

Salaried services

(For members employed within hospitals, community dental services, universities and the defence service)

As your trade union, we're in a unique position to provide you with all-round support and a bespoke service. We understand the dental profession and your potential needs. Your employer provides you with clinical negligence cover, and BDA Indemnity extends that protection so you're fully covered.

Vicarious liability

If you're salaried, it's your employer who's responsible for any negligent acts and omissions you may carry out, whilst performing any work laid out in the terms of your employment contract. Most employers have indemnity/insurance arrangements to protect themselves against these claims.

Because the employing organisation/entity is the primary party in this type of situation, as the employee, you're indemnified as a by-product of your employer's indemnity arrangements. The outcome for you would be secondary to that of your employer, unless you have your own indemnity for such situations.

NHS employees

Most (but not all) hospital and community services are partially protected by NHS indemnity, and any negligence claims made against them are managed by NHS Resolution (formerly the NHS Litigation Authority – NHS LA). The financial cost is covered on their behalf.

WHAT NHS INDEMNITY COVERS (AND DOESN'T)

What's in

- ✓ Negligence claims relating to work done under the specific terms of your employment by the NHS entity – reflecting the place of work and hours specified in that contract

What's out:

- X Any access to (or the cost of) advice, support or representation in relation to GDC investigations and hearings
- X Internal disciplinary investigations or performance challenges
- X Reports or evidence given in the capacity of an expert witness, for which you are paid by third parties unless specifically required by the terms of your employment by the NHS, and done on the instructions of your employer

- X Any other Category 2 work as defined by the terms of NHS employment
- X Employment issues, such as disputes with your employer
- X Allegations of plagiarism, research impropriety, or violations of intellectual property like the use of images in lectures or articles
- X Any allegations involving defamation, libel or slander
- X Any access to independent personal advice and support for complaints/claims made against you, even though the financial cost of the claim itself is being met by your employer
- X Matters challenging your reputation or integrity (such as from the media/social media), or situations where your employer wishes to make public statements designed to protect its own position, and there is a conflict with your own best interests
- X Similar arrangements apply if you're employed by universities, or the Ministry of Defence, although the details may vary slightly

Industrial and commercial employers

Dentists who are employed by commercial companies working in and around dentistry, may or may not be required by the terms of their employment contract to hold their own professional indemnity. Self-employed consultants, advisers and contractors will usually be required to do so.

This wouldn't affect your employer's vicarious liability even (in some circumstances) if you are considered as self-employed. But it may affect your employer's decision to recover some or all of the costs from that indemnity provider.

Membership benefits

Our employment relations team provide direct support if you're in salaried employment, anywhere in the UK (excluding Isle of Man and Channel Islands). If you're working in the salaried primary dental care services (or the public dental service for Scotland, or community dental service for Northern Ireland), are a clinical academic

working in dental schools, you're a consultant in dental public health, working for Her Majesty's Armed Forces, or if you're employed directly by a social enterprise or for profit company, you can contact the employment relations team for assistance on work related matters.

Call 020 7563 4585 or email employmentrelations@bda.org

Workplace negotiations

Through our role as a trade union, we are recognised by NHS trusts and health authorities/boards as the body representing dentists. As such, we can be consulted over changes to services and working arrangements. If workplace consultation doesn't take place, we can seek remedies through both informal and formal channels. We regularly assist members with non-clinical disciplinary matters, incorrect pay or grievances about a situation at work.

If you work within the hospital dental service you can contact us. This is part of a contractual agreement we've made as your union with the British Medical Association (BMA), to provide advice and representation for our members working in hospitals. Call 0300 123 1233.

A few larger organisations promote or endorse a particular indemnity product and give employees no choice of indemnity provider. This may create a number of different conflicts between the interests of the individual dentist, whether an employee or self-employed, and the interests of the entity. You may, for example, be subject to a disciplinary process by the entity. Additionally, the individual dentist may not be allowed to respond to claims, complaints and other challenges in a way which exposes the entity to criticism, liability or reputational (brand) damage and the dentist may be left carrying the can. It is crucial that dentists should be free to protect their individual position, reputation and integrity and to have access to independent, personal advice with this in mind.



Close the gaps

Many dentists working in various branches of the salaried services are oblivious to the variety of ways that gaps can exist in their professional protection.

Essential membership
Including workplace representation

BDA Indemnity
Covering the situations that NHS indemnity is not designed to cover

NHS INDEMNITY
Or equivalent indemnity through your employer

The solution

- ✓ All your advisory, support and indemnity needs covered
- ✓ No duplicated costs - you pay for what you get and get what you pay for
- ✓ No gaps left because of an incomplete fit between products from different providers and/or a failure to appreciate and understand what is covered and what is not
- ✓ Your personal interests protected at all times

BDA Indemnity cover for those exclusively employed in hospital/community/university/defence services:

The cover is designed to 'wrap around' the employer-provided indemnity, giving the member extra peace of mind.

	Essential
Professional Liability Insurance from RSA	
Legal representation	✓
Crisis management	✓
HMRC tax investigation expenses	✓
Whistleblowing	✓
Advisory, case management and indemnity support from the BDA	
Case management and dento-legal advice	✓
Support with professional disputes	✓
NHS contract and performance disputes	✓
Intellectual property disputes	✓
Academic and research disputes	✓
Advertising and competition advice	✓
Reputation management	✓
Remediation	✓
Associates/employees	✓
Quotes are personalised for hours worked and are UK nation-specific	✓