



CNSGP – “What is in, what is out and who do I approach for help?”

The Clinical Negligence Scheme for General Practice (CNSGP) was introduced on 1 April 2019 and provides comprehensive indemnity for clinical negligence liabilities arising in NHS general practice in relation to incidents that occur on or after 1 April 2019.

What do I need to know about the CNSGP?

The CNSGP does extend to all providers of NHS primary medical services (both in and out-of-hours) irrespective as to whether the service is provided under a GMS, PMS or APMS contract.

The CNSGP does operate on an occurrence-based basis, which means that the scheme will respond to incidents (that fall within the scope of the scheme) even if you have retired from practice, are on a career break, maternity leave or sick leave when the claim is received.

The CNSGP places you under an obligation to notify NHS Resolution about specified matters within specified timeframes (as set out in the table Who could/should I approach for advice?).

The CNSGP does not extend to incidents that occurred before 1 April 2019 (although MPS and MDDUS have reached a commercial agreement with the Government in relation to the management of claims arising prior to this date).

The CNSGP does not extend to incidents arising from non-NHS activities (for example, insurance reports, HGV Medicals, medicolegal reports etc).

The CNSGP does not extend to incidents arising from voluntary activities, including Good Samaritan acts, Good Neighbour acts and overseas work.

The CNSGP does not extend to the provision of assistance with inquests, complaints (unless there is a concurrent claim, the Parliamentary and Health Service Ombudsman is involved or an offer of financial compensation/redress is being contemplated in the context of the local resolution procedure), GMC investigations, disciplinary proceedings, investigations under the provisions of the NHS Performers List Regulations, employment and/or contractual disputes, criminal investigations and non-clinical liabilities (for example, defamation).

Do I need to retain membership of a Medical Defence Organisation (MDO) and/or have any other form of indemnity or insurance?

In light of the fact that the CNSGP will respond only to claims that fall within the scope of the scheme, you need to ensure that you have appropriate indemnity and/or insurance in place for the matters highlighted above that fall outside the scope of the scheme.

You should therefore retain membership with your MDO or other equivalent indemnity/insurance provider.

The MDOs can be contacted via the following links:

Medical Protection Society

Medical Defence Union

Medical and Dental Defence Union of Scotland

How do I contact NHS Resolution?

If you require advice about a claim that falls (or may fall) in part or in full to the CNSGP, NHS Resolution can be contacted as follows:

Email - cnsnotification@resolution.nhs.uk – you should set out the basis of your query without providing any documents or patient identifiable information in the first instance and NHS Resolution will respond.

Telephone – 0800 0306798 – this is a 24-hour helpline that will allow you to discuss your query with a legal advisor.

Who could/should I approach for advice?

The attached table details who to contact, include mandatory reporting requirements.