



BDA
British Dental Association

Indemnity

Find out what makes
our cover so special



The BDA is owned and run by its members. We are a not-for-profit organisation – all our income is reinvested for the benefit of the profession. The policy is arranged by the British Dental Association and underwritten by Royal and Sun Alliance Insurance Ltd. The British Dental Association is an appointed representative of Lloyd & Whyte Ltd. Lloyd & Whyte Ltd is authorised and regulated by the Financial Conduct Authority (FCA). The FCA does not regulate the advice you receive with regards to Advisory, Case Management and Indemnity Support provided by the BDA. Registered office 64 Wimpole Street London W1G 8YS. Limited by guarantee (14161) England. 020 7935 0875 | enquiries@bda.org | bda.org | For more information on policy cover and exclusions, please visit bda.org/indemnity



Dr Aoife Boland

Not all indemnity policies are the same

BDA Indemnity provides you with a professional shield against legal and regulatory challenges. We already fight hard for our members and dentists alike, and believe that our insurance simplifies your dental experience; giving you the peace of mind you deserve.



Occurrence-based cover

Your access to cover doesn't disappear when you stop paying for your policy. There's no need for run-off cover if you leave us or when you retire.



It's not discretionary

You have a **contractual** right to cover and won't be left out in the cold when you need help.



Quality support

There are no limits to professional advisory support and our dento-legal experts will assist you 24-7. They work closely with all our other advisors providing you with support and guidance across a whole a range of issues that affect dentists and their teams.



A one-stop-shop

We fight for dentists' rights, the UK's oral health and provide practical support for life in practice. Our indemnity is the last piece of the puzzle that makes sure members are properly equipped to thrive in today's professional environment.



You only pay for what you do

GDP procedures like minor oral surgery and restorative work (including aesthetic dentistry and aligners) are automatically part of your cover. If you place and/or restore implants, we have cover for these procedures.



It's backed by one of the UK's top 5 insurers

We chose RSA to underwrite the policy and it's brokered by long-standing partner Lloyd & Whyte.



Dr Aoife Boland

We've been by your side since 1880 and continue to support you with every step of your professional journey. A no-obligation quote takes just a few minutes.

Making the switch

Choosing your professional indemnity arrangement is one of the most important decisions that you will make in your professional life; apart from the obvious financial consequences, it can make the difference between being able to continue practising or not.

This is a personal choice, with personal consequences; it is not a purchase that should be determined by price alone. No two indemnity products will be the same, so any price comparisons will not be on a like-for-like basis.

How to change provider

1. Check what kind of cover you have.

It'll either be occurrence-based or claims-made. Additionally, it'll either be contractual insurance or at the discretion of the provider.

2. Get an indicative quote from us.

It'll take just a few minutes online to get an indicative quote emailed to you. bda.org/indemnity

3. Check when your existing cover is due to be renewed.

This date will appear on your certificate of membership or other correspondence from your existing provider. Gather the information you need to complete the application form via our website.

4. Complete the application form.

In many cases we can confirm your acceptance within two working days. In some cases, we may need further information but we'll call you to let you know.

	Employed	Associate	Practice owner
	Essential	Extra	Expert
Professional Liability Insurance from RSA			
Placing or restoring implants Includes cover for sinus lifts or bone grafting in maxilla or mandible*		✓	✓
Civil liability in public and product liability claims Cover for damages where appropriate		✓	✓
Defence costs regarding civil liability claims Cover for all legal costs including experts' fees		✓	✓
Legal representation We'll fight your corner and pay expert fees in investigations and inquiries, hearings (inc GDC and disciplinary), tribunals, courts (inc inquests)	✓	✓	✓
Crisis management You'll have lawyers and/or expert media consultants on hand in the event of a professional crisis, and those costs are covered	✓	✓	✓
HMRC personal tax investigation expenses You'll get expert advice and representation in an HMRC investigation	✓	✓	✓
Whistleblowing Cover for any consequences of reporting concerns	✓	✓	✓
Loss or damage to documents Cover for the costs and expenses incurred in replacing or restoring records		✓	✓
Vicarious liability Cover for acts or omissions of practice colleagues for who you are vicariously liable		✓	✓
Nurses covered on your policy Nurses are indemnified against negligence claims, compliant with GDC regulation			✓
Facial cosmetic injectables Cosmetic injectables procedures above the lower border of the mandible are covered		✓	✓
Where you choose implant cover, there's no additional cost for sinus lifts or bone grafts		✓	✓
Entity cover Add your limited company to your policy		+	+
Advisory, case management and indemnity support from the BDA			
Case management and dento-legal advice We'll be the point of contact and manage cases. We'll liaise with lawyers and experts on your behalf	✓	✓	✓
Support with professional disputes We'll assist if a colleague has criticised your work	✓	✓	✓
NHS contract and performance disputes We will help with any disputes and investigations	✓	✓	✓
Intellectual property (IP) disputes IP lawyers will advise and represent you to protect your interests	✓	✓	✓
Academic and research disputes We'll support you with academic/research/publishing disputes	✓	✓	✓
Advertising and competition advice We'll bring in advertising experts. We'll also assist with matters relating to competition regulation	✓	✓	✓
Reputation management We'll help minimise reputation damage to maintain professional standing	✓	✓	✓
Remediation We'll work with you to create a personalised plan to avoid regulator sanctions	✓	✓	✓
Associates/employees We'll make sure your voice is heard on indemnity-related matters	✓	✓	✓
Quotes are personalised for hours worked and are UK nation-specific	✓	✓	✓

* The policy does not cover any procedures involving any part of the body beyond the mouth, peri-oral area, face and neck including but not limited to bone harvesting from the rib or hip.

Entity cover

We'll protect your business like we protect you.

If you run your dental business as a limited company or entity you can face claims of vicarious liability either individually or jointly with others. A patient's claim could cite the treating dentist or the name of a limited company.

[Add your limited company to your policy today.](#)



Our entity cover:



Occurrence-based and contractual, for continued peace of mind



Extends the features of your policy to the business



Can retrospectively start at the time your personal policy did

What is entity cover and why might I need it?

As a result of recent legal decisions in cases brought against dental practices, it has become clear that both individual practice owners and any entity that owns and operates a dental practice (limited company or partnership), could be held liable for the actions of a self-employed dental associate who may have provided negligent treatment to a patient seen in the practice.

This is not a new law, but reflects recent changes in the approach being taken by patients' legal representatives, especially those conducting cases on a 'no win-no fee' basis. These firms are encouraging patients to sue a practice owner (or entity) rather than the dentist(s) who actually carried out the treatment.

A claim which is brought against the entity that you have shares in would only be covered if the entity has its own separate insurance,

or if the entity is specifically named as a party covered by your personal insurance policy (or membership of a discretionary indemnity provider). Failing that, the company could be forced to pay any damages and the patient's legal expenses out of its own resources, and additionally to find and pay for its own legal representation and other costs incurred in defending the claim.

Is the cover legally binding and occurrence based?

Yes to both. Although many organisations choose to offer entity cover only on a 'claims made' basis, or on a discretionary basis (or worse still, a discretionary claims made basis), BDA Indemnity was set up with the deliberate intention of avoiding the many gaps that can arise in relation to claims made cover.

Can I backdate this entity cover?

Yes. If you are an existing BDA Indemnity policyholder you can purchase retroactive cover back to your start date with us, so that your entity is covered on the same terms and for the full period that you have been a

policyholder. (Please note that this is subject to a maximum of three years if you joined before then).

Who is eligible for entity cover?

Our entity cover is available to policyholders who are limited company shareholders(s) with 50% or more shares in the limited company to be covered. Entities with an annual turnover of up to £2 million are able to get an immediate quotation. RSA will review cover for entities that have an annual turnover of over £2 million.

Answers to
more of
your
questions



Meet our experts

You deserve support from experienced dentists with legal knowledge; in times of pressure, we're here to help.



Susie Sanderson OBE

Dento-Legal Advisor

Susie was a general dental practitioner for 36 years and a practice owner for most of that time.

She is a BDA Past President and chaired our executive board and the UK Conference of LDCs. She is currently the Speaker of the General Assembly of the FDI World Dental Federation.

Susie has a master's degree in Medical Law (LLM) from Cardiff University and is a fellow of the Faculty of Forensic Law and Medicine.

She worked for 9 years as a dento-legal adviser for one of the large mutual defence organisations and, although she developed a particular interest in assisting and supporting dentists who are challenged to provide evidence of professional development, she has all round experience in helping with complaints, regulatory, disciplinary, advice and claims cases.



Len D'Cruz

Head of Indemnity

Len is a general dental practitioner, foundation trainer and owner, with his wife, of a seven-surgery mixed practice in North East London. He has 21 years' experience as a dento-legal advisor supporting dentists with complaints, clinical and regulatory issues, and clinical negligence claims.

Len has postgraduate dental qualifications along with legal and insurance qualifications (Cert CII) and has authored books and peer reviewed articles on dento-legal issues.



Joseph Ingham

Dento-Legal Advisor

Joe spent 28 years in general practice and for eight of those was the dental practice advisor for Berkshire. He tutored at the Eastman Dental Hospital's School of Hygiene and Therapy for 17 years and spent a decade as a dento-legal advisor with one of the large mutual defence organisations.

Joe has a particular interest in the legal aspects of prescribing within the dental setting, team working and was recently made an honorary member of the BADT.



Jane Merivale

Dento-Legal Advisor

Jane has accumulated two decades of dento-legal experience, while also leading a successful practice in South London. With a Master of Laws (LLM) in Medical Law from Cardiff University, Jane rose up the ranks to become one of the foremost authorities in her field.

On top of extensive experience of complex UK cases, she has served as Head of Dental Services for dentists in both Singapore and Malaysia, leading the assessment, recruitment, training and development of new advisors, and was instrumental in the creation of 'communication in dentistry' and 'record keeping' risk management programmes.



Lorna Ead

Dento-Legal Advisor

Lorna has 19 years of experience working as a dentist. She has worked primarily as a general dental practitioner and also has experience working as a community dental officer and as a hospital dentist.

In recent years, Lorna has worked as a dento-legal advisor for one of the large mutual defence organisations. She is dedicated to supporting her dentist colleagues through a range of cases such as complaints, claims and regulatory issues.



Shreeti Patel

Dento-Legal Advisor

Shreeti completed her master's in Medical law and Ethics in 2018 where she focused her dissertation on consent and regulation of endodontic treatment.

Since completing her master's in Endodontics at Guys in 1999, Shreeti practices in Oxfordshire where she is a principal dentist and provides endodontic services at two other practices in Berkshire.

With her legal and clinical expertise, Shreeti will be able to assist members with complex endodontic medico legal issues amongst other complaints, claims and regulatory cases.



Clare Lawrence

Dento-Legal Advisor

Clare has 20 years of experience as a dentist, working in both primary and secondary care. She became a member of the Royal College of Surgeons and gained her diploma in Conscious Sedation from Guys before joining the Oral Surgery specialist list in 2008.

Having worked in the dento-legal field for the last six years, she has continued her interest in the law and recently become a member of the Faculty of Forensic and Legal Medicine, going on to complete the diploma in forensic medical science. Clare is committed to pursuing proper and fair outcomes for her dental colleagues in all manner of dental complaints, claims, regulatory and disciplinary processes and advice cases.



Russell Heathcote-Curtis

Dental Advisor

Russell qualified as a dentist in 1980, working in general dental practice for 34 years. He has been through the cycle of associate, practice owner and after the practice was sold, back to working as an associate.

For 11 years, he worked at one of the mutual defence organisations dealing mostly with targeted remediation programmes for registrants under investigation by NHSE/GDC/Trusts as well as advising dentists on the phone on a wide range of issues.

Are you eligible for cover?

If you're a BDA member and a GDC registered dentist working in the UK, then you're eligible to apply.

Your work status must correspond with the membership tier.

Members that are:

Must have the following membership package to be eligible to apply:

Employed

Members who are exclusively hospital/community/university/defence service employed. Also for those whose work in dentistry that is non-clinical in nature.

Essential

Associates

Members who are self-employed and engaged to provide treatment to patients but do not own a stake in a practice.

Extra

Practice owners

Members who can do a mix of work, but have a stake in a practice.

Includes: practice owner; employer of any practice staff; registered provider or manager in the practice's registration with the Care Quality Commission (or equivalent position in respect of HIW in Wales, HIS in Scotland or RQIA in Northern Ireland); responsible person in relation to any aspect of compliance with a legal requirement (for example, the Information Commissioner's Office).

Expert

Quotes are:



Specific to the UK nation(s) where you practise



Personalised according to the hours you work



Dependent on whether you provide implant treatments



Discounted for newly qualified dentists, up to five years post-qualification

Answering your key questions

What does 'occurrence-based' actually mean?

With occurrence-based cover, as long as you are paying the right subscription rate at the time the incident occurred that later gave rise to a claim, you will be covered in perpetuity. This means that if you did something negligent but retired the next day and stopped your payments, even if the complaint and legal claim is made against you three years later, your policy will respond.

I've heard that some cover is discretionary. What does this really mean?

The organisation can exercise its absolute discretion not to assist you, even if you are in the right subscription category, have paid the correct fees and the matter is within the scope of cover – and there is no independent source of adjudication.

Ours is insurance-based indemnity which operates on the same basis as other forms of insurance. The policy wording specifies what is covered by this agreement as well as being

transparent about the term, conditions and policy exclusions. If you are declined cover, you can complain to the BDA in the first instance. If you are not satisfied with our final response, you can then refer your complaint to the Financial Ombudsman Service (FOS). That same legal protection does not exist with discretionary cover. Whilst it rarely happens, as a mutual fund, a refusal to assist an individual member can be argued to be justified on the basis that incurring the costs of the case would not be in the interests of other members.

Are my nurses covered?

Yes, if you purchase the policy as an Expert member practice owner, any nurses employed by you are indemnified for negligence claims, compliant with GDC regulation.

Answers to
more of
your
questions



BDA Indemnity

British Dental Association

We've been by your side since 1880 and continue to support you with every step of your professional journey.

 @TheBDA

 @British Dental Association

 @British Dental Association

 @britishdentalassociation

bda.org/indemnity



 Trustpilot