

Clinical Negligence Consultation:

Royal Pharmaceutical Society response

The Royal Pharmaceutical Society (RPS) agrees with option two where there is a legislative change to ensure that regulated healthcare professionals in the UK (not covered by a state backed scheme) hold appropriate clinical negligence cover that is subject to appropriate supervision by the FCA and PRA. This will ensure that patients and healthcare professionals are supported should a claim be brought.

This change is unlikely to affect our members to any large degree and the General Pharmaceutical Council currently states 'As a condition of your registration you are required to have a professional indemnity arrangement in place before you start to practise'.

Those working in hospitals in England are covered by the Clinical Negligence Scheme for Trusts and those working in GP practices are, or will be covered, by the state backed scheme for GPs.

In Scotland anyone employed by a health board either in primary or secondary care is covered by the Clinical Negligence and Other Risks Indemnity Scheme (CNORIS) for any activity in their normal scope of practice.

In Wales there is a state-backed indemnity scheme that covers secondary care and out of hours managed by the NHS Shared Services Partnership – Legal and Risk Services. They will also operate what they are calling the Future Liability Scheme (FLS) from April 2019. This will cover clinical negligence liabilities arising from the activities of all contractors who provide primary medical services including practice pharmacists,

Pharmacists working in community, GP practices not yet covered by the state backed scheme or care homes will be purchasing their cover via the main pharmacy insurers. We understand that the main providers of pharmacy indemnity are all registered insurers, therefore regulated by the FCA and PCA.

We would like to see consistency and equity across professions in relation to the provision of indemnity insurance which is why option 2 is our preferred option.

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