

General practice indemnity guidance for Clinical Negligence Scheme for Trusts (CNST) members

This guidance aims to explain the changes following the introduction of the state backed indemnity schemes for general practice (the Clinical Negligence Scheme for General Practice, CNSGP) on 1 April 2019 and the Existing Liabilities Scheme for General Practice (ELSGP) on 6 April 2020, to provide reassurance to our members of the Clinical Negligence Scheme for Trusts (CNST) that they will be unaffected.

Will there be any change to the way the Clinical Negligence Scheme for Trusts (CNST) will operate?

Neither the CNSGP, nor the ELSGP will alter the way in which CNST operates. The relationship between NHS Resolution and CNST members will remain the same.

What are the changes being introduced with the new indemnity schemes for general practice

From 1 April 2019, the CNSGP will cover all future clinical negligence claims (with an incident date on or after 1 April 2019) against GPs, practices and their staff relating to care of patients within the NHS.

The CNSGP will cover primary medical services provided under General Medical Services (GMS), Personal Medical Services (PMS), and Alternative Provider Medical Services (APMS) contractual arrangements made under Part 4 of the NHS Act 2006, including such services provided under Schedule 2L of the NHS standard contract. The scheme will cover not only GPs themselves but will also cover other healthcare practitioners, locums, trainees and practice employees such as receptionists and practice nurses carrying out activities in relation to the provision of primary medical services. Out of hours and locum work will also be covered.

From 6 April 2020, the ELSGP will be administered by [NHS Resolution](#) on behalf of the Secretary of State for Health and Social Care, and in the first instance, will also be responsible for claims handling. The ELSGP covers liabilities for clinical negligence arising from the activities of Medical and Dental Defence Union of Scotland (MDDUS) and Medical Protection Society (MPS) members and former members in providing NHS primary medical and ancillary NHS services in England prior to 1 April 2019.

Benefits of the introduction of the CNSGP and the ELSGP for CNST members

One of the major benefits of the introduction of the new schemes is the opportunity for gathering and sharing learning about the causes of general practice claims across England. This provides an opportunity for shared learning across primary, secondary and tertiary care across the whole of the NHS.

We will also be able to minimise the potential for conflict between GPs and trusts who are co-defendants in clinical negligence claims. This will enable such claims to

be resolved more quickly and where compensation is due allow patients to receive this without delay.

If you have any queries about the operation of the CNSGP or the ELSGP and its relationship with CNST, please contact:

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