



Individuals applying for FODO membership and insurance

Online applications for 2024

FODO welcomes applications from new individual members until 5pm on 21 December 2023 and then again from 9:30am on 2 January 2024. We explain below the rationale for this short pause to accepting new applications.

Lessons from 2023

At FODO we take pride in delivering excellent customer service and prioritising membership support.

Last year we received several hundred late applications from individual GOC registrants asking whether they could join FODO for medical malpractice insurance.

As much as we welcome all new members, we always take our FCA compliance seriously and do our best to serve members best interests. This was made difficult last year due to a sudden surge of late applications from individuals who did not have the necessary information to be able to join before 1 January renewal. Last year for example:

- Many employed optometrists did not have the information they needed to decide on whether they needed their own medical malpractice insurance. There are cases in which employed optometrists will not need their own medical malpractice insurance. In these cases FODO will not sell medical malpractice insurance to GOC registrants.
- Many locums had worked as self-employed and then through a limited company over many years. They were not able to contact their existing provider to confirm whether they might have any historical gaps in cover, so could not confirm whether they needed retrospective insurance when joining our claims occurring policy.

In the end due to confusion about who needs cover and about historical cover, we were not able to accept most late applications. We have therefore produced the FAQs below to help avoid issues many people experienced when submitting applications late last year.

1. I am employed full time by the NHS, do I need my own medical malpractice insurance?

If you are only employed by a NHS hospital in the UK and work within your scope of practice, it is very unlikely you need your own medical malpractice insurance. Although we are delighted to help, in every case to date where a hospital optometrist has approached FODO for medical malpractice insurance we have found they do not need their own cover for this risk. So please talk to your hospital about your existing cover before applying to FODO.

2. Are you employed by a FODO insured member?

If you only work for a FODO member practice which has medical malpractice insurance through FODO, then we will not sell you medical malpractice insurance for this work. This is because you are already covered for medical malpractice risk for the work you do for this employer.

If you locum in addition to your employed job, then you should have your own insurance and can apply to FODO.

You should also check you do not have any gaps in your medical malpractice insurance history before joining your existing employer. This is because medical malpractice risk is complicated, and you could experience a claim from a patient prior to joining your existing employer.

3. I have heard 'my employer will throw me under the bus' if there is a medical malpractice claim so I always need to buy my own insurance. Is this right?

In all the years that FODO has provided medical malpractice insurance this has never happened with respect to a clinical negligence claim. There are risks with discretionary medical malpractice insurance schemes which could in some cases decide not to 'pay out' on a claim, but these are not as common in primary eye care.

FODO only offers a contractual medical malpractice insurance policy. For example, this means if you are employed by a FODO member that has a claims occurring medical malpractice insurance with us, and you only work within your scope of practice as a GOC registrant, then the work you do for your employer is already covered for med mal risk. There are circumstances in which you might want to take out your own cover, for example if your employer is on a claims made policy without run off cover for the company. You might also want to take out cover if you do other work in addition to your employed job. The point is to always do your research and only pay for cover you need.

If you do need FODO cover in the above circumstances or similar, we will be delighted to help. We offer very competitive terms.

We always recommend that you shop around and check that you have the level of cover that is right for you. The FCA also has a new Consumer Duty, which means you should find it is

easier to get the information you need to make an informed choice about medical malpractice insurance.

4. I am a locum do I need my own medical malpractice insurance?

In most cases the answer is yes, you will need to have your own medical malpractice insurance policy in place.

If you only locum for NHS hospitals however you can check whether their policy covers you.

Always understand and keep a copy of the cover you are relying on.

5. Why is medical malpractice insurance more complicated than my car insurance?

Medical malpractice insurance is more complex than many other types of insurance because a claim can occur many years after an event. For example

- when you renew your car insurance, your insurer is not covering the risk of an unknown accident that took place several years ago and which has only now come to light
- medical malpractice insurance for 2023 however may have to cover a clinical negligence claim related to patient care which took place many years ago.

That is why when processing a new application, we need to ask questions about how you have organised your insurance in the past.

For example, many locums now provide services through a limited company. They might however have organised claims made medical malpractice insurance on an individual basis, company basis, or both over a period.

We need to understand all of this to ensure you are not exposed should there be a medical malpractice claim related to care you provided before joining us.

This is all part of our compliance process. So, if we ask you additional questions, it is to ensure we are serving your best interests. Remember FODO does not receive any commission and does not add any handling charge on insurance, what you pay us is what we pay on in insurance costs.

Contact us

If you would like to join FODO you can [apply online](#). You can also [contact us here](#).

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