Wh

Indemnity is the term used to describe the financial backing available to cover the costs of a clinical negligence claim against you.

The RCN indemnity scheme is a discretionary contractual indemnity arrangement, rather than a policy outlined below), we have the discretion to pay the financial costs of a compensation claim against you for clinical negligence (including the costs of defending the claim).

The compensation may include:

- non-financial loss (such as physical or mental harm suffered by the patient)
- financial loss associated with the injury (such as cost of future care, lost wages)
- legal costs.

The RCN scheme covers eligible members up to a maximum of £3 million for any one claim. Where

in respect of all claims arising from that incident.

In the event of a claim against you, the RCN legal department or solicitors appointed by us will investigate the circumstances, including your membership history and arrangements, to ensure that the relevant conditions of the scheme were satisfied at the time of the incident, and that none of the exclusions were applicable.

For the avoidance of doubt, any payment under the scheme is entirely at the discretion of RCN Council, and subject to the rules set out below. We also reserve the right to withdraw cover under the scheme given a .

Please also note that to benefit from the scheme you must be in membership at the time of the incident giving rise to the claim. The important date for eligibility will therefore be the date of the incident, not the date the claim is lodged or when you first become aware of the patient injury/complaint.

What confirmation of cover can we provide?

I meet the terms and conditions as outlined in this document. We can also provide you with a

the RCN. Provided you meet the terms and conditions of the scheme, this should be sufficient evidence for you to confirm cover to third parties and the NMC.

Does eligibility under the RCN scheme affect my entitlement to other member benefits?

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Checklist: am I covered?

Generally, the RCN scheme could cover the following groups of members:

self-employed members

x

volunteers

those acting in a Go5c0.04 Tff3n a Gce4B00521≥0003≥0047005210571(i)5(nf1 0 0 103o4se ac)10(t)-

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another provider.
(including prescribing).

If you are unsure of how the above applies to your business, please contact us on 0345 772 6100.

Company Directors
If you are a Director of a healthcare business, the RCN scheme will no longer apply to your practice in that business should you engage a health care worker as another Director. However, engaging another Director who is not a health care worker (for example a Finance Director or Company Secretary) is permissible and would not affect your personal eligibility for cover under the RCN scheme.

Nurse partners
You are covered by the indemnity scheme only if your self-employed business partner(s) are all self-employed RCN members.

You will not be covered if you are entering into a partnership with another health care practitioner who is not an RCN member. You will need to arrange cover for your potential liability for the actions of your partners and staff, through a medical defence organisation or other insurer.

Agency or bank work and umbrella companies
The indemnity arrangements of members working for agencies or staff banks vary. It is important that

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Students[2]

Student placements
When working on placement for a health care organisation in the UK, arranged through a university, student members will generally be covered by the health care indemnity arrangements. However, the RCN scheme will cover you. Student midwives are not covered if the practice is excluded under the RCN scheme for self-employed midwives (see above for more information).

If you are looking to undertake an elective placement with an independent sector organisation in the UK, the placement provider may have already arranged cover for you. If they have not arranged this cover and have asked you to arrange your own, the RCN scheme will cover you provided you meet the general conditions as explained throughout this document.

Paid work as a health care assistant or similar
If undertaking paid work as a health care assistant or similar, student members will be covered by their employing organisation. If your employer disputes this, please contact us on 0345 7726100.

Elective placements overseas
The RCN scheme will cover student members wishing to undertake elective placements abroad, subject to the conditions and exclusions explained above, and provided you are undertaking a health and social care activity acceptable under the RCN scheme.

United States of America or Canada, irrespective of where the alleged negligence occurred.

Section 8: Specific practices, procedures and treatments

This section contains comments about specific practices that frequently attract queries. There is no value judgement being made about a practice that is not covered. These comments are simply to assist members to know whether a particular practice may be covered under the Scheme.
It is also is important to consider:

Your scope of competence are you suitably trained to carry out this practice?
Whether you have the right authority and responsibility is this included in your job description and does local policy allow for this?

The RCN scheme may extend to the following providing the additional considerations are taken into account and the additional conditions met.

Procedure or practice	Additional considerations/conditions (where relevant)
Complementary therapies	The RCN believes that complementary therapies should be used alongside - but never replace - the treatment offered by clinicians as there are very few high-quality studies about the effectiveness of such treatments. Therefore, the RCN scheme covers a limited number of

[2] In this section 'students' includes both members in the Student category of RCN membership and full members undertaking postgraduate study (through an educational institution) to gain a qualification in health care or a NMC-approved Return to Practice course.

complementary therapies within an acceptable health or social care service *but not in isolation*.

The RCN only provides cover for the following complementary therapies, used as part of a health and social care service:

- acupuncture
- hypnotherapy
- using essential oils within recognised health or social care settings

Lactation consultancy	Members providing stand-alone lactation consultancy services will not be covered by the scheme.

Further help

www.rcn.org.uk/get-help
Advice and information on your membership and a range of nursing topics.

www.rcn.org.uk/get-help/indemnity-scheme
More information on the RCN indemnity scheme, including FAQs.

For help or advice contact us

(Expiry date: 30 December 2024)