



Dental Protection

the journey
with you



Your guide to
membership

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Dental Protection

1 May 1892, we began protecting professionals like you

Thank you for choosing Dental Protection

Since we started out over 130 years ago, we've grown to become an organisation of more than 350,000 healthcare professionals.

As the world's largest member-owned, not-for-profit dental defence organisation, we're here to protect your career, reputation, and finances. We're here to help you navigate the dentolegal intricacies of professionalism, ethics, and risk. And we're here to campaign for regulatory and legal reforms on your behalf.

We know the intensity of your world, because we've lived it. Our dentolegal consultants are dentists like you. Along with our specialist in-house solicitors and legal team, they bring expertise and empathy to supporting you through complex and daunting legal challenges.

To help prevent problems arising in the first place, you have a huge range of online risk management and essential skills courses included in your membership, along with counselling and wellbeing support to help you stay grounded.

As part of the MPS group, we are the only dental organisation that supports a global, not-for-profit research initiative. The MPS Foundation is

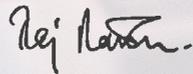
dedicated to improving patient safety, reducing risk, and enhancing the wellbeing of all medical and dental professionals.

And because everyone's wellbeing is inextricably linked to the health of the planet, we are working hard to support a greener, safer world, from investing responsibly working towards carbon zero.

On our website, you can find out more about how we protect and support you.

At dentalprotection.org/uk you'll find the Statement of Benefits relevant to your professional status, and the voluntary Code of Practice developed by the main medical defence organisations in conjunction with the UK government. Alongside your downloadable membership documentation, which is available in your online account, these give you everything you need to start making the most of your membership.

Raj Rattan



Dental Director



Dental Protection

your side through every challenge

Indemnity and dentolegal protection explained

Dental indemnity safeguards dental professionals against the repercussions of clinical negligence claims and cases such as GDC investigations. This means you can focus on giving your patients the best care, knowing that your career, reputation and finances are in safe hands.

We know that one size doesn't fit all. Our protection is tailored to the work you do, as are our subscription rates.

Your Dental Protection indemnity explained

Dental Protection offers discretionary indemnity – not insurance. Exactly what's included in your membership depends on your practice. You can find out more about this on page 20, in the relevant Statement of Benefits, and in your membership documentation in your online account.

First, here's an overview of the type of protection you get with Dental Protection: occurrence-based discretionary indemnity for clinical negligence arising from your clinical practice.

Let's break that down.

What is occurrence-based indemnity?

There are two types of professional protection: claims-made and occurrence-based.

• Occurrence-based indemnity

is the type Dental Protection provides in the UK. It protects you for incidents that occur during your period of membership, even if a claim related to the incident is not made until years after. Providing you were in membership and paying the correct subscription at the time of an incident that's given rise to a case or claim, we can protect you even if you're retired or no longer in membership. That means that you are protected for future claims arising from any year in which you were a member. There is no limit or cap on the level of protection that is provided.

• Claims-made indemnity

is a type of indemnity that protects you for claims that arise, and are reported during, a continuous policy period. This means that if you became aware of a claim after your policy or membership period ended, you would not be able to seek assistance unless you bought 'run off' cover (also known as 'extended reporting benefits'). Limited run-off cover may be included for retirement, but otherwise would need to be purchased, which can be expensive and limited to a set number of years. Claims can arise even decades after treatment was provided, so it's important to put sufficient run-off cover in place. If moving to another provider, you will need to buy retroactive protection* to cover previous years with a claims-made provider.

*Dental professionals who want to join Dental Protection from a claims-made provider can apply for Retroactive Reporting Benefits (RRB) to support the switch to occurrence-based indemnity. You can find out more at dentalprotection.org or by contacting us on 0800 561 9000.

What is 'discretionary' indemnity?

The principle of discretion means having the freedom to decide what should be done in any given situation.

The discretionary approach to indemnity gives us the flexibility to help members where a tightly worded contract might rule out help. It also means that – unlike claims-made insurance – your indemnity isn't restricted by financial limits, and there are no excesses to pay.

Discretionary protection is particularly suited to dentistry, where innovation and changing approaches to the delivery of care create new challenges. It's a more flexible approach that reflects the ever-changing nature of your chosen career.

This is why we use people, rather than contracts, to decide how best to help members. At the heart of our team are

specialist solicitors and dentolegal consultants – dentists who understand the challenges you face. They use their insight to determine the right course of action, and bring their expertise and understanding to support you every step of the way.

We are owned by members, so our starting point is always to see how we can help members. We will never exercise our discretion in an arbitrary or irrational way. It's only in exceptional circumstances that we're unable to help – for example, if a member wasn't in membership when the incident occurred, or had under-paid their subscription or underdeclared their scope of work. We are dedicated to treating members fairly and placing them at the heart of everything we do.

You can find out more about the limitations of membership on **page 23** and in your Statement of Benefits.

“Helpful, friendly, knowledgeable and informative; supportive and ‘on our side’ in what is nowadays a dentist-unfriendly environment.”

UK Dental Protection member



Dental Protection

call 24/7

Advice and complaints handling support

Our team are here for you via our advice line – Monday to Friday, 08.30 to 17.30. If it's a dentolegal emergency, they're here for you 24/7, 365 days a year. The team includes legal experts and case managers, as well as dentolegal consultants – real dentists who understand the challenges you face. Between them, they've helped countless members successfully navigate a broad range of challenges.

A complaint can happen to any dental professional at any time. If it happens to you, our support is just a phone call away. With more than 130 years of specialist experience behind us, we can advise how best to respond, helping to resolve the issue before it escalates.

Never hesitate to call the advice line, even if you just need some reassurance. You have unlimited access to it, and the number of times you call us won't affect your subscription.

“Consummate professionals with attention to detail at every level. I always feel like they have my best interests at heart.”

UK Dental Protection member

Dental Protection

a case-by-case basis,
we go to extraordinary
lengths for members

“Thank you for helping me through the legal process, and showing focus and empathy at a time of stress.”

UK Dental Protection member

Protection for clinical negligence claims

If the unexpected happens, our experience and dedication come into their own. If we're supporting you with a clinical negligence claim, we're here to help you navigate every step of the process.

As part of the MPS group, we have the highest financial reserves of any UK dental defence organisation. This means you can be reassured on the robustness of your indemnity and the stability of the organisation you are a vital part of as a member. And because the indemnity we protect you with is discretionary, it's not restricted by fixed policy terms or financial limits – we have the flexibility to support you in even the most unusual circumstances.

Relieving the burden, from outset to outcome

Here's an outline of how the claims process works.

The most crucial step is the first. This is down to you. It's vital you let us know as soon as you receive the first sign of a claim, so we can act quickly for you.

The first sign might be correspondence requesting clinical records from solicitors,

or a patient or their representative advising that they are seeking compensation. From the moment you alert us to the problem, we can take on the complexities of managing the claim on your behalf. We can take care of all legal costs and compensation payments for the period of time of the claim where you were a member, working closely with you at every stage to get the best outcome.

As part of this process, we will investigate the allegations fully, seeking expert opinion if need be. Based on our findings, we will work with you to decide whether to prepare a letter defending the claim, or make a settlement offer with a view to compensating the patient.

Whenever you need us, we're here

Your dedicated team includes dentolegal consultants and case managers, and, if necessary, one of our in-house solicitors with specialist knowledge of clinical negligence.

We completely understand the distress claims and complaints can cause – remember, we're only ever a phone call away.



GDC and regulatory proceedings

Being investigated by the regulator for fitness to practise can be one of the most daunting experiences of your career. Day in, day out we see the impact these investigations can have – not only on the professionals involved, but also on their careers, their families, and their lives outside of work.

If you ever find yourself in this position, we'll do everything we can to cushion that impact.

We can support you with advice and legal representation for regulatory investigations arising from health, professional performance, and professional conduct. However long the proceedings take, we'll be by your side throughout. From drafting a letter in response to a GDC inquiry to providing world-class legal defence at a full hearing, we'll be there to fight your corner.

Disciplinary, inquests and other inquiries

We can advise on and represent you at disciplinary proceedings relating to your clinical practice. We can also support with inquests and inquiries, by advising and helping you prepare a report for the coroner – or procurator fiscal in Scotland – and if necessary, arranging legal representation on your behalf.

And because your commitment to helping people doesn't start and end at work, we can support you with legal challenges related to Good Samaritan acts, wherever in the world they might happen.

“From the first point of contact I have been put at ease and supported, in what is a stressful complicated situation.”

UK Dental Protection member



Additional protection for practice principals

We know that practice principals and owners are exposed to more challenges than ever before. This is why your membership benefits can include protection against vicarious liability and non-delegable duty of care claims relating to the provision of dental services by the dental team who work for you. If you own a limited company, we can also provide this additional benefit with our Company Protection product. If you are a practice principal and haven't already let us know, it's important you update your individual membership to reflect your professional status as soon as possible, so we can make sure you're fully protected.

Company Protection

As a separate legal entity, an incorporated company can be the subject of a claim or complaint arising from the provision of dental services. Individual practice principal membership does not extend to include assistance for an incorporated business, which requires its own protection. With recent legal challenges relating to claims arising from alleged vicarious liability and non-delegable duty of care, dental companies may now find themselves at greater risk of being the subject of a claim.

Company Protection is a membership for the entity itself that allows directors/corporate officers to request assistance if a legal challenge is brought against the company. This product sits separately and in addition to your individual practice principal membership with Dental Protection. It's optional to apply, but Dental Protection will be unable to support with a case against an incorporated company without Company Protection membership.

To find out more about vicarious liability and Company Protection, go to dentalprotection.org/vl

Dental Protection

**demand professional
development and support**

We're not just here for when things go wrong. We're also here to help make sure things go right. One of the ways we do this is by equipping you to combat the challenges that come with being a dental professional.

Professional development that puts you in control

To help you protect and advance your career, we have a huge range of professional development resources and risk management courses, all available exclusively to Dental Protection members at our Online Learning Hub.

From short essential skills courses to on-demand webinars, everything is included in your membership at no extra cost.

Find out more at dentalprotection.org/uk/professional-development-courses

Twice a year we'll email you our digital publication, Riskwise, featuring the latest dentolegal insight and real-life case studies. You can also make the most of the Dental Protection library of podcasts, in which dentolegal consultants and global experts share their knowledge to help protect and connect dental professionals across the globe.

Search Dental Protection Podcast on whichever platform you listen to podcasts.

Wellbeing support to help you stay grounded

Dentistry is tougher than it's ever been. The pressures of a technically demanding role, the constant demands on time, the long running battle with burnout. And when a patient complaint, claim, or regulatory referral gets thrown into the mix, it can just feel too much.

To help support you, we include counselling from our trusted partners, Lyra, in your membership at no extra cost.

To access this benefit, just call Lyra on 0808 189 4385 and let them know your Dental Protection membership ID.

You can also make the most of a personalised online wellness service, and receive 50% off the Portal Premium app, which uses immersive technology to virtually transport you to some of the world's most beautiful and tranquil places. And to help you survive everything from a difficult workplace culture to a patient complaint, your membership includes an exclusive range of wellbeing-focused webinars and podcasts.

Get all the details at dentalprotection.org/uk/wellbeing

“The counselling service was a lifesaver. I had my first full night's sleep in six weeks or so. That made a very big difference to my mood and general wellbeing.”

UK Dental Protection member

Dental Protection

the need-to-know stuff

Inclusions and limitations

Representation for:

- ✓ Regulatory matters
- ✓ Disciplinary procedures
- ✓ Criminal allegations arising from clinical practice
- ✓ Coroners' inquests/fatal accident inquiries

Support with:

- ✓ Dentolegal advice (emergency helpline available 24/7)
- ✓ Defamation cases (legal costs only)
- ✓ Complaints handling
- ✓ Unwanted media attention
- ✓ Confidential counselling and other wellbeing resources
- ✓ Professional development and online courses

Indemnity for clinical negligence arising from:

- ✓ NHS primary care/private or independent/non-employer-indemnified dental practice
- ✓ Good Samaritan acts (worldwide)
- ✓ Voluntary, humanitarian or charity work (with prior approval)





When we're unlikely to assist

We carefully consider each request for assistance on a discretionary basis, but there are some circumstances in which we likely won't be able to help. These include:

- Circumstances or claims arising from any malpractice incident, negligent act, error, omission, breach, or loss that occurred before the membership start date
- Matters related to deliberate, reckless, or criminal acts
- Matters related to personal conduct, unless brought before your professional regulator
- Assistance with criminal investigations or proceedings arising from non-professional practice, for example, drink-driving offences, possession of drugs, or assault
- Assistance with allegations of fraud
- Payment of fines or financial penalties
- Claims brought outside the UK (excluding Good Samaritan acts that are worldwide)
- Matters that fall outside of healthcare indemnity, such as claims relating to property, including its damage or destruction, or claims arising from cyber-attacks and/or cybersecurity breaches
- Matters of commercial interest, such as partnership, employment, or agency disputes (whether contractual or otherwise), or compensation claims
- Assistance with research for academic projects
- Claims brought against you alleging vicarious liability, unless you hold the relevant practice principal or corporate membership*
- Claims brought against your incorporated company, unless you have Company Protection membership or another corporate indemnity product with us
- Claims brought under the Data Protection or Equality Acts. We may use our discretion to assist where the claim arises from a clinical consultation
- Claims relating to making, distributing, or selling any product or the use of any unsuitable or defective product (product liability)
- Other matters that may not be in the wider interests of our members, for example, damages awarded in a claim for defamation against you, or personal costs arising from your attendance at court, hearings, or meetings with us about a case.

*Protection for vicarious liability is included as standard for practice principal members with five or fewer non-incorporated practices. Practice principals with six or more practices should contact us about our corporate membership.



“I was in a very upset state and you never made me feel like I was in the wrong, and supported me when I needed you the most.”

UK Dental Protection member

How to request help

To request our assistance with a dentolegal matter, call the advice line on **0800 561 1010** or email assistance@dentalprotection.org

The advice line is open between 08.30 and 17.30, Monday to Friday, excluding Bank Holidays. If it's a dentolegal emergency, we're here any time of the day or night, every day of the year.

Remember, it's important to call us at the first sign of a problem. The sooner you contact us, the sooner we can get to work resolving it on your behalf.

If you find yourself in the media spotlight and need expert help, call the advice line or email pressoffice@dentalprotection.org

How to update and manage your membership

Making changes to your membership and personal information is quick and easy. Just log into your online account at dentalprotection.org/uk to update your details, or call us on **0800 561 9000**.

If you are looking to retire, take a career break, or pause practising – for instance, due to long-term sickness or parental leave – you can ask us to place your membership in our 'Retired/Deferred' category. As a retired or deferred member with occurrence-based protection, you pay no subscription and can still apply for assistance with any dentolegal problems arising from a Good Samaritan act. Please contact us on the number above if you'd like to defer your membership.

Remember, it's vital to keep us up to date on your current scope of work and practice details, to ensure you're always fully protected.

More information about our complaints process and your rights is available at dentalprotection.org/uk

How to make a complaint

We're always looking for ways to improve the service we provide. For complaints regarding your membership, please visit the Contact page at dentalprotection.org/uk call us on **0800 561 9000** or email memberrelations@dentalprotection.org

Dental Protection

the phone, online and
on your side

When we say we're always there for you, we mean it. Whether it's giving you advice by phone or email, supporting you with our online resources, or guiding you through any legal or regulatory challenges you face, everything we do revolves around you.

Here are the contact details and links you'll need, all in one place for easy reference.

Dentolegal advice

0800 561 1010 or assistance@dentalprotection.org

Membership queries and support

0800 561 9000 or go to
dentalprotection.org/contact to get help online

Media guidance

pressoffice@dentalprotection.org

Confidential counselling through Lyra

0808 189 4385

Professional development resources

[dentalprotection.org/uk/
professional-development-courses](https://dentalprotection.org/uk/professional-development-courses)

Wellbeing resources

dentalprotection.org/uk/wellbeing

Complaints

0800 561 9000 or email
memberrelations@medicalprotection.org



dentalprotection.org
Always there for you



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