

Trained outside the UK?

Here's the facts about indemnity and medicolegal support for doctors practising in the UK.

It's always beneficial to get a breadth of experience in the medical world. If you have trained outside the UK, we have some useful information to help you make a good start. Here are some vital tips about making sure you have the right indemnity and professional support to protect yourself and your career for life.

Start your UK career on the right foot

Practising medicine in the UK can be very rewarding but when it comes to professional accountability, it's a challenging profession. Having appropriate medical indemnity and protection in case you are sued, complained about or investigated offers great peace of mind.

This guide will help you understand:

- > how indemnity and medicolegal support work in the UK
- > reasons you might need a medical defence organisation
- > how Medical Protection can support you

The right medical indemnity to practise in the UK

In the UK, doctors are legally required to have appropriate medical indemnity or insurance in case a patient makes a claim for compensation.

In fact, the [General Medical Council](#) (GMC) can remove your license to practise in the UK if you haven't protected yourself with adequate and appropriate indemnity, or can't provide evidence of it when asked. They can also refuse to grant you a license if they aren't satisfied that you'll have appropriate indemnity or insurance by the time you start practising in the UK.

NHS indemnity for hospital doctors

NHS Resolution has financial responsibility for clinical negligence claims brought against doctors and other healthcare professionals working in hospitals and community services in England. There are equivalent organisations in Scotland, Northern Ireland and Wales. The GMC has a useful [guide to NHS indemnity](#) on their website.

NHS indemnity covers clinical negligence claims arising from duties listed in your NHS contract. You aren't legally obliged to seek additional medical defence cover if you only undertake NHS contracted work.

However, there are many situations where NHS indemnity does not apply. For most doctors it is considered essential to arrange additional protection.

NHS indemnity for general practice

Since April 2019, NHS Resolution has had financial responsibility for clinical negligence claims brought against doctors and other healthcare professionals working in general practice. There is an equivalent arrangement in Wales, but not currently in Scotland or Northern Ireland.

NHS Resolution sets out the scope of the [Clinical Negligence Scheme for General Practice](#) on their website.

As with hospital doctors, there are many situations where NHS indemnity does not apply and GPs need to arrange additional indemnity and protection.

Not every situation is covered by NHS indemnity

Many doctors undertake duties that aren't primarily concerned with prevention, diagnosis and treatment of illness in NHS patients.

These activities aren't covered by NHS indemnity which means you will need additional indemnity or insurance alongside your NHS indemnity.

Examples include:

- > 'category 2' work undertaken in hospitals eg cremation forms, examinations/reports on patients for courts, insurance companies, the Department for Work and Pensions
- > 'fee-paying' or 'chargeable' services undertaken in general practice eg private travel vaccines, insurance reports, HGV medicals
- > clinical trials not covered under legislation
- > stopping at a roadside accident and other 'Good Samaritan' acts
- > work you undertake for an employer other than the NHS eg private practice.

It's also important to recognise that the purpose of NHS indemnity is to ensure patients have access to compensation if clinical negligence has been proven. **It's not designed to protect the individual interests of doctors.**

There are many professional problems you can encounter other than clinical negligence claims which NHS indemnity can't help you with. These can have potentially serious and career-limiting consequences.

The challenges doctors can face in relation to their clinical practice include:

- > dealing with complaints, perhaps involving the Ombudsman
- > giving evidence to Coroner's Inquests/Fatal Accident Inquiries
- > being referred for investigation by the GMC
- > employer disciplinary proceedings
- > police investigations and criminal prosecutions

For this reason, most UK doctors regard membership of a Medical Defence Organisation to be essential alongside NHS indemnity.

The role of medical defence organisations

Medical Defence Organisations (MDOs) are mutual, non-profit making organisations which are owned by their members.

For an annual subscription fee, they provide members with access to legal advice and representation should a medicolegal problem arise from their clinical practice.

This can include investigations, inquiries, complaints and criminal proceedings, as well as clinical negligence claims which fall outside of the scope of NHS indemnity.

MDOs are also a valuable source of personal medicolegal advice and support with professional development and risk management.

The risks of not having MDO membership

As a doctor, it's realistic to assume you will face some kind of medicolegal problem during your career. Without the support of an MDO you face having to deal with an adverse incident alone. This could put your career, reputation, financial security and even your liberty at risk.

Unfortunately, problems can happen to anyone. Even when no medical mistake has been made, a complaint or allegation can still be made. For example, if an interaction is misconstrued or emotions are running high.

An investigation can lead to sanctions, suspension, loss of earnings and reputational damage. It is also emotionally unsettling.

While it is possible for you to deal with medicolegal situations yourself, this can be more stressful, costly and time-consuming. It can also result in a less favourable outcome.

For example:

- > a positive outcome at a tribunal is much more likely if you have legal representation. It's not uncommon to run into expenses up to and beyond £80,000 in solicitors', barristers', expert witness and other fees when appearing before the GMC
- > criminal cases involving doctors are often inherently complex. This is why specialist knowledge of medicine and criminal law is vital
- > doctors can be criticised and even prosecuted based on the evidence they give at a Coroner's Inquest, so seeking advice is paramount, even if the situation appears straightforward

Medical Protection is there for its members every step

We support more than 70,000 doctors working in the UK.

As a member you have 24 hour access to advice and assistance if you face a medicolegal problem. From the start we'll put a team together to:

- > provide expert guidance and reassurance
- > help you deal with the situation appropriately
- > defend your interests and reputation
- > cover any legal costs
- > meet any additional support needs you have, such as handling negative media attention or counselling

Assistance and representation

We can help you respond to inquiries, investigations, complaints, claims, criminal and disciplinary proceedings. This might include drafting a response, compiling evidence and arranging legal representation, as well as explaining and supporting you through the process.

Our dedicated team of experts include doctors and lawyers who understand how the medicolegal system works and the challenges doctors can face.

From the first time you speak to us, until the moment your case is resolved, we will use our knowledge and experience to arrive at the best outcome.

To learn more about the support our team of experts provide, you can [watch a series of videos](#) based on a variety of members' stories.

Medicolegal advice

For everyday medicolegal queries, concerns and dilemmas you can speak to experienced advisers and doctors. They can offer you one-to-one advice on a breadth of issues ranging from consent, confidentiality and record keeping to prescribing.

Expert advisers can also help you manage an early response to patient complaints, which often stops a situation from escalating into something more serious.

The advice helpline is a free and confidential service for all members. It doesn't need to be a crisis to call us. The number of times you call won't affect your subscriptions.

Lifelong training and specialist expertise

It is important to us that you can practise in the UK with confidence and avoid medicolegal problems where possible.

We produce a wide range of resources to help doctors working at every level and speciality to continue their professional development, including advice sheets, case reports and our Casebook journal.

We are also the leading provider of communication and risk management support amongst UK MDOs. You can benefit from a wide range of free courses, online learning modules and webinars to help you practise safely and avoid medicolegal problems.

These courses can make a real difference. From experience, we know that:

- > complaints often arise due to communication problems
- > common medical mistakes can be avoided
- > good record keeping helps us build a strong defence

We actively encourage members to learn about these and other ways to protect themselves. This also provides valuable CPD evidence for appraisals and revalidation.

A voice for doctors

As a member-owned organisation, we champion doctors and healthcare professionals. We campaign for a fairer clinical negligence system and are calling on the government to do more to help struggling doctors and healthcare professionals.

Medical Protection membership. A small price for peace of mind

If you work solely in an NHS hospital, the cost of Medical Protection varies depending on your role. For example, you can usually expect to pay around £50 a year as a Foundation Doctor, and £679 as a consultant on the specialist register.

If you work in general practice, subscription fees vary depending on the amount of sessions you undertake and the work you do. As a guide, an eight session GP working in England would expect to pay between £700 and £1,100 a year.

If you undertake private work, or GP work in Scotland and Northern Ireland, your subscriptions will be higher as this is not covered by NHS indemnity.

Your subscription will always be tailored to reflect your individual circumstances.

There's no limit to the advice, assistance and professional development support you can receive as a member. There's also no caps or excess to pay if a case incurs legal costs. You can pay your subscription fee by monthly direct debit for no extra cost. For convenience, some elements of your membership can be managed online.

If you are self-employed, professional indemnity fees are tax deductible, which means it's a cost you can deduct when you are calculating your taxable profit.

To discuss your indemnity and protection requirements and get a personal quote, call Member Services on 0800 561 9000.

To find out more about how to join Medical Protection, [click here](#). You'll need to apply at least four weeks before the date you start work.

Living and working in the UK

Here are some useful resources for doctors who trained overseas.

[British International Doctors Association](#)

[British Medical Association: Careers help for overseas doctors](#)

[British Medical Association: Life and work in the UK](#)

[British Association of Physicians of Indian Origin](#)

[General Medical Council: Working as a doctor in the UK](#)

[NHS Health Careers: Information for overseas doctors](#)

[Royal College of Anaesthetists: Overseas doctors who wish to work or train in the UK](#)

[Royal College of Emergency Medicine: Working in the UK](#)

[Royal College of General Practice: Overseas doctors guide](#)

[Royal College of Obstetricians and Gynaecologists: Working in Britain for non-UK doctors](#)

[Royal College of Ophthalmologists: Working in Britain for non-UK doctors](#)

[Royal College of Physicians: Medical Training Initiative](#)

[Royal College of Psychiatrists: International/European doctors](#)

[Royal College of Surgeons: Working in the UK](#)

[Royal College of Paediatrics and Child Health: Opportunities in the UK for international doctors](#)

[UK Visa Bureau: UK visas for medical practitioners](#)

Find out more

 [medicalprotection.org/uk](https://www.medicalprotection.org/uk)

 member.help@medicalprotection.org

 0800 561 9000