Do freelance medical writers need indemnity insurance?

- When reviewing new contracts, there are usually clauses that I ask to be deleted, and these include clauses relating to indemnity. I do not like to 'agree to indemnify', and I think companies should not expect freelancers to cover themselves with various insurance policies. (Indemnity insurance would need to be maintained practically indefinitely, because it needs to be in place at the time of the claim as well as at the time of the work it covers.) It is ultimately the responsibility of the client to review and provide final sign-off on the documents I prepare, and I assert this in my proposals. If a client insists on a contract referring to any liability, I ensure this is limited to the value of the contract. There is an interesting small business website that discusses the pros and cons: http://www.businesslink.gov.uk/bdotg/action/detail?type=RESOURCES&itemId=1074302046
- Personally, I don’t have it. I insist on a clause in my contract releasing me from all liability. I also make it clear in my contract that final responsibility for quality control and approval of any work lies with the client.
- I think that this was discussed a couple of years ago. I've not been able to find such a policy (at least at a price I'm happy with) and amongst my close circle of freelancer friends/ex-colleagues, none of us have this. I think that some pharmaceutical companies have a policy of only working with freelancers who are a limited companies, but have this via an ex-colleague/employee of one such company and so don't have any direct experience of this.
- I don’t have any indemnity insurance, and so far (working freelance for 5 years) this hasn’t been a problem.
- I investigated obtaining indemnity insurance when I first started working as a freelancer more than 3 years ago. The process by which the insurance premium was calculated appeared to be fairly random (the insurance firm asked for a copy of my CV to gauge my experience and then came back to be with a figure) and prohibitively expensive. As the majority of the work I do is for pharma companies all the material that I produce for them goes through their medical-legal review process before being distributed - so any errors or problems would be picked up at this stage. The work that I have produced for other medical education/communication agencies also goes through an in-house review process before it is returned to clients. With these two processes in mind, it has allowed me to delay making the decision on indemnity insurance and given me a little peace of mind. I welcome other comments and, if available, the contact details of a reasonable insurance agent.

How do freelancers deal with conflict of interest issues?

- I am only just now launching a freelance career, but the conflict of interest issue is so important, I already have a policy on it. That is, if a journal does not have their own form to fill out for conflict of interest/financial disclosure, I will provide the authors with a standard blank form to fill out and sign with the critical data. Previously (as an employee of Astellas Pharma) I based the standard from on that provided by N Engl J Med. This has worked well.
- It depends what is meant here and what kind of documents are involved. If you mean a conflict in terms of competitive products in different CSRs, for example, the data are what they are - and I would write the results up in an objective way for each client (and they remain confidential). For documents that will go into the public domain, such as manuscripts and abstracts, I think it is a different situation; I would not like to accept a conflicting assignment in this case.

- Tricky. I had to let go of a contract that bound me to one client for all solid tumour work. As that is a major area of mine, I found the contract very restrictive. To make up for it, they tried to provide me a certain amount of work per month, but this didn't work out because they were not able to guarantee work in the timeslots we agreed (delayed sign-off, etc). I would advise other writers to avoid these agreements if possible. Contracts binding a writer to work solely with one client should certainly be refused. Could very restrictive practices become a matter for EMWA policy/advice?
- I was asked to work on a project for the direct competitor of my largest client. As I have agreements in place with each of my clients, it was safer to turn the work down because of the conflict of interest. I did, however, inform the client that I had been approached by their competitor and that I had turned work down to keep maximum transparency.

Journal manuscripts are no problem, but I regularly underestimate the time needed for other types of document. Has anyone any advice on scheduling and dealing with clients in this respect?

- When preparing a proposal, be as specific as possible and put in a number of assumptions, for example, the number of drafts you are expecting to produce for the amount estimated. Allow yourself an extra period of time for the unexpected, and build margin into your proposals for minor changes to the data etc. during the editing process. If you still find that you will not meet a deadline, be as honest as possible, as soon as you realise it will be a problem.
- One piece of advice I received at Basel has since been very useful: allow one day per 1000 words.
- I tend to look back at similar jobs and see how long they took and use this as a basis. I also tend to add on some hours as a 'comfort zone' and as I tell the client that I bill by the hour, it hopefully looks good when I deliver within the previously agreed amount of time. This also means that if the job takes longer than I thought it would, I don't usually have to go back and ask for more time. When things have looked like they are taking significantly longer, I usually email a little while before I run out of time, explain why it is taking longer (extra drafts required, more data sent through, more than one set of review comments etc) and explain that I need more time. This usually isn't a surprise for the client as they are cc'd on most emails and to date it hasn't been a problem.
- If the document in question is not one you prepare regularly, or perhaps an ad-hoc service, I agree that the risk of under-estimating is possible. I would ask to see the source documents you are required to write from. Take a good look at them, and gain a better idea of how long the job in question should take. Be clear on your assumptions in your proposal, so that if the scope of the project grows, or if resources are not provided on time, you can go back and ask for more money/time. You could also build in a buffer – say 10-15% either way.
- I usually try and persuade clients that I work on a time-incurred basis: I give them an idea of how much time I will need (which ranges from relatively vague to quite specific, depending on the project) and then bill for the actual number of hours worked. If they insist on a fixed price, than I try and negotiate that this is up to first draft stage only.
- I keep timesheets for each of the projects I work on. If I am invited to take part in a project that is similar to one that I have already completed then I look back at how long it took me to complete the previous project and use this information as a yard stick. There are occasions, however, when it is not possible to do this. In these situations I would provide the client with a detailed proposal that outlines each of the steps for completing the project, the estimated time to complete each step and the total time for the project. At this point you can

also add in disclaimers (e.g. these estimates include two rounds of changes at each key stage, any additional rounds of changes will incur additional charges). If the client asks for something that is outside of the initial estimate then you can always point this out and say that they will incur further charges for you to complete this. The other thing is to keep in regular contact with your clients and every time you return work back to them advise them how much of the budget is remaining - you can always include a note at this stage to say that you think additional time might be needed. Reminding the client of the budget also helps them to streamline the information they send you.

How important is it to send out seasonal greetings (e.g. cards, maybe even small gifts) to clients at this time of year? Are ‘E-greetings’ acceptable?

- I have never sent out cards or gifts in the past. However, this year I have decided on a different approach and am sending out cards to all current and past clients. I have decided on sending cards in the post rather than E-greetings, which are too easily deleted or missed in a busy inbox. I am interested in whether it produces a response or any new business.
- I have sent cards out in the past. I think they mean more to the recipient than e-greetings. The problem is knowing who to send them to so you don’t offend anyone. Do you include administrative assistants you have dealt with, for example, as well as your main contacts? You might have dealt with someone in the past, but not over the past year, so has he or she moved on or changed name?
- In previous years I have sent out Christmas cards and enclosed a business card with them, but last year I switched to doing this electronically instead. Hopefully this is more environmentally friendly as it doesn't involve all the paper waste etc. and as I tend to use the Cancer Research website for the e-cards, a charity gets 100% of the costs (the contribution I make) and so hopefully the money goes further too. I got the idea from one of my clients who sent me an e-card instead of a paper one and decided to copy their idea. You can pick a 'company format' card and upload all your details etc so that it looks very official (something my client did) or just go for an animated personalised card, which was the option I chose as it was technically less daunting and I didn't have to supply jpeg/PDF etc of my business log etc. I have also given out boxes of chocolates to some client too, but as these were ex-employers it was more of a gesture towards my ex-colleagues really and was something to make work more interesting for them in the New Year.
- My friend based in the US sends out a small box of very good quality truffles to a handful of ‘special’ clients and has them sent to their desks. She follows up with a phone call. She believes this special treatment may make them think of her services if she has slipped from their consciousness for a while. I send my cards by conventional mail, but only because to date I have felt unsure how e-cards would be received. I would like to try e-cards next year, if only to make a small positive contribution to the environment.
- I send Christmas cards to my clients. I think it’s a good way of acknowledging their custom. I’m not so keen on E-greetings. I think there are cultural influences here – there’s a much stronger tradition of sending cards in the UK (which is sometimes taken to extremes…) than in Austria.
- I really enjoy sending seasonal greetings cards and think they are an important way to remind people that you are still working as a freelancer. For preference, I send cards by post. This year I designed and created my own cards (using a photo that my husband took of some snow covered evergreen trees and software that is freely available on my Mac). It made a welcome change to do something a little creative and kept my costs low!