

### 10 points to bear in mind when picking an insurance policy:

- **Claims made or Claims Occurring** It is important that you make sure that if your new policy is written on a '**claims made**' basis: that it provides retroactive cover to take care of events that happened in the past, but which only come to light during the year of insurance. Or, if your policy is written on a '**claims occurring**' basis: that there is a mechanism introduced that historic claims from previous years are insured. This option is seldom available so do take care.
- **Public Liability, Malpractice, Products Liability, Premises/Occupiers' Liability, Property Owners Liability**. You might or might not need all of these insurance covers – but check to make sure you have what you need. The General Council requires you to have medical malpractice insurance, of course.
- **Indemnity to Principal**. If you engage a therapist to work with you/for you and you insist they carry their own insurance, it is important that you make sure it is suitable and will indemnify you as the principal. If you are invoicing for the practitioners work it is most likely that any claim for damages will be made against you. If the therapist's insurance does not include your name or an 'indemnity to principals' clause you could be left to settle the claim.
- **Vicarious Liability**. This is a rule of law that imposes strict liability on employers for the wrongdoings of their employees. Generally, an employer can be held liable for any wrongful act committed while an employee is conducting their duties (and sometimes even when it seems they are not!). Take particular care over the definition of 'employee' (see below).
- **Employer's Liability**. If you engage someone to work with you on a regular basis and probably from the same place – then they will probably be considered an 'employee' by the law and by the tax authorities – whether or not you pay "PAYE". If a person is injured whilst working for you as an employee, this becomes your liability irrespective of responsibility. This can be a rather muddy/grey area. Take special care.
- **Data Protection and GDPR**. Data is valuable and you owe a duty of care to those whose data you hold. In the event of a breach there are four basic steps to follow: Contain, Assess, Notify, Review. How expensive is a data breach? In addition to the costs of dealing with the breach (such as communicating with all of your clients when you don't have access to your computers) you can also be fined 4% of your turnover. Basic Cyber Hygiene is critical to your wellbeing – and insurance will cover the costs of rectifying any breaches.
- **Commercial/Business Insurance**. If your business develops and you engage more practitioners you will need to consider a host of other 'risks' that you can insure – or carry yourself. Other than Employers Liability Insurance (and motor insurance), there is no legal requirement to insure in the UK. (Some membership organisations will make certain types of insurance a requirement of membership.) Carefully consider the Risks to which you will be exposed and then decide if you want to carry those risks – or lay them off to an insurer. If in doubt, find a good insurance broker.
- **Geographical & Jurisdictional restrictions**. Make sure that your insurance will cover you where you trade. There are two aspects to this: Where in the world is the insurance cover valid, and which courts in the world can be used for defending a claim made against you. You might also want to check if the insurance provided will allow you to work 'on-line' – and, if it does, the restrictions that apply.
- **The Cost of Insurance**. Is the amount you pay for insurance inclusive – or will there be other costs incurred each time you want to change the cover, add a therapy or a treatment. Some insurers will charge each time you make a change. If you have a problem, can you speak to the insurers or are you left talking to a robot. If you have a question, is there someone you can speak to, quickly. Check this out before you part with any cash.

- **Additional Benefits.** Some of the facilities designed to provide insurance for Practitioners and Therapists are very limited in scope whilst others are designed with an holistic approach. Value for money is invariably better than cheap.