

**Legal ENT Ltd – company number 14439351**

**Director:**

**Gerard Kelly, Consultant ENT surgeon - GMC Number 3470303**

## **MEDICOLEGAL TERMS AND CONDITIONS**

**From October 2022**

### **Claimant to defendant ratio**

My reports are mostly commissioned by the claimant's solicitors (60-40%). The report however is addressed to the court.

### **Fees**

#### **Noise induced hearing loss**

£550 for a standard report (for complex cases with very extensive records this would increase). Tests such as hearing tests are **additional** (hearing test usually £55, tympanometry (not usually necessary) £45). For large numbers of referrals these fees are negotiable. Fees are not conditional on my opinion, the fee is for that opinion, not for whether the opinion is favourable or not to the client.

#### **Personal Injury**

£650 for a standard report (for complex cases with very extensive records this would increase) but vary depending on the complexity of the case and the amount of medical records and evidence to be examined. Tests such as hearing tests are **additional** (hearing test usually £55, tympanometry (often not necessary) £45) endoscopic examination of the nose and specialist test of olfactory function would be discussed on a case by case basis. Fees are not conditional on my opinion, the fee is for that opinion, not for whether the opinion is favourable or not to the client.

#### **Further report fees**

Fees are £300 per hour of work. It is essential the responsible party for the payment of further reports is agreed before I undertake further reports. I will always seek confirmation of the responsibility for further report fees, please when requesting further reports, make clear who is responsible for their payment.

### **Negligence cases**

For negligence cases, fees are £300 per hour of work. More accurate estimations of fee for negligence cases can be provided after sight of the medical records and a full appraisal of the case.

### **DNA fees**

My fee for a client's failure to attend is £150 (this fee is only charged if the appointment is not cancelled – at least 24 hours' notice of cancellation is required for this fee to be avoided), but clients arrange their appointment with my secretary (after a letter asking him or her to do so) at a convenient time and date for the consultation and this results in very few DNA's.

### **VAT**

I am VAT registered, therefore **VAT will be added to ALL fees stated here.**

### **Fee for review of the medical records**

The above fee includes a review of the medical records. There is no additional fee unless the medical records are voluminous and run to several hundreds of pages.

### **CV**

See CV, website [www.LeedsENT.com](http://www.LeedsENT.com) in the Medicolegal Tab

### **Payment Terms**

In general fees are expected to be paid at 6 months (or 180 days) from the date of the report being sent to the instructing party. If the instructing party wishes to negotiate on this requirement they should do this by correspondence ([email@GKelly.co.uk](mailto:email@GKelly.co.uk)). Failure to settle invoices may result in additional administrative charges being made and the addition of interest to unpaid debts (charged at 5% above the bank of England base rate).

### Waiting times

When I receive a referral for a medico legal case, my secretary contacts the client immediately asking them to make an appointment to see me, usually in the Nuffield Hospital in Leeds. This is at the client's convenience and significantly cut down failures to attend. Appointments are usually available within 2-3 weeks or so. I send reports (in high quality, signed PDF format) by email. Papers copies are available on request. Over 90% of reports are sent within 7 days of me seeing the client.

### Time scales

Over 90% of reports are generated within **2 weeks** of me seeing the claimant. These are usually produced in high quality PDF files. Report are guaranteed to be generated and emailed within 4 weeks of me seeing the claimant (as long as ALL medical records are available to me, or reports are guaranteed to be generated and emailed within 4 weeks of these medical records being received).

### Court fees

I would ask you to give me as much notice of cancellation as possible. If I am not required, as I work in the NHS on these days, I can reinstate this NHS work and failure to give me enough notice of cancellation of your need for me will mean that NHS clinics and operative cases cannot be reinstated in time. This is inefficient for the NHS. Frequently, court appearances can be cancelled and this is wasteful for clinical work.

My fee of £3000 per day will be charged unless a minimum of 21 days notice of cancellation is given by **email** (Email@GKelly.co.uk). This method of communication is **essential** as it is instant, with no postal or typing delays, thus clinical work can be reinstated as required with as much notice as possible. This fee is addition to costs of overnight accommodation and travel costs (£0.40 per mile for travel by car or standard rate rail travel).

### Medicolegal 'clinics'

For reports involving many clients (up to 30 in one day), a clinic can be arranged and several clients seen in one day. If this is arranged by the commissioning party (with an audiologist supplied and paid for by that party) then reduced fees per report can be negotiated.

### Location of clinics

I see clients in Leeds, usually the Nuffield Hospital Leeds, near the centre of town, a 10 to 15 minute walk from Leeds Railway Station. In general, I do not see clients outside Leeds and if clients require a consultation, then they would need to travel to Leeds to see me.

**Gerard Kelly ENT surgeon, October 2022**

**Director of Legal ENT Ltd**