

COVID-19 Vaccinations

Community Pharmacy Indemnity - FAQs

These FAQs have been prepared to help clarify what clinical negligence indemnity cover is in place for community pharmacy administering Covid-19 vaccines.

If you have a specific query that is not answered by the FAQs below, please email: CNSC@resolution.nhs.uk

What clinical negligence indemnity arrangements are in place to support community pharmacy to administer COVID-19 vaccinations?

Where community pharmacies have signed, and are operating under, a Local Enhanced Service agreement (LES) for the Covid-19 vaccination programme (designated pharmacies) then they and their staff will be indemnified by government until 31 August 2021 under the Clinical Negligence Scheme for Coronavirus (CNSC). The indemnity covers vaccine dilution.

This cover extends to additional staff being brought in to help with administering vaccines under the national protocol, provided they are engaged under the LES. These indemnity arrangements will also apply to the administration of any temporarily authorised COVID-19 vaccines.

DHSC will agree an appropriate level of risk sharing with the community pharmacy sector for clinical negligence vaccine cover from the end of August 2021.

What is covered by this arrangement?

Cover is for clinical negligence only. Other risks (such as Public Liability, Employer's Liability and Professional Indemnity – including representation at inquests and regulatory hearings) need to be covered under pharmacies' and individual pharmacists' existing insurance and/or indemnity arrangements.

Will I be covered from a clinical negligence indemnity perspective if I am using an alternative premises or location (including outside locations, e.g. practice car park)?

Yes. Where a community pharmacy is vaccinating patients under their Local Enhanced Service, the activity is covered by the Clinical Negligence Scheme for Coronavirus (CNSC). This indemnity is not dependent on the location in which the services are being delivered.

What will the indemnity position be in respect of volunteers in community pharmacy led sites?

This will depend upon the circumstances involved. Volunteers engaged locally by a designated pharmacy will be covered for any clinical negligence liabilities under the

Clinical Negligence Scheme for Coronavirus (CNSC). Pharmacies should check with their existing insurers that cover for other types of risk, such as Public Liability and Employers' Liability, is in place to cover volunteers.

What indemnity arrangements apply to volunteers who perform stewarding roles for community pharmacy led vaccination sites?

Locally engaged Volunteers performing a stewarding role as part of the Covid-19 vaccination service will be covered by Clinical Negligence Scheme for Coronavirus (CNSC) or the pharmacies' public liability insurance depending on the nature of the incident that leads to a claim being made. For example, if there is a claim for clinical negligence, i.e. related to the provision of care or treatment to a person being vaccinated, and the volunteer's conduct is relevant to that claim, they will be covered by CNSC. Where there is a claim for public liability, e.g. where an individual suffers injury on the premises unrelated to being vaccinated, and the volunteer's conduct is relevant to that claim, they will be covered by the pharmacies' public liability insurance. We recommend that community pharmacies put in place a local volunteer agreement for locally engaged volunteers.

How do I report a claim?

The claims process is set out in the document ['CNSC - How and when to make a claim'](#). If you need to report a claim after review of the document, contact the CNSC mailbox (CNSCNotification@resolution.nhs.uk) to provide brief details of the claim. You will then be contacted by either NHS Resolution or one of our appointed legal representatives to discuss the matter further before a Notification Form is sent out to you (via an NHS Resolution secure encryption portal account) for completion.

I am a claimant and wish to make a claim, should I contact NHS Resolution?

No, in the first instance you should submit details of your claim directly to the pharmacy. NHS Resolution cannot accept direct claims made by third parties.

What are the indemnity arrangements for pharmacists working in general practice and NHS Trusts?

Pharmacists and Pharmacy technicians working for general practice and NHS trusts are covered by state indemnity schemes for clinical negligence, irrespective of where the services are provided:

- [The Clinical Negligence Scheme for Trusts](#) (CNST), if they are engaged by an NHS trust to provide the NHS services.

- [The Clinical Negligence Scheme for General Practice](#) (CNSGP) if they are engaged by a GP practice to provide NHS services (i.e. a GP practice, the main business of which is the provision of NHS primary medical services).

Will I be indemnified for a claim which is brought after 31 August 2021 for an incident which occurred whilst I am indemnified by this scheme?

Yes, this is an occurrence-based scheme, so cover is provided for any valid claim, no matter when it is notified. For example: an incident occurs on 4 August 2021, the scheme ends on 31 August 2021 and a claim is pursued in 2022; the scheme will provide cover.

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