

17 October 2019

Dr Dai Lloyd AM
Chair
Health, Social Care and Sport Committee
National Assembly for Wales

Dear Dr Lloyd,

National Health Service (Indemnities) (Wales) Bill

Thank you for the opportunity to submit evidence with regard to the National Health Service (Indemnities) (Wales) Bill. The matter of indemnity cover has been a concern for our members and we have welcomed the recent engagement from Welsh Government to clarify aspects of the Future Liabilities Scheme (FLS). We hope that this is indicative of a partnership working approach with consistent lines of communication. While the proposed National Health Service (Indemnities) (Wales) Bill is a short proposal it would have been preferable if there had been a greater period of time in which our response could have been considered prior to submission. The bill was published on the 14th October, written evidence required by the 17th, and an oral evidence session on the 23rd.

The College agrees with the logic of the Bill and the necessity of it to enshrine in law the regulatory powers needed for the Welsh Government to set up and manage a scheme to directly indemnify providers of primary medical services. We agree with the points raised in the Exploratory Memorandum to expand the scope of the current powers and expand the range of bodies which may be included in the scheme.

We welcome that the Bill will mean that Welsh Ministers, via the introduction of the ELS Regulations, are delivering on the commitment to introduce a state backed indemnity scheme for GPs in Wales. A policy the College had been advocating for.

We agree that there is a serious risk that if this Bill is not enacted that GPs in Wales may be at a disadvantage relative to GPs in England and GP recruitment and cross border activity could be adversely affected. This is a vital issue which must be considered whenever there is a policy change effecting the terms under which GPs work in Wales.

RCGP Wales is supportive of the National Health Service (Indemnities) (Wales) Bill. We would encourage Welsh Government to maintain their engagement with GP representative bodies. It is our view that while the FLS, which we appreciate is not part of this Bill, provides welcome cover against claims of medical negligence it could be enhanced or supplemented to better account for the whole remit of GP work including medical training and research.

Should you or the Committee wish to discuss any points raised in this response further, please do not hesitate to let us know.

Best wishes,

Handwritten signatures of Dr Mair Hopkin and Dr Peter Saul.

Dr Mair Hopkin
Joint Chair
RCGP Wales

Dr Peter Saul
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