

Why do I need my own insurance?

As a nurse working in either the private or public sector you need to decide whether or not to take out your own liability insurance.

Claims can be directed at you

Why have my own cover? One good reason is that a claim can be directed against both employee and employer nurses either separately or jointly. In such cases, without your own nurses liability insurance, you may not be sufficiently protected against the liability exposure of a negligence claim.

In addition, what is sometimes overlooked is that the financial cost to you could be significant whether or not you are found liable. There is likely to be substantial costs in defending any claim, even one based on unfounded allegations. This is when you want to know you will be provided with legal advice and representation at no personal expense to you.

What about group policies or cover through a union?

You may be provided with liability insurance cover under a group policy, or perhaps through membership of a union. While these insurance policies are certainly better than no insurance at all, having your own cover has a number of benefits.

Avoid employee/employer conflicts of interest

In the event of a claim arising from an incident involving treatment of a patient, your own insurance cover will provide protection for you without the potential conflicts

of interest that may arise when you are covered by your employer's insurance. The employer and the employee can often have differing interests in these instances, and with your own cover you can be sure that your own interests are defended.

Working away from the practice

The Guild Insurance Nurses Liabilities Insurance policy will cover you for claims arising in all of the places where you work as a nurse, and also provides cover outside of the practice environment. This may include working in another practice, or assisting at sporting events on the weekend.

Practical tips on the Coroners Court

At Guild Insurance we understand the impact that a coronial inquest can have on our clients.

There is a need for sensitivity, maintaining communication about the process and having a strategy to achieve the best outcome.

Our policy covers you for legal costs in connection with a coronial inquest, and it's important to know that our legal team can be involved at the outset. When a death has occurred our lawyers can be contacted immediately to help with preparing a statement which, very often, forms the basis of a statement provided to the Coroner's assistant at a later time.

Importantly, our lawyers will be there at the outset to protect your interests, which may be different to the interests of your employer and/or other consultants and employees.

Many policies do not cover the costs to prepare a statement at the outset, before a person is contacted by the Coroner's assistant but ours does.

From a practical perspective, our lawyers have provided the following tips when there is potential for a Coronial Inquest:

1. Where possible, meet with the next-of-kin and try to answer their questions.
2. Identify and fix any systems problems.
3. Do not provide a statement to police on the spot. Simply agree on a time to provide a statement so that you can seek assistance and prepare the statement carefully, with reference to the clinical notes.
4. Do seek assistance with preparing your statement.
5. Submit all relevant statements (and supporting information) instead of only the statements requested by the Coroner's assistant. Relevant documentation may include x-rays, diary notes, rosters and guidelines.
6. If a number of staff have been requested to prepare statements, ideally have a person review the statements as a whole, before any of the statements are submitted to the Coroner's Court, so that any inconsistencies can be detected and resolved, if possible.
7. Seek access to the Coronial brief at the earliest possible stage so that consideration can be given to obtaining expert opinion, in support of your management of the process. It may also be appropriate to request that the Coroner obtain further documentation and statements from other key people.

Our lawyers will help to educate you on the Court etiquette, what to expect and how to give evidence.

For more information call 1800 810 213 or visit guildinsurance.com.au/apna.

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