

British Association of Dental Nurses

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INDEMNITY COVER FOR DENTAL NURSES

BADN ADVICE SHEET 1

What is “indemnity”?

What is known in dentistry as “indemnity” is, strictly speaking, professional liability cover (also known as medical malpractice cover)– designed to protect you against any claims made against you by a patient alleging injury which can result in you paying damages that are awarded by a court. Some schemes also include legal expenses cover, to cover your legal fees if you have to face a GDC Fitness to Practise investigation/hearing.

It is not the same thing as Public Liability or Employers’ Liability cover; and you are certainly not covered under your house, car or other personal insurance.

Why do dental nurses need indemnity?

Because the GDC says they do! Standard 1.8 of Standards for the Dental Team states:

“You must have appropriate arrangements in place for patients to seek compensation if they suffer harm”.

All dental professionals are required by the GDC to have an indemnity in place so that any patient who suffers harm can recover any money they might be entitled to through compensation, in the event of a successful claim (the medical malpractice bit).

However, it is in your best interests to also be covered for any legal expenses which you might incur in the case of a GDC investigation/hearing. These fees can run into six figure sums – not an amount you want to have to pay yourself! BADN cover includes legal fee expenses.

When you register with the GDC (or renew your registration), you will be asked to confirm – by ticking a box - that you have suitable arrangements in place; whatever kind of indemnity you have, it must cover all the tasks you undertake at all the places you work in. The GDC may ask you to provide evidence that you have adequate and appropriate cover in place.

Can’t I just tick the box without arranging cover?

No! Making a false declaration to the GDC is a very serious matter. If you tick the box to say you have adequate and appropriate cover, and the GDC find out that this is not the case, you will face a Fitness to Practise case.

Am I not covered under my employer’s policy?

No! Making a false declaration to the GDC is a very serious matter. If you tick the box to say you have adequate and appropriate cover, and the GDC find out that this is not the case, you will face a Fitness to Practise case.

What’s the difference between insurance and the defence organisations or mutuals?

Defence organisations, or “mutuals” – the most common providers of indemnity cover in dentistry - are unregulated cooperatives, whereby members pay in their fees into a communal pot. The cover provided by these organisations is discretionary – in other words, they can decline to cover you when the need arises if they feel it is not in the interest of members to do so.

Insurance cover is highly regulated by the Financial Conduct Authority – BADN staff, for example, cannot give advice to dental nurses about cover, because only accredited insurance agents can do that. We can only explain what our scheme covers and the actual facts – we can't tell you “BADN cover is the best” or “you should get BADN cover”.

An Insurance policy is a legal contract between you and the insurers, who are obliged to cover claims, subject to the policy terms and conditions. Your application for cover may be declined or accepted with a non-standard premium or non-standard terms and conditions. ... For example, this could include but is not limited to, non-standard activities, a poor claims record or conditions on your GDC licence.

What is the BADN Scheme?

BADN cover is insurance cover, providing Medical Malpractice and Fitness to Practice Legal Expenses policies arranged through brokers Trafalgar Risk Management Ltd (TRM). It was designed from the ground up, in consultation with BADN, to be dental-nurse-specific. It is also personal to the person insured, so you can take it with you when you change jobs and it is not limited to the hours worked per week ; and the possibility of conflict of interest (as could arise if you were covered under your employer's policy) is eliminated.

There are two types of cover in the BADN Scheme – basic chairside duties, , and extended duties (for those dental nurses who assist with sedation, implants, x-rays, etc) . A 'Maternity' policy is also available to BADN members at a reduced cost, to keep themselves covered against any historical claims or GDC Investigations that may arise whilst off on maternity, paternity or shared parental leave.

To obtain BADN cover, you must be a current BADN member. BADN membership currently costs £40 per year – benefits of membership include access to the quarterly, digital British Dental Nurses' Journal with CPD; the Legal Helpline; the Health & Wellness Hub including counselling/support helpline; CPD Activity Log/Personal Development Planner (e-version or hard copy); members-only area of the website; discounted rates for the National Dental Nursing Conference and other BADN events; and BADN Rewards, which offers members a wide range of special offers and discounts on shopping, travel, health, lifestyle, cinema visits, family days out, eating out, etc. It is estimated that BADN Rewards could save members up to £445.90 per year*. To join BADN, visit www.badn.org.uk/join. Once you have joined, a link will appear to allow you to purchase BADN indemnity cover at the special BADN members' rate.

*Savings Calculator - This average member saving is based on a sample of 407 savings calculator entries since 05/01/2013 with repeated entries and the top 20% removed. The average saving figure is correct as of 6/06/2023. Potential savings generated from the calculator are not guaranteed, and are based on you using specific benefits. Insurance benefits are subject to underwriting and underwriting criteria. BADN Rewards are run and managed for BADN by Parliament Hill Ltd. The BADN indemnity scheme is provided for BADN by Parliament Hill Ltd. Parliament Hill and BADN are not part of the same group as any of the product/service providers which together form the benefits scheme. Neither Parliament Hill Ltd or Trafalgar Risk Management are members of the same group. Benefits are designed with UK resident users in mind and may not be suitable for those residents outside the UK.

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