

CONFEDERATION OF MEDICAL AGENCIES

The Confederation of Medical Agencies Ethics Policy reflects the high standard of business conduct representing what is the hallmark of our organization. Our Ethics Policy helps define our commitment to support a culture of openness, trust and integrity in all we do. We are committed to conducting all of the Confederation's affairs and activities with the highest standards of ethical conduct. All of us have an obligation to adhere to this policy and encourage others to do the same.

Ethics Policy

Confederation of Medical Agencies Ethics Policy

This policy is for the members and affiliates of the Confederation of Medical Agencies (**CMA**) which sets out the standards of conduct, and professional behaviours that you must adhere to.

All members and affiliates of the **CMA** 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 the **CMA** immediately.

Members or affiliates not adhering to the standards set out in this document will be acting in breach of the **CMA** rules and regulations. The **CMA** reserves the right to conduct investigations which may lead to suspension or termination of membership or affiliation.

Referrals may also be made to other regulatory agencies including but not limited to the Solicitors Regulation Authority, Financial Conduct Authority (FCA), General Medical Council (GMC) and Health and Care Professions Council (HCPC).

The Standards

As Member of the **CMA** 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. Keep your professional skills and knowledge up to date;
5. Keep accurate records;
6. Behave with integrity;
7. Comply with the relevant Civil Procedure Rules, Practice Directions and Protocols;
8. Comply with the membership rules and regulations.

Applying the Standards

As a member or affiliate of the **CMA** you must make sure that you are familiar with the standards and that you keep to them.

If concerns are raised about you as a member or affiliate of the **CMA**, the **CMA** 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 members or affiliates of the **CMA** as far as possible. The **CMA** acknowledge that some of the standards may not apply to all members or affiliates.

The **CMA** aims to ensure that a high standard of professional conduct is maintained by members or affiliates. This is so that the general public and all members or affiliates can have confidence in the **CMA** and its' members or affiliates

The standards are to be considered objectively and there are no hard and fast rules as to how the standards are to be met. Members or affiliates, as autonomous and accountable professionals, will need to make reasonable decisions about their practice and how best to meet the standards.

The CMA have 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 paul.collin@c-m-a.org.uk.

The Standards of Conduct and Ethics

1. Act in the best interests of the Claimant

Each case involves an injured Claimant. The claimant must be kept at the centre of all decisions made when acting as member of the CMA. Each member or affiliate involved in the process is responsible for promoting the Claimant's best interests. You must respect that those interests will vary when providing a service as a member or affiliate of the CMA.

You must not allow your views about a Claimant's sex, age, colour, race, disability, sexuality, 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 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 DPA and always follow and keep up to date with best practice for handling confidential information.

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 and Data Contributors will have confidence in you as an Authorised User or Data Contributor of The CMA and your actions should not undermine confidence in the the CMA.

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

You must inform The CMA immediately if you have important information about your conduct or competence, or about the conduct and competence of any other The CMA which comes to your attention. In particular you must advise The CMA immediately if you are:

- Convicted of a criminal offence, receive a conditional discharge for an offence or accept a police caution;
- Disciplined by your professional regulator;

- Suspended from MedCo because of concerns about your conduct or competence;
- If you have been declared bankrupt, entered into any individual voluntary arrangements or had a County Court judgment issued against you.

The CMA will investigate the circumstances of any report into conduct and competence in light of this policy and will take action, which may include removing your membership or affiliation and should it be considered necessary reporting you to your regulatory body.

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.

Medical experts if undertaking MedCo instructions will in any event be accredited by MedCo and will be required to undertake appropriate levels of training, targeted at provision of reports in soft tissue injury cases.

All members or affiliates will be required to ensure that they maintain up to date knowledge on data protection issues.

6. Keep accurate records

Accurate records should be maintained of all engagement with the Claimant, MedCo and instructing parties.

7. Behave with integrity

All members and affiliates will be expected to behave with integrity at all times. This covers their dealings with Claimants, the CMA, MedCo and other members and affiliates.

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 the CMA;

Not engaging in any other practice that would undermine the public confidence in the CMA or its' members or affiliates.

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

Members and affiliates should ensure that they 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 CMA Rules and Regulations

Members and affiliates should ensure that they are familiar with the terms of their relevant agreement and the CMA Rules and ensure that these are adhered to. Any revisions will be published and Members and affiliates should familiarise themselves with any updated versions.