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PLI Claims Notification Guide

Chartered Society of Physiotherapy Insurance - James Hallam

This is a guide to the procedures for claim notifications only. It is not intended to be exhaustive and does not alter the Terms and Conditions of the Medical Professional Liability Policy or the Public Liability Policy. In the event of any conflict, the Terms and Conditions of the CSPs Medical Professional Liability Policy and/or the Public Liability Policy will take precedence over this guide to the procedures for claims notification.

What is a Notification and What Do I Do?

It is a requirement of the policy that you notify Insurers as soon as possible of any actual or potential claim, circumstance or incident that may reasonably be expected to give rise to a claim. You should seek the advice of James Hallam if you are unsure whether to report an incident or not.

Examples of Notifiable Claims or Circumstances

- Any Letter/Formal letter of claim or complaint from a patient, or Legal representative on behalf of a patient requesting patient's records, informing them of legal proceedings against them or of negligence care or treatment.
- Any indication that the patient intends to pursue enquiries which may lead to a potential claim for inappropriate treatment or advice.
- Any adverse incident which has resulted in personal injury or property damage.
- Any coroners inquests for a deceased patient where it suggests some lack of or failings in the care provided.
- A patient withholding fees due, on clinical grounds e.g. alleged failure to diagnose, misdiagnosis, inappropriate treatment or failure to refer on.
- Publication by a third party (e.g. a newspaper) of allegations about standards of care given by members.
- Where members are aware of any adverse incident that could give rise to a claim e.g. falls, personal injury, burns from Electrotherapy devices, damage to third party property etc. or other adverse incident.
- Notification from the HCPC that a complaint has been received where patient harm is alleged or suspected.
- Where an investigation into an adverse incident is required as part of statutory or professional Duty of Candour.

If you are aware of any of the above you would need to contact James Hallam using the contact details provided and they will arrange for a First Notification Form to be sent to you.

Claims Notification & Adverse Events Reporting Process

Insurers require that all claims and events that may give rise to a claim are reported promptly. As soon as you become aware of a matter, circumstance or claim, please contact James Hallam using the following details:

promedschemes@jameshallam.co.uk

James Hallam will send you the Claims Notification Guide and the First Notification Form (FNF) by email.

Please ensure you have provided a functioning email address and your CSP contact details are up to date, as these will be used to verify eligibility for cover under the CSP PLI Scheme.

Procedure for reporting events:

Please complete the First Notification Form (FNF) properly and provide all the information that is asked for.

It is essential that you fill in the form correctly and with the details requested. If you do not do this, it will delay the processing of your claim. We have made the form as simple as possible and all the information asked for is essential for managing the claim on your behalf.

Return the form to us promptly, in any event within 7 days of receiving the First Notification Form. This may need to be returned to us earlier than 7 days, if an urgent response is required to the communication from the patient or their legal representatives etc.

You should acknowledge the original claim letter:

‘I can confirm I have received your complaint / claim and I will be in touch once this has been reviewed.’

Once the form has been returned, James Hallam will consult with insurers and provide you with clear guidance and support.

Subject otherwise to the Policy Terms and Conditions.

If applicable - please note any suggestion of a HCPC Investigation, and you should contact the ERUS dept of the CSP. The PLI scheme does not cover Legal Expenses for regulatory investigations.

Your Obligations



You must act quick and notify James Hallam.



You must provide accurate & relevant information both in the first notification form and onwards during the claim process. So its important to answer all questions.



You must actively engage and co-operate with the CSP, James Hallam and the insurers.



When requested to do so, enable us to assist you as part of the claims management process.


Completing the First Notification Form

It is not possible to register potential claims with insurers unless the First Notification Form is correctly completed and submitted. Failure to register actual or potential claims and/or circumstances may prejudice your rights to indemnity under the PLI scheme.

The First Notification Form will be sent to you by James Hallam and completing the form can take time, so we would recommend saving a copy to your system which you can return to later. We would advise having the following information available before completing the form:

- Registration Numbers & Start Date: For the HCPC & CSP Membership
- Any Contracts of Employment or Services; for services you provide
- Copy of the patient's records relating to the notification
- Any correspondence relating to the notification
- Any Complaint investigation correspondence relating to incident

IMPORTANT – you must not rely on attachments. The CSP are not able to access attachments so please do NOT say 'please see attached' or 'see attachments'. We really do need you to provide as much information as possible directly onto the form.



Once you have this information you are ready to complete the form using the following guide to support you.

1. Your Details	<p>The form asks your contact information including basic membership/registration details. We need this to communicate with you and determine eligibility for cover under the scheme.</p>
2. Employment Information	<p>You need to provide information relating to how you deliver your physiotherapy services, and the organisations and parties involved. Examples are:</p> <ul style="list-style-type: none">• Is the member's business involved? Does it meet the CSP business criteria.• Are services subcontracted or delivered by third parties.• Are you working in an employed, private or NHS position. <p>It is important that we understand the working relationship so we can handle the claim sufficiently.</p>
3. Complainant Details	<p>We will need information relating to the person bringing the claim and/or complaint. This is important in case we receive any other correspondence that may be related to this claim.</p>
4. Information Requests	<p>Tell us exactly what they have asked you for from any other parties involved, along with the nature of the allegation. For example</p> <ul style="list-style-type: none">• Have you been asked to refund fees? We can help respond.• If you have received a Letter of Claim, what are they claiming? And is there a deadline?• If other people are involved in the claim, we will need their details, along with their relationship to you/your business as we may need to link with their representatives.
5. Timeline Dates	<p>This section is very important as there are strict time limits in relation to the claims process. In many cases a patient may only become aware that they wish to bring a claim sometime after the original treatment occurred, so a detailed timeline is essential.</p>
6. Essential Claim Details	<p>Tell us more about the physiotherapy activity you were undertaking in relation to this notification. (see essential claims details section on next page about what is needed). The CSP will need to establish whether what you were doing falls within the scope of physiotherapy practice.</p> <p>It is essential that you complete all sections with as much information as possible and do not leave sections blank. Remember you can save a draft and return to it.</p>
7. Uploads	<p>Attach all the documents that will be required as part of this notification, if necessary, take the time to go back and check the form to make sure that you have included everything. Please do not attach your treatment records at this stage, should they be required, they will be requested via secure link by the Claims handler once the FNF has been received.</p>
8. Finalise and Submit	<p>Make sure you read and complete the declarations and data sharing statements. When you are happy with the form make sure you save a copy and return it to csclaims@jameshallam.co.uk.</p>

Essential Claims Details

This section is one of the most essential parts of the form so it is vital that you **complete all sections** as we can handle the matter a lot quicker if we have the full information straight away.

Examples of the details we need are:

- The full treatment provided
- The Equipment used
- The Modalities used and how they were applied

If you are unsure as to what we are asking for please see below for guidance on the other headings:

Advice	Describe what the advice related to e.g. clinical, workplace, lifestyle or product advice, signposting or safety-netting.
Electrophysical agents	Any electrotherapy modalities.
Exercise Equipment	Tell us more about the equipment you were using e.g. Theraband, free weights, free standing gym equipment.
Interventional techniques	Any diagnostic, interventional and/or therapeutic technology including digital modalities.
Injectable Medicines and/or Products	Anything that is administered to the patient by injection or infusion.
Prescribing	The act of writing a prescription for any Prescription Only Medicine to be provided to a patient.
Other	This might include allied approaches or modalities, or it might include the provision of products. Please make sure if you tick this box that you give us sufficient information that we can understand what you were doing and why you were doing it.

You will then be able to select the following:

- the clinical specialty that this claim relates to
- kind of clinical environment you were working in
- nature of the injury the person alleges they have sustained.





What Happens Next

Once we have received your First Notification Form, we will check you have provided all the information required and we will contact you to provide the missing information.

What We Do

- Undertake initial membership, registration, and employment status checks to determine your eligibility for cover under the PLI scheme.
- Provide the First Notification Form (without attachments) to the CSP for them, to determine whether the claim falls within the scope of physiotherapy practice.
- Support you through the process as your point of contact to provide you with help and guidance.
- Ensure that Hiscox as the underwriter are notified.

Engaging with the Claimant

It is important that you remember that you should not discuss the treatment/advice given, any allegations made, or provide any offer of compensation, refund of fees, or make any admission of liability without the consent of the insurers and James Hallam.

You should not contact, or discuss with, the complainant/claimant or their solicitors anything about the case once we have been notified, apart from acknowledging receipt of any correspondence received

Contact Details

Should you need to speak with James Hallam or the CSP they can be contacted on the following:

CSP Insurance Brokers

James Hallam
Saxon House
Duke Street
Chelmsford
Essex CM1 1HT

Email: promedschemes@jameshallam.co.uk

Telephone: 02031 488995

The Chartered Society of Physiotherapy

Chartered Society of Physiotherapy
Enquiry Handling Unit
10 Furnival Street
London EC4A 1AB

Email: enquiries@csp.org.uk

Telephone: 0207 306 6666

Website Links:

<https://jameshallam.co.uk/business/promed/csp-chartered-society-of-physiotherapy/>

<https://www.csp.org.uk/professional-clinical/professional-guidance/insurance/our-scheme/csp-pli-scheme>