

# Professional Indemnity Insurance for all members of NZNO

ANOTHER VITAL  
MEMBERSHIP BENEFIT

Covering the cost of legal advice and  
representation for investigations  
of your professional practice.



NEW ZEALAND  
**NURSES**  
ORGANISATION

TŌPŪTANGA  
**TAPUHI**  
KAITIAKI O AOTEAROA



NZNO members' professional indemnity insurance provides comprehensive cover for defending accusations, complaints or claims against members related to their professional practice.

## Why do you need cover?

Indemnity insurance covers you for claims related to your professional practice, including:

- Disciplinary, fitness to practise and competency matters before the Nursing and Midwifery Councils
- Coroners' Inquiries/Inquests
- Health and Disability Commissioner Complaints/Investigations
- Health Practitioners Disciplinary Tribunal proceedings
- Human Rights Review Tribunal proceedings

A key cost for health practitioners in these scenarios is the cost of legal advice and representation.

**Indemnity insurance covers these legal costs and is essential for all health practitioners.**

NZNO employs a team of experienced medico-legal lawyers who specialise in representing nurses, midwives and other members through these processes. They may also provide legal services for investigations or proceedings that are not covered by indemnity insurance, for example, assisting with witness statements to the Police or other investigating bodies.

Generally health practitioners cannot be sued for compensation (as you can in the USA for example) due to NZ's ACC scheme. However, there may be very rare situations where, as part of the proceedings set out above, patients or their family may be awarded compensation. NZNO members' indemnity insurance covers compensation in these scenarios.

Only NZNO members are covered. You will not be covered for a claim if you join the NZNO after something happens, however you are covered from the date you join for any future claims.

## Cover

The policy provides cover up to \$500,000 liability and \$500,000 for legal defence costs for each incident or event (regardless of how many members are involved in the incident/event). Each member can make multiple claims up to a total of \$1,000,000 per year.

Criminal defence costs are covered to a maximum of \$200,000.

NZNO pays the excess under the indemnity insurance policy of \$25,000 per incident/event, so you don't have to.

The NZNO policy covers you 24 hours a day, seven days a week, whether you are on or off duty.

## Conditions of cover

NZNO members' indemnity insurance covers the main situations where you may need it. However, there are some conditions of cover and exclusions, which include:

- Temporary work (e.g. placement or as part of a project/programme) anywhere outside NZ, except the USA and Canada, is not covered if you are outside NZ for longer than 90 days. We recommend separate indemnity insurance for longer periods overseas, or if you are doing temporary work in the USA or Canada.
- You are not covered for issues arising as a result of your practice in appearance–medicine if you are an owner, or part-owner, of the appearance medicine business.
- You are not covered if the claim relates to a time when you were under the influence of alcohol or drugs.

- If you are found guilty of a criminal charge you may be required to repay amounts covered.

## Making a claim

If you are involved in an incident, please contact the NZNO membership support centre 0800 28 38 48 as soon as possible. It is essential you report a claim or possible claim to NZNO as soon as you become aware of it, to ensure coverage by indemnity insurance.

If legal assistance is required, it will be provided through NZNO. You will be responsible for any costs if you use your own lawyer.

Do not sign any statements requested by the police or any other authority until you have spoken with an NZNO lawyer.

## What if your employer provides indemnity insurance?

Some employers hold an indemnity insurance policy and say that it will provide cover for their employees. However, NZNO advises against relying on an employer's policy because there may be:

- No automatic right for you to claim
- A direct conflict of interest if your employer lays a complaint about you
- Fewer situations covered compared to NZNO's members' indemnity insurance policy

## Further information

This leaflet provides an outline of NZNO's members' indemnity insurance policy, and its cover, conditions and exclusions. For further details, and the precise details of cover, conditions and exclusions, please contact the Member Support Centre:

Tel: **0800 28 38 48**  
Email: **nurses@nzno.org.nz**  
Website: **www.nzno.org.nz**

Jan 2020