



Council of Deans of Health Response to the HCPC Consultation on guidance for registrants about the statutory requirement to have appropriate professional indemnity cover as a condition of registration

July 2013

The Council of Deans of Health

The Council of Deans of Health (CoDH) is the representative voice of all 85 UK university health faculties providing education and research for nursing, midwifery and the allied health professions. The Council seeks to play an influential leadership role in improving health outcomes through developing an expert health workforce and through utilising its collective expertise to inform innovative educational practice and translational research.

The CoDH welcomes the opportunity to respond to this consultation. We have answered those questions which are relevant to our membership and areas of expertise.

Consultation questions

Q1. Is the guidance clear and easy to understand? How could we improve it?

Overall we welcome the document as an important piece of guidance for new and current registrants. We have made some comments on how we believe the guidance could be improved which are outlined below:

- This is a lengthy document and as such there is a risk that individuals may not read the whole document. As this is important guidance, clarity is important to ensure it is not open to misinterpretation.
- We suggest that some existing paragraphs in the document are laden with legal terms which are less friendly to the lay reader. We feel that closer scrutiny and testing is needed of what is meant by the section on 'Appropriate' professional indemnity cover.
- We feel it would be helpful if the guidance could be more specific about the types of indemnity cover provided by employers, professional membership



bodies and insurance providers. Ideally we would like examples of the types of organisations that individuals could approach if they need to take out their own indemnity cover.

Q2. Is the guidance applicable to different groups of health and care professionals affected by the requirement to hold indemnity cover? If not, which groups have we missed?

The guidance is broad and does not provide specific advice to the 16 professions regulated by the HCPC. Each profession will have different risks associated with its practice and there will be variations in indemnity requirements depending on registrant's employment status i.e. whether they are employed by an NHS organisation or whether they are employed by an independent organisation etc., as the guidance observes. To provide specific advice for each of the 16 professions would make the document significantly longer and may not be practicable. However, the HCPC may wish to consider giving some worked examples to show the process by which a professional would decide whether or not they have appropriate cover.

We would also welcome a more elaborated statement that gives clearer guidance for those registrants who are not engaged in clinical practice. Reference is made to changes in circumstances and the example is given of a 'move into a role in management, education or research'. As above, a worked example to show the key questions that would need to be asked by an educator or researcher would be useful to allay any unnecessary concerns. We will be advising all members to check their indemnity status with their university employer.

Q.3 Could any parts of the guidance be reworded or removed?

Please see our response to Q1.

Q.4 Do you have any other comments on the draft guidance?

Most educators and researchers will work in faculties with colleagues covered by a number of different professional regulators. We would therefore welcome all efforts to ensure that the NMC and HCPC guidance are aligned. For example, in the current drafts the definition and description of 'appropriate cover' are similar but the wording different. We would welcome use of the same wording wherever possible.