

Ethics Policy

Date: 1 August 2022

Owner: MedCo Registration Solutions

Summary

This policy is for Authorised Users, Medical Reporting Organisations (MROs) and Direct and/or Indirect Medical Expert ("Expert"). The policy sets out the standards of conduct, and professional behaviours that you must adhere to.

All Authorised Users, MROs and Experts should at all times conduct themselves in accordance with their own professional regulator's standards. This policy is intended to complement those professional standards. If in the unlikely event you consider that there is any conflict between the provisions of this policy and your own regulator's professional standards then those standards should prevail. Any such conflict must be advised to MedCo immediately.

Authorised Users, MROs and Experts not adhering to the standards set out in this document will be acting in breach of their agreement(s) with MedCo ("Agreement"). MedCo reserves the right to conduct investigations which may lead to suspension or termination of any of their Agreement. Referrals may also be made to other regulatory agencies or organisations including but not limited to the Solicitors Regulatory Authority, Financial Conduct Authority, General Medical Council, Insurance Fraud Bureau, Health and Care Professions Council and Information Commissioner's Office.

The Standards

As an Authorised User, a MRO or an Expert the standards of conduct, performance and ethics that you must keep to are to:

1. Act in the best interests of the Claimant;
2. Respect the confidentiality of the Claimant;
3. Keep high standards of personal and professional conduct;
4. Provide to Medco any important information about your conduct and competence;
5. Keep your professional skills and knowledge up to date;
6. Keep accurate records;
7. Behave with integrity;
8. Comply with the relevant Civil Procedure Rules, Practice Directions and Protocols;
9. Comply with the MedCo Rules and the Agreement.

Applying the Standards

As an Authorised User, MRO, or Expert you must make sure that you are familiar with the standards and that you keep to them. If concerns are raised about you as an Authorised User, MRO, or Expert, MedCo may consider such factors as it, at its own discretion, considers necessary (including without limitation the factors set out in this policy) when deciding whether it needs to take any action.

The standards are written in broad terms and are designed to apply to all Authorised Users, MROs and Experts as far as possible. MedCo acknowledges that some of the standards may not apply to all Authorised Users, MROs, or Experts.

MedCo aims to ensure that a high standard of professional conduct is maintained by Authorised Users, MROs and Experts. This is so that the general public and all Authorised Users, MROs and Experts can have confidence in the Services provided by MedCo and those organisations and individuals who use the MedCo Database. The standards are to be considered objectively and there are no hard and fast rules as to how the standards are to be met. Authorised Users, MROs and Experts, as autonomous and accountable professionals, will need to make reasonable decisions about their practice and how best to meet the standards. MedCo has however set out general guidelines to provide a little more detail as to what is expected of you. If you have any queries, please contact enquiries@medco.org.uk

The Standards of Conduct and Ethics

1. Act in the best interests of the Claimant

The Claimant must be kept at the centre of all decisions made when acting as an Authorised User, MRO or an Expert. Each Authorised User, MRO and Expert involved in the process is responsible for promoting the Claimant's best interests in all dealings with the Claimant. You must respect that those interests will vary when providing a service as an Authorised User or MRO or an Expert.

You must not allow your views about a Claimant's sex, age, colour, race, disability, sexual orientation, marital status, pregnancy and maternity, social or economic status, lifestyle, culture, religion or beliefs to impact on the way that you deal with each individual Claimant.

You must maintain and uphold your professional standards at all times when dealing with the Claimant.

2. Respect the confidentiality of the Claimant

You must treat information about the Claimant as confidential and use it only for the purposes for which they have provided it. You must not knowingly release any personal data or confidential information to anyone who is not entitled to it, and you should check that people who ask for the information are entitled to it.

You must keep to the conditions of the Data Protection Legislation and always follow and keep up to date with best practice for handling confidential information. You must also ensure that where you engage a third party's assistance in preparing reports that they are following such best practice and meeting the requirements of the Data Protection Legislation.

3. Keep high standards of personal and professional conduct

You must maintain high standards of both personal and professional conduct so as to ensure that the general public and all other Authorised Users, MROs and Experts will have confidence in you as an Authorised User or as a MRO or an Expert and your actions should not undermine confidence in the Services provided by MedCo. As an Authorised User, MRO, or Expert you are expected to co-operate with MedCo and its Personnel in a professional manner including, but not limited to, responding to MedCo's correspondence and dealing with complaints in a timely manner. Any unacceptable behaviour towards MedCo Personnel will not be tolerated.

4. Provide to us any important information about your conduct and competence

You must inform MedCo immediately if you have important information about your conduct or competence, or about the conduct and competence of any other MedCo Authorised User or MRO or Expert which comes to your attention, to the extent it is permitted by Applicable Law. In particular you must advise MedCo immediately if:

- You are convicted of a criminal offence, receive a conditional discharge for an offence or accept a police caution;
- You are disciplined by your professional regulator;
- You are referred on any conduct issue to a Regulatory Body
- Any allegation of serious misconduct or criminal offences is made against you;
- You are suspended or placed under a practice restriction because of concerns about your conduct or competence;
- You have been declared bankrupt, entered into any individual voluntary arrangements or had a County Court judgment issued against you.

MedCo will investigate any report they receive about you in accordance with this policy and the terms of your Agreement. MedCo will take such action as it considers necessary, which may include removing your access to the MedCo Database or your Accredited status and reporting you to your Regulatory Body as appropriate.

5. Keep your professional skills and knowledge up to date

You must make sure that your professional skills, knowledge and performance are of good quality, up to date, and relevant to your scope of practice.

Experts will in any event need to maintain Accredited status as granted by MedCo and will be required to undertake appropriate levels of training, targeted at provision of reports undertaken via MedCo. All Authorised Users and MROs will be required to ensure that they maintain up to date knowledge on Data Protection Legislation and all other relevant Applicable Law.

6. Keep accurate records

Accurate records should be maintained of all engagement with the Claimant and on all aspects relating to use of the MedCo Database.

MedCo has a right of audit and may wish to examine your records should this prove necessary.

7. Behave with integrity

All Authorised Users, MROs and Experts will be expected to behave with integrity at all times. This covers their dealings with Claimants, MedCo and other Authorised Users MROs and Experts.

This will include (but is not limited to):

- Making full and frank disclosure of any Direct Financial Link that one Authorised User may have with a MRO or Direct Medical Expert (or vice versa) and keeping that disclosure updated if there are any changes;
- Ensuring that referral fees are not requested, paid or received in breach of the Legal Aid Sentencing and Provision of Offenders Act 2012;
- Not providing any misleading information in their dealings with MedCo;
- Not engaging in any other practice that would undermine the public confidence in MedCo, the Service, Authorised Users or MROs or Experts.

8. Comply with the relevant Civil Procedure Rules, Practice Directions and Protocols

You should ensure that you are up to date with all relevant provisions and that the provisions are adhered to. This should include making the relevant fraud checks required by the RTA protocol.

9. Comply with the MedCo Rules and the Agreement

You should ensure that they are familiar with the terms of your Agreement and the MedCo Rules and ensure that these are adhered to. Any revisions will be published and you should familiarise themselves with any updated versions. MedCo has also published Guidance as to how it will interpret the Qualifying Criteria. Such Guidance will form the basis of audit of MROs all MROs should familiarise themselves with and act in accordance with that guidance as updated from time to time.