

Notifying Guild Insurance of a claim

A speech pathologist's
requirements

Imagine if...

You receive an angry email from the parent of one of your clients stating they aren't happy that you declined to provide therapy to their child and they're considering making a complaint alleging discrimination. You know you weren't the most suitably qualified speech pathologist to provide therapy to that child and did the right thing in referring to someone else. Therefore, you immediately reply to the parent informing them of your version of events. Some time after this you hear from the parent again claiming they have now lodged their discrimination complaint.

Guild Insurance's Liabilities policies state that as soon you, as the policy holder, experience a claim made against you or an incident which could give rise to a claim, you are required to notify Guild. However, Guild is aware that some clinicians respond to complaints on their own without first notifying Guild. This can have a number of consequences for these clinicians as they're not receiving the support or guidance their insurance policy may entitle them to. It can also mean the policy holder is not adhering to the conditions of the insurance policy.

Possible scenarios

The following scenarios are some examples of when you should notify Guild Insurance:

- > If a private health insurer, or other funding provider such as Medicare, has requested access to your clinical records as evidence of billing practices.
- > If a client has complained directly to you or your practice with a formal demand for compensation or suggested they'll make a notification to a regulatory body.
- > If a solicitor or law firm representing a client has requested access to your clinical records or notified you of a complaint.
- > Any other circumstance where you have an uneasy feeling about an incident or situation; when in doubt, notify!

When to notify Guild

Clinicians are sometimes unsure whether a matter is serious enough to warrant notifying their insurance company. There are some occasions where notifying an insurance company is a must, such as when there is a request for client records

from a solicitor or funding provider or when there is an allegation of the client suffering harm following therapy. However, when a client complains directly to you, this is when you need to use your judgement. If the client has simply informed you that they didn't respond as hoped to therapy provided previously yet doesn't seem annoyed or demanding, then this may be a matter which can be sorted by you alone. Yet if you're in doubt or concerned about the complaint or allegation from the client or their family, then you should notify Guild.

Will my premium go up if I notify Guild of a matter?

Guild's premium pricing is influenced by a number of factors. Notifying Guild of an incident is unlikely to be the cause of a premium increase the following year. However, as detailed below, not notifying Guild may lead to further stress and complications. Therefore, the cost of the premium should not be a factor in deciding whether or not to notify Guild.

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Consequences of not notifying Guild

Facing an allegation or investigation of any sort can be an extremely stressful situation for a clinician. When a clinician handles a matter themselves without the support of Guild, that stress is compounded as the clinician will be dealing with a process they're unfamiliar with.

Guild has seen many cases where a clinician's own response has either not provided the required information, or a response has been written in a way which is likely to inflame or escalate the situation. This usually leads to further investigations being conducted and Guild being notified after the investigation has begun, inhibiting Guild's support and influence.

When a clinician doesn't notify Guild as soon as is reasonably possible of a claim made against them, they may be considered to not be complying with the conditions of the insurance policy. This can lead to cover under the policy being cancelled or the claim not being paid.

It's also important to understand that a clinician may leave themselves with out of pocket expenses by not notifying Guild at the beginning. This may occur if they engage their own legal counsel not approved by Guild and at a rate Guild believes to be exorbitant or if they have offered to settle a matter without Guild's consent.

The staff at Guild Insurance have a great deal of experience and expertise in managing allegations and investigations and are well aware of what is required

when responding to them. For this reason, it's of benefit to everyone involved to notify Guild immediately and be sure the necessary support is provided and process is followed from the start.

How to contact Guild Insurance

To notify Guild of an incident, and therefore make a claim against your insurance policy, either call Guild on **1800 810 213** or go to **guildinsurance.com.au/claims**.



1800 810 213
guildinsurance.com.au



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