



The influenza vaccination is safe, effective and its administration rarely leads to significant medicolegal sequelae, that said it is important that those that administer the vaccination are adequately and appropriately trained and protected.

In their guidance entitled [delegation and referral](#), the GMC states (the emphasis is added):

*When delegating care, you **must** be satisfied that the person to whom you delegate has the **knowledge, skills and experience** to provide the relevant care or treatment; or that the person will be adequately supervised.*

Anyone who administers the influenza vaccine must therefore have successfully undergone appropriate training in accordance with the [flu immunisation training recommendations for 2020 to 2021](#) ([Appendix A](#) and [Appendix B](#)). The Appendix A recommendations prescribe that basic life support and anaphylaxis training must have been undertaken face-to-face within the preceding 12 months.

However Public Health England (PHE) acknowledge that during the pandemic it is likely that the opportunity to attend face to face, classroom-based training will continue to be severely limited due to social distancing advice. PHE state that:

“Immunisers can therefore utilise e-learning, online and virtual training sessions to access foundation and update training rather than the face to face or the mixed delivery learning approaches recommended in the standards documents.....

....Where training is well established, it is recommended that immunisers continue to adhere to the current local requirements as closely as possible, albeit using different methods of training than the method usually recommended. Staff may not be able to exactly match the stated requirements at this time (for example, to attend a 2-day course or updates annually) but they should be allowed to continue to vaccinate as long as both they and their employers believe that they are competent and confident to safely do so.”

The common, mild and transient [side effects](#) of the influenza vaccine are predictable and appropriate warnings should be included (and documented in the records) in the context of the consent process together with the rare (but more serious) side effects such as anaphylaxis.

Indemnity

The indemnity position is as follows:

- Since 1 April 2019, **clinical negligence claims** relating to the provision of NHS primary care will fall to the Clinical Negligence Scheme for General Practice (CNSGP, please also refer to the section below relating to public liability insurance) further details of which can be found at the links below:
 - [Londownide LMCs: CNSGP – What is in, what is out and who do I approach for help?](#)
 - [NHS Resolution: CNSGP](#)



The scheme is extensive in its scope and all providers of NHS primary medical services are covered under CNSGP. The scheme extends to all GPs and others working for general practice who are carrying out activities in connection with the delivery of primary medical services (under the provisions of a GMS, PMS or APMS contract) including salaried GPs, locums, students and trainees, nurses, clinical pharmacists, agency workers, volunteers (providing treatment and/or care) and other practice staff.

Details as to how and when you should report an incident that may lead to a claim can be found [here](#).

- Non-claims matters (which include but are not limited to assistance with complaints, GMC/NMC investigations, NHS England investigations and inquests) will fall to the medical defence organisations, the RCN or equivalent hence it would be prudent to check the position with them, links to the relevant sections of their website can be found below:
 - [MPS Membership benefits](#)
 - [MDU - Why should you choose the MDU?](#)
 - [MDDUS - General Practice Protection](#)
 - [RCN - Join the Royal College of Nursing](#)

Public liability insurance

Whilst the CNSGP would cover clinical negligence claims that arise from the administration of influenza vaccine (within the provisions outlined above), even if it is administered in a *novel* location, you should check that you have adequate and appropriate public liability insurance in place to cover other potential claims that may arise.