



## **Professional Indemnity and Fylde Sports Injury Clinic:**

Whilst each health practitioner is responsible for making their own professional indemnity arrangements, there has been some concern amongst the healthcare insurance industry about the potential for other parties to become liable for a practitioner's care by way of "endorsement or recommendation".

This has caused some concern to clinics and to practitioners and for that Fylde Sports Injury Clinic, we would like to clarify our stance on this:

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***"Statement by Fylde Sports Injury Clinic and by its independent practitioners on the issue of Professional Indemnity.***

*Patients who choose to use our services must do so on the understanding that the practitioner who is delivering the professional service is exclusively responsible for ensuring that they deliver their services with due diligence in a professional and safe manner.*

*Each practitioner is also exclusively responsible for ensuring that the care they provide is appropriate and that it falls within the remit of their professional capabilities.*

*These are the issues of professional liability. Since each practitioner is exclusively responsible for their own professional actions, they alone are responsible for any professional liability claim. Neither the clinic nor any other practitioner will share this liability.*

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**The clinic and its independent practitioners/physiotherapists have considered the following when producing this statement.**

**(i) Referrals and Recommendations: It is a principal of good healthcare that practitioners should realise their limitations.**

Good practitioners will often refer to other professional colleagues if they believe that this is in their patient's best clinical interests. Musculoskeletal and Sports Medicine involves practitioners across a number of disciplines and each discipline brings with it its own specific skill set. Evidence exists to support the multidisciplinary model for healthcare in musculoskeletal and sports medicine as being the most effective model. In summary, referrals and recommendations are essential to effective healthcare, yet we feel that it is not reasonable to hold another practitioner to account for the actions of their independent colleagues.

Indeed if this were the case, then G.P.s would find it difficult to make onward referrals for their patients without themselves becoming liable for care delivered by someone else.

**(ii) To facilitate a good multidisciplinary model for musculoskeletal care, we have independent practitioners operating on site at the clinic.**

Whilst the clinic takes all reasonable steps to ensure that all practitioners have the relevant experience, registrations and qualifications to deliver their services at the clinic, this does not shift the responsibility of professional liability from the practitioner to the clinic itself.

The advertisement of practitioners on clinic premises or via the website and the fact that patients are able to book appointments through our reception office does not itself constitute a specific recommendation or endorsement and patients should satisfy themselves that they are choosing to see a practitioner who is appropriate to their clinical needs.

The contract for the service offered by an independent practitioner/physiotherapist (and the associated payment for that service) is between the patient and their independent practitioner (or the legal entity of that practitioner).

**In summary:**

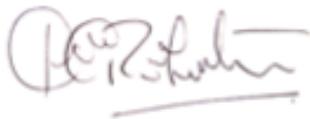
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The clinic has no responsibility for professional indemnity claims against one of its independent practitioners. However, in the event of a complaint being received about the professional conduct or care provided by one of its independent practitioners, the clinic will assist fully with any investigation.

Any member of staff at the clinic who has concerns about a practitioner (whether that person practises at the clinic or elsewhere) has the right to report their concern to that practitioner's professional body in the interests of patient care.

The clinic also has the power to stop practitioners practising from the clinic facility if there is concern about any aspect of their conduct. We trust that this clarifies the position of the clinic and its independent practitioners.

If you have any queries about this statement, please contact the Medical Director or email the clinic at [info@fysicl.co.uk](mailto:info@fysicl.co.uk) with the title of the email "PROFESSIONAL INDEMNITY – PRACTITIONERS AT FYSICL". Thank you.



Duncan Robertson  
Medical Director