** The scheme is designed to cover individuals. However, if your limited company is created purely for financial 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.

The Association for Perioperative Practice (AfPP) is a registered charity number 118444 and a company limited by guarantee, registered in England number 6035633. The AfPP Limited is its wholly owned subsidiary company, registered in England number 3102102.

The Association for Perioperative Practice & AfPP Ltd is a client of Marsh Commercial.

Marsh Commercial is a trading name of Marsh Ltd which is authorised and regulated by the Financial Conduct Authority (FCA).

Registered in England and Wales with number 1507274. Registered Office: 1 Tower Place West, London EC3R 5BU.

**Q5 Which geographical locations are included in the insurance?**

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

**Q6 What is my retroactive date?**

**A** A retroactive date is only relevant if you hold 'claims made' Medical Professional Liability Insurance through another insurance provider. The retroactive date is the date you originally took out an individual 'claims made' policy (providing there have been no gaps). The underwriters will confirm if your retroactive date is acceptable.

*Please note: The underwriters shall not be liable for any claim or defense 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.*

**Q7 What happens if I take a year off, stop working or if I am going on maternity leave?**

**A** Any breaks in your membership or your Medical Professional Liability Insurance will affect your retroactive date (see Q6 above) so you must maintain both for the duration of your maternity leave or time out of work.

**Q8 What happens if I change my occupation?**

**A** Please contact membership services if there is any change to your occupation, if you are leaving the profession or retiring.

**Q9 What happens if I retire?**

**A** If you retire permanently from your current role, you will be able to apply for run-off cover.

Run-off cover provides you with a policy that covers you in respect of claims that may arise from work that you have previously undertaken, where potential future liabilities remain unknown. This cover is activated when you wholly cease to practice (irrespective of the reason). There is no fee for run off cover.

To qualify for run off cover you must have been a member of AfPP and have purchased Medical Professional Liability Insurance for a minimum of 12 months.

You must notify AfPP of your intention to cease all practice. Run-off cover shall only be afforded following written confirmation of your acceptance by the underwriters. Terms and conditions apply.

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**Q10 What is the 24/7 Legal Helpline?**

**A** Our policyholders have the benefit of a unique 24/7 legal advice service. This service provides access to an out-of-hours emergency telephone advice line, allowing policyholders to obtain guidance on any medico-legal query from Kennedys Lawyers on 0207 667 9667 during business hours or 01603 481 241 out of hours.

**Q11 Am I covered for my work in maternity and obstetrics?**

**A** Cover is not afforded to Midwives but can be afforded to Theatre Nurse/Practitioner working within their scope of practice. 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 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.

**Q12 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** 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 an individual 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 reason to join AfPP's scheme as well.

**Q13 Are there some roles that are not covered?**

**A** Roles not covered include but are **not** limited to: Advanced Nurse Practitioner, Clinical Specialist Nurse, Nurse Consultant, Physicians Associate / Assistant, Nurse Practitioner, All Student / Trainee Roles and Clinical Nurse Endoscopist. Additionally, voluntary work is not covered.

**If you have a question we haven't answered, please call our membership team on: 01423 881 300 (we are available from 9:00am to 5pm Monday - Thursday and 9:00am – 4:30pm on Friday). Further information is available on our website, including the Policy Wording, visit:**  
<http://www.afpp.org.uk/membership/Medical-Liability-Insurance>

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