



Department of Health & Social Care

Mark Koziol
Chairman
The PDA & PDA Union
The Old Fire Station
69 Albion Street
Birmingham
B1 3EA

10th May 2019

Dear Mark,

Thank you for your continued engagement with the Department on the indemnity arrangements of pharmacists working in general practice. At our last meeting you said that the PDA would benefit from a letter from the Department outlining our position on run-off cover following the introduction of the Clinical Negligence Scheme for General Practice last month.

The Department's position on run-off cover has not changed since its published statement in October 2017. The Department's position remains that GPs and other healthcare professionals, including pharmacists, working in general practice who, before 1st April 2019, had claims-paid or claims-made indemnity arrangements or insurance policies are required to purchase run-off cover separately themselves. This is to ensure they are fully indemnified for any claims that may be made in relation to incidents that occurred during the period that they held such cover, unless the terms of their cover specify any defined circumstances where this would not be required. The Department has no plans to include run-off cover for general practice staff in a state indemnity scheme.

In respect of the proposals for an existing liabilities scheme (ELS), the Department has committed to establishing an ELS, subject to agreement with the medical defence organisations, that will cover historical NHS clinical negligence liabilities of GPs and other primary care healthcare professionals working in general practice, namely liabilities that arose before 1 April 2019 which are indemnified under occurrence-based indemnity arrangements with the medical defence organisations. We, therefore, expect all primary care healthcare professionals working in general practice, including pharmacists, to source run-off cover from the market should they require it.

We hope that this letter will support your endeavours with underwriters to establish a run-off cover policy for PDA members that require cover for historical liabilities, and look forward to you keeping us in touch with progress.

Kind regards,

Stephen Rippon
Deputy Director for Resolution and Maternity