|  |  |
| --- | --- |
|  | Enquiries to: Dr Dichelle Wong  [dichelle.wong@nhs.scot](mailto:dichelle.wong@nhs.scot)  0131-313 8777 |

Dear Applicant,

**INDEMNITY FOR DMP AND SECOND OPINION WORK**

Several years ago the Commission’s indemnity arrangements moved from being arranged through the Scottish Government to CNORIS, the NHS indemnity scheme. As part of this process the Commission reviewed its responsibilities in relation to second opinion doctors/DMPs. We were subsequently advised that CNORIS does not consider second opinion work to be covered by the Commission’s contract with it. Our legal advice confirmed that this is because the opinion has to be provided by an independent medical practitioner who by definition is not a MWC employee.

What this means, of course, is that if you do not have indemnity through a defence union you will not be insured against any legal action arising out of second opinion work.

As far as the Commission is aware there has never been any legal action taken in relation to second opinion work in Scotland but giving second opinions under the 2003 Act is rather more complicated than under the 1984 Act and there is more scope for error or legal challenge. We are aware that patients’ solicitors are taking an increasing interest in consent to treatment and the correct completion of T2 and T3 forms.

We now require all DMP/second opinion doctors on our list to have their own professional indemnity.

In order that we are aware of your situation I would be grateful if you would complete the next page.

Yours sincerely,

**DR ARUN CHOPRA**

Consultant Psychiatrist

**INDEMNITY FOR DMP AND SECOND OPINION WORK**

Please tick appropriate boxes:

I confirm I have read the letter about indemnity and second opinion work.

I have checked my position and I have professional indemnity/assurance/insurance.

This covers second opinion/DMP work.

I will continue to maintain this professional indemnity/insurance/assurance while

I am undertaking DMP/second opinion work.

Name of medical defence organisation:

Signed: Date:

Print name:

**(Electronic signature or a scan of this completed document are acceptable and preferable.)**

**Please return to:**

Dr Dichelle Wong

[dichelle.wong@nhs.scot](mailto:dichelle.wong@nhs.scot) (preferred)

Consultant Psychiatrist for Safeguarded Treatments

Mental Welfare Commission for Scotland

Thistle House

91 Haymarket Terrace

Edinburgh

EH12 5HE