

E-Newsletter

October 2017



Message from the PRASIS Chair *Anita Hazari*

PRASIS held its first educational day for consultants on Saturday 16th September at the CFC Underwriting Ltd Offices, City of London and it was a great success.

During the morning session we ran a varied programme including presentations by Tony Yeaman of Weightmans LLP who explained the sequence of events in a claim, and David Coleman, who shared his experiences of being sued. David's talk was particularly enlightening since it demonstrated how this could happen to any one of us. We also ran an interactive session, which was a milestone in how we can discuss our cases without being judgemental. Following lunch, we staged a mock trial around a rhinoplasty case. This demonstrated how a surgeon would be cross-examined at trial and was very close to reality since the cross examination was conducted by a practising barrister in the presence of a judge. Tips in avoiding litigation and giving evidence in court were also discussed. Attendees had the opportunity to meet members of the Board and the broking, underwriting and medicolegal teams.

The second PRASIS educational day will be held on Thursday 16th November in Leeds. Run by Howard Peach, PRASIS Board member and his dermatology colleagues, it will be a hands-on Dermatoscopy training day. This day is free of charge and as a result spaces are limited.

A further educational workshop on 'Mediation and Resolution' has been scheduled for Saturday 19 May 2018 at CFC Underwriting Offices, London. Again places will be limited, so if you are interested in either of these workshops, please email Helen Roberts at helen.roberts@bapras.org.uk in order to secure your place and avoid disappointment.

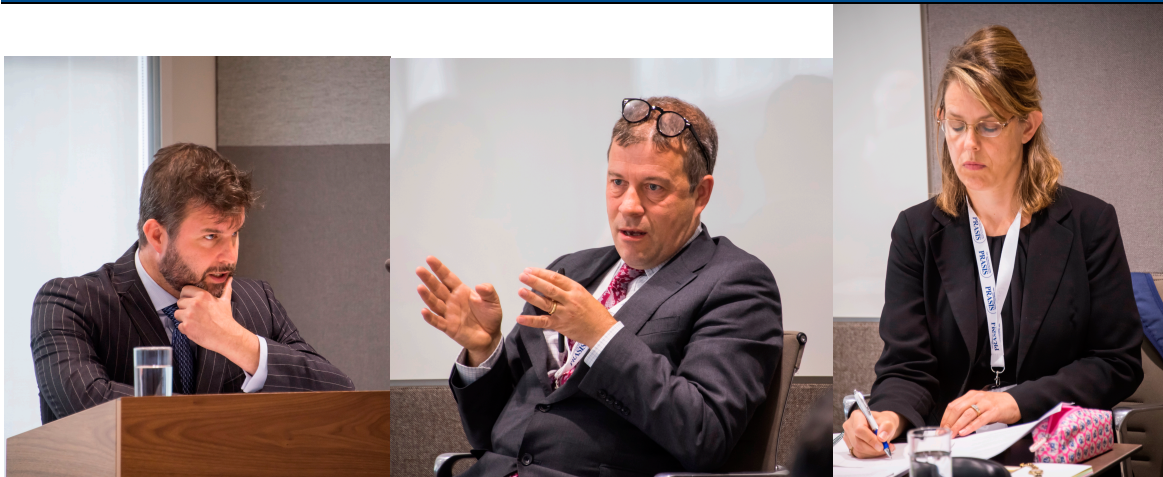
If you have any issues you would like to discuss or be addressed, please contact me:
anita.hazari@nhs.net

Anatomy of a Claim: Educational day held on 16 September 2017



Tony Yeaman, Weightmans LLP
Hugo Merison, Lucas Fettes and Partners Ltd
Sharon Brennan, CFC Underwriting Ltd
David Coleman, Consultant Plastic Surgeon

The Mock Trial: Surgeon - Claimant Barrister - The Judge



Tips to avoid litigation

- You must have a good standard of record keeping. Clearly record the advice you give on every occasion. Write legibly.
- Make sure that a patient is asked to provide a written receipt for any supporting literature that has been provided to them.
- Keep up to date with all relevant literature / standards pertaining to the area in which you practise.
- Ensure you have appropriate systems ensuring the safety and security of all confidential material – whether that be written or electronic.
- When things might have gone wrong ensure immediate engagement with your insurers so that matters can be acknowledged and the relevant complaints process activated.
- Gather all relevant information and provide a comprehensive account of events to your insurers.

Giving evidence in Court

- Be prepared. Make sure you have read over your witness statement in advance and reviewed the relevant records.
- Do not be evasive. Answer the question that has been asked. You may be anxious but you must answer the question.
- If you do not remember something, say so.
- Make concessions if appropriate.
- Whatever your personal feelings about the claimant might be, do not let emotion take over. Give measured answers.
- Do not deflect blame onto the claimant.
- Be honest. The truth tends to come out at court and there are reputational and other consequences for being caught out in a lie.
- Do not argue with the claimant's counsel or the Judge.

Sharing food and wine....



Contact Details

Medicolegal advice

Please check your policy and call the appropriate 24 hour Medico Legal helpline for advice. You must report all circumstances which may reasonably be expected to give rise to a claim.

For policies underwritten by CFC Underwriting Ltd contact:

Weightmans LLP

1st Floor

Temple Row

Birmingham

B2 5AF

Tel: **0845 0131574**

Email: surgeon.helpline@weightmans.com

INCIDENT RESPONSE HOTLINE (CYBER & PRIVACY cover only): In the event of an actual or suspected privacy breach (e.g. you lose your laptop or your computer is compromised in any way) please call our free emergency 24-hour Data Breach Hotline: 0800 975 3034.

For policies underwritten by W. R. Berkley Syndicate Management Limited (WRB) contact:

MPI Group Ltd (previously TWG Resources Ltd)

Plough Court

37 Lombard St

London

EC3V 9BQ

Tel: **0845 5194393**

Email: advice@mpi.group

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Adverse Events

Notification of adverse events

The Indemnity Schemes arranged by PRASIS provide members with indemnity for costs and damages incurred in clinical negligence claims, through claims made insurance policies. You must report all circumstances which may reasonably be expected to give rise to a claim to the appropriate 24 hour Medico Legal Helpline, as soon as it is reasonably practicable. Your policy will also provide other covers such as Public Liability, and these claims should also be notified to the same helpline. Please refer to your policy documentation for full details of the policy cover, terms and conditions, which will also include details of the Medico Legal helpline that is applicable to your policy.

Failure to notify cases or to co-operate with the claims management team may jeopardise the indemnity available.