23rd December 2020

Dear colleague

Joint letter from NHS England and NHS Improvement, the Department of Health and Social Care, and NHS Resolution: indemnity arrangements for the Covid-19 vaccination programme

As the Covid-19 vaccination programme is rolled out, we would like to reassure healthcare professionals and others working and volunteering in the NHS in England about the indemnity arrangements in place.

This letter applies to staff working as part of the vaccination programme:

- In NHS Trusts or vaccination centres run by NHS Trusts;
- In Local Vaccination Centres in primary care to deliver both the GP Enhanced Service or Community Pharmacy Local Enhanced service, as part of the COVID-19 vaccination programme 2020/21.

COVID-19 vaccination activity undertaken in NHS Trusts (by which we also mean Foundation Trusts), General Practice and Community Pharmacy will be covered by the state indemnity schemes run by NHS Resolution as follows:

- Where vaccinations are administered by a NHS Trust, indemnity for clinical negligence will be provided under the Clinical Negligence Scheme for Trusts (CNST)[1]. This applies to all staff who are employed or engaged by the Trust to deliver the vaccination programme.
- Where vaccinations are administered in line with the General Practice Enhanced Service specification, indemnity for clinical negligence will be provided under the Clinical Negligence Scheme for General Practice (CNSGP)[2]. This applies to all staff who are employed or engaged by a general practice to deliver the vaccination programme.
- Where vaccinations are administered by community pharmacies in line with the Community Pharmacy Local Enhanced Service agreement, indemnity for clinical negligence will be provided under the Clinical Negligence Scheme for Coronavirus (CNSC)[3] until 31 March 2021. This applies to all staff who are employed or engaged by a Community Pharmacy to deliver the vaccination programme.
- DHSC will agree an appropriate level of risk sharing with the community pharmacy sector for clinical negligence vaccine cover from the end of March 2021.

[1] https://resolution.nhs.uk/services/claims-management/clinical-schemes/clinical-negligence-scheme-for-trusts/

[2] https://resolution.nhs.uk/services/claims-management/clinical-schemes/general-practice-indemnity/clinical-negligence-scheme-for-general-practice/

[3] https://resolution.nhs.uk/services/claims-management/clinical-schemes/clinical-negligence-scheme-for-coronavirus/

- These indemnity arrangements include any additional staff who are brought in to support delivery of the vaccination programme by Trusts, General Practice and Community Pharmacy, including for example, returner GPs and other staff returning to work via the Bring Back Staff scheme, bank staff via NHS Professionals, Royal Voluntary Service (RVS) volunteers coordinated centrally by NHS England and NHS Improvement, and locally recruited volunteers.
- These arrangements will apply in any setting used by NHS Trusts, General Practice or Community Pharmacy to deliver the vaccination programme, including any vaccinations in a care home or other domiciliary setting.
- For NHS Trusts, indemnity for non-clinical vaccination activity will be provided under the Liabilities to Third Parties Scheme; this includes cover for any locally recruited volunteers and RVS volunteers coordinated centrally by NHS England and NHS Improvement.

The exceptions to coverage under the state indemnity schemes are:

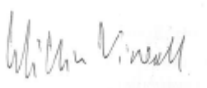
- Volunteers – where volunteers are deployed through the arrangements established centrally by NHS England and NHS Improvement with St John Ambulance, it is the intention of St John Ambulance for these individuals to be covered (for both clinical and non-clinical vaccination activity) by the existing insurance policies of St John Ambulance.

- Non-clinical vaccination activity undertaken by staff or locally recruited volunteers in General Practice will be covered under the practice's own third-party liability insurance, as is usual practice. (We recommend that GPs put in place a local volunteer agreement for locally recruited volunteers.)

- Non-clinical vaccination activity undertaken by staff or locally recruited volunteers in Community Pharmacy will be covered under the pharmacy contractor's own third-party liability insurance, as is usual practice. (We recommend that pharmacy contractors put in place a local volunteer agreement for locally recruited volunteers.)

In addition to the arrangements set out above, healthcare professionals are covered by Regulation 345 of the Human Medicine Regulations. This provides immunity from civil liability in respect of claims in relation to the safety or efficacy of the temporarily authorised vaccine itself.

More information is available at resolution.nhs.uk/services/claims-management/covid-19-vaccinations/. This website also contains the table below, which summarises arrangements and FAQs and will be updated as necessary.


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NHS England and NHS Improvement

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Director, NHS Quality, Safety & Investigations

Department of Health and Social Care

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NHS Resolution

Delivery personnel	Source of indemnity
Trust staff (working for NHS Trust) Vaccinating the public and health and social care staff	CNST
GPs (working for GP practice or Primary Care Network-led arrangement) Vaccinating the public (practice's patients/another practice's patients as part of a GP collaboration agreement), health and social care staff, and residents of care homes	CNSGP (Health and social care staff designated as 'eligible cohort' in GP Enhanced Service contract)
Other staff working for GP practices or NHS Trusts: • Pharmacists • Dentists • Other registered healthcare professionals • Staff supplied by NHS Professionals • Other non-healthcare staff to be trained as per new national protocol	CNSGP / CNST
Volunteers – supplied by St John Ambulance	St John Ambulance insurance
Volunteers – supplied by the Royal Voluntary Service	Where deployed to trusts: CNST (clinical activities) / LTPS (non-clinical activities) Where deployed to GP practices: CNSGP – if volunteers undertaking clinical tasks. Non-clinical activities covered by LTPS via Lead Provider Trust.
Volunteers – locally sourced by NHS Trusts and GP practices	Where deployed by trusts: CNST (clinical activities) / LTPS (non-clinical activities) Where deployed by GP practices: CNSGP – volunteers undertaking clinical tasks. Non-clinical tasks need to be covered under practices' own third party liability insurance, as is usual practice.
Community Pharmacy contractors	CNSC until 31 March 2021 (for eligible cohorts under the terms of the community pharmacy local enhanced service agreement). Non-clinical tasks need to be covered under contractors' own third party liability insurance, as is usual practice.

Other staff working for community pharmacy contractors: • Pharmacy professionals • Other registered healthcare professionals • Non-healthcare staff to be trained as per new national protocol	CNSC until 31 March 2021 (for eligible cohorts under the terms of the community pharmacy local enhanced service agreement). Non-clinical tasks need to be covered under contractors' own third party liability insurance, as is usual practice.
Volunteers – locally sourced by community pharmacy contractors	CNSC until 31 March 2021 for volunteers undertaking clinical tasks (for eligible cohorts under the terms of the community pharmacy local enhanced service agreement). Non-clinical tasks need to be covered under contractors' own third party liability insurance, as is usual practice.