



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 020 7811 2700

October 2023
FOI_6193

The following information was requested on 19 September 2023:

Follow up to [FOI 6154](#) -

...is it possible to get the total damages and claim for emergency medicine broken down by trusts? Just for 18-19 and 22-23.

Our Response

Please find attached the requested information. This information only covers England and not the rest of the UK.

We have provided data on clinical (excluding GPI) claims cases only.

NB: We have recently changed the way we report on our FOIs to align better with our published documents. Streamlining our reporting on FOIs with our annual published reports may mean a variation in snapshot dates. This means this data may not align with previous similar requests and it may not be possible for you to compare this information with a previous request. For further information, please refer to <https://resolution.nhs.uk/resources/understanding-nhs-resolution-data>.

Please note claims notified/received and open are not guaranteed to be settled in the same year and can take many years to be concluded. Claims notified/received in any given year will often relate to incidents that have occurred many years prior. Claims closed in any given year will often relate to claims received/notified many years prior.

The data shows variation in numbers of cases closed per year and costs attributed to those claims. This is a reflection of the nature of individual claims received and resolved by NHS Resolution, which can vary significantly. As such, these fluctuations cannot be interpreted as trends.

Table 1 shows: - Number and cost of clinical negligence claims (excluding GPI claims) closed in the financial year 2018/19, with damages paid or settled with a periodical

payment order, where the specialty is '**Emergency Medicine**' broken down by Member Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 2 shows: - Number and cost of clinical negligence claims (excluding GPI claims) closed in the financial year 2022/23, with damages paid or settled with a periodical payment order, where the specialty is '**Emergency Medicine**' broken down by Member Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

PPOs -

The information disclosed includes damages and costs paid up to the end of the settlement year (in Periodical payment order (PPO) cases) and up to the end of the closure year in non-PPO cases.

PPOs are an agreement between the parties, to pay an initial lump sum and regular future payments (PPO damages) related to the injured party's ongoing needs, usually care for life i.e., a percentage of the full value of the claim is paid at the point of settlement (lump sum damages) with the balance paid at regular intervals over subsequent years. The information disclosed includes lump sum damages, costs and any PPO damages paid up to the end of the year of settlement. It does not include PPO damages, which have been committed to but due to be paid after the settlement year.

Low Numbers

We have suppressed low figures (we have not provided the names of the Trusts with fewer than 5 claims) as we believe that disclosure of information with this level of granularity is exempt under Section 40(2) by virtue of section 40(3A)(a) of the Act, where disclosure to a member of the public would contravene one or more of the data protection principles. The data protection principles are set out in Article 5 of the General Data Protection Regulation. We take the view that it would not be fair or lawful (given the sensitive and confidential nature of the information held) to disclose such information, and any disclosure would therefore contravene the first data protection principle.

In some instances, the low numbers of claims (fewer than 5) in each category, the likelihood exists that individuals who are the subject of this information may be identified either from this information alone, or in combination with other available information. In addition to this, as this information is considered to be sensitive personal data (the data subjects' medical condition); NHS Resolution believes it has a greater responsibility to protect those individuals' identities, as disclosure could potentially cause damage and/or distress to those involved.

Further to our obligations to provide advice and assistance, you may find it helpful to review the work of the [Getting It Right First Time team](#) with whom NHS Resolution has been working with to undertake in-depth analysis of our claims data. They have produced a number of [reports](#) from analysing our claims data, which has been shared following approval of the confidentiality advisory group to the use of confidential patient information for this purpose.

If you would like to know how data is categorised in our Claims database please see the following link: [Glossary](#)

This concludes our response to your request.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decisions. If you choose to do this, you should write to [Tinku Mitra](#), Deputy Director of Corporate and Information Governance, Data Protection Officer for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/>

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NB: Number of claims fewer than 5 (and any associated values, within the same row) are masked with a "#" (in accordance with Data Protection guidelines). Accordingly, some total values may also be approximated to prevent masked values to be deduced through reverse calculation.

Table 1 – Number and total cost of clinical negligence claims (excluding GPI claims) closed with damages paid, or settled with a periodical payment order, in the financial year 2018/19 and where the specialty is 'Emergency Medicine', broken down by trust.

Table 2 – Number and total cost of clinical negligence claims (excluding GPI claims) closed with damages paid, or settled with a periodical payment order, in the financial year 2022/23 and where the specialty is 'Emergency Medicine', broken down by trust.

Table 1 – Number and total cost of clinical negligence claims (excluding GPI claims) closed with damages paid, or settled with a periodical payment order, in the financial year 2018/19 and where the specialty is 'Emergency Medicine', broken down by trust.

FOI View Claim_Outcome reportingYear	Closed Settled Successful 2018/19				
Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Trusts, and Department of Health & Social Care, with fewer than 5 Claims (60)	135	17,772,726	2,033,276	6,253,386	26,059,388
Manchester University NHS Foundation Trust	28	1,038,622	194,812	1,014,928	2,248,362
University Hospitals Birmingham NHS Foundation Trust	23	1,661,914	267,924	850,014	2,779,852
Mid Yorkshire Hospitals NHS Trust (The)	22	2,056,906	222,019	880,903	3,159,828
Mid and South Essex NHS Foundation Trust	21	395,974	154,547	588,322	1,138,843
University Hospitals Sussex NHS Foundation Trust	20	815,824	95,900	563,855	1,475,579
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	18	575,278	88,858	417,913	1,082,049
East Lancashire Hospitals NHS Trust	17	1,358,189	167,371	604,500	2,130,059
University Hospitals of North Midlands NHS Trust	15	478,214	79,952	432,942	991,107
Nottingham University Hospitals NHS Trust	14	4,613,816	292,603	548,328	5,454,748
Hull University Teaching Hospitals NHS Trust	14	983,202	103,601	384,390	1,471,193
Frimley Health NHS Foundation Trust	13	1,677,733	242,658	1,185,325	3,105,716
County Durham and Darlington NHS Foundation Trust	13	525,043	220,459	1,175,503	1,921,005
University Hospitals of Derby and Burton NHS Foundation Trust	13	108,545	23,940	186,165	318,650
South Tyneside and Sunderland NHS Foundation Trust	12	1,186,075	174,588	623,936	1,984,598
Barking, Havering and Redbridge University Hospitals NHS Trust	12	3,056,248	178,748	659,417	3,894,413
Calderdale & Huddersfield NHS Foundation Trust	12	346,373	192,835	240,550	779,757
Portsmouth Hospitals NHS Trust	12	1,783,454	159,447	543,494	2,486,395
North West Anglia NHS Foundation Trust	12	601,285	135,014	670,903	1,407,202
Sheffield Teaching Hospitals NHS Foundation Trust	11	2,093,308	243,425	739,665	3,076,398
Royal Wolverhampton NHS Trust (The)	11	3,125,714	245,389	1,035,651	4,406,754
Liverpool University Hospitals NHS Foundation Trust	11	1,678,834	232,111	729,019	2,639,964
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	11	1,463,364	117,323	878,907	2,459,594
North Middlesex University Hospital NHS Trust	11	7,265,348	359,411	1,679,296	9,304,054
Medway NHS Foundation Trust	10	193,111	50,245	398,241	641,597
East Sussex Healthcare NHS Trust	10	301,750	71,863	190,640	564,253
North Bristol NHS Trust	10	370,389	121,962	622,166	1,114,517
Sherwood Forest Hospitals NHS Foundation Trust	10	3,974,594	206,099	1,198,500	5,379,192
Tameside and Glossop Integrated Care NHS Foundation Trust	9	163,515	38,497	183,900	405,912
University Hospitals Dorset NHS Foundation Trust	9	223,469	78,195	414,549	716,213
Maldstone and Tunbridge Wells NHS Trust	9	3,130,158	205,408	805,250	4,140,816
Northern Care Alliance NHS Foundation Trust	9	5,473,566	175,576	511,867	6,161,009
Blackpool Teaching Hospitals NHS Foundation Trust	9	4,935,893	101,311	995,022	6,032,226
Barts Health NHS Trust	9	1,745,300	169,267	795,683	2,710,250
United Lincolnshire Hospitals NHS Trust	9	2,111,500	230,601	683,485	3,025,585
Countess of Chester Hospital NHS Foundation Trust	9	3,809,637	194,548	780,914	4,785,099
University Hospitals Bristol & Weston NHS Foundation Trust	9	179,584	35,435	191,411	406,430
Royal Cornwall Hospitals NHS Trust	9	148,749	52,981	208,100	409,829
Wirral University Teaching Hospital NHS Foundation Trust	9	206,901	71,461	209,969	488,331
Barnsley Hospital NHS Foundation Trust	9	201,250	35,894	191,903	429,048
Bradford Teaching Hospitals NHS Foundation Trust	9	557,675	83,140	417,786	1,058,601
Bedfordshire Hospitals NHS Foundation Trust	9	438,255	67,154	470,418	975,827
The Leeds Teaching Hospitals NHS Trust	8	379,000	64,442	341,625	785,067
King's College Hospital NHS Foundation Trust	8	171,077	49,746	194,572	415,395
Worcestershire Acute Hospitals NHS Trust	8	1,364,796	91,029	315,150	1,770,975
Lancashire Teaching Hospitals NHS Foundation Trust	8	76,162	31,385	167,158	274,705
University Hospitals of Leicester NHS Trust	8	240,883	87,316	382,999	711,198
Northumbria Healthcare NHS Foundation Trust	8	199,093	28,760	120,481	348,334
The Roehampton NHS Foundation Trust	8	2,455,839	177,345	914,962	3,548,145
York and Scarborough Teaching Hospitals NHS Foundation Trust	8	406,267	81,993	322,353	810,612
Southport and Ormskirk Hospital NHS Trust	8	594,307	37,980	255,826	888,113
North Cumbria Integrated Care NHS Foundation Trust	8	253,661	127,176	489,526	870,364
Chesterfield Royal Hospital NHS Foundation Trust	7	166,000	53,680	228,600	448,280
Lewisham & Greenwich NHS Trust	7	193,556	32,131	170,800	396,486
Buckinghamshire Healthcare NHS Trust	7	272,755	39,987	172,065	484,807
St George's University Hospitals NHS Foundation Trust	7	217,625	27,091	191,700	436,416
Warrington and Halton Hospitals NHS Foundation Trust	7	103,000	35,997	143,740	282,737
London North West University Healthcare NHS Trust	7	519,200	162,010	788,250	1,469,461
Royal Berkshire NHS Foundation Trust	7	2,022,212	105,406	463,675	2,591,294
Kingston Hospital NHS Foundation Trust	7	199,467	31,467	361,839	592,773
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	7	230,250	85,639	505,782	821,671
Isle of Wight NHS Trust	6	1,463,360	95,430	387,099	1,945,889
South Tees Hospitals NHS Foundation Trust	6	56,500	30,974	131,994	219,468
Great Western Hospitals NHS Foundation Trust	6	1,183,872	218,964	1,133,105	2,535,942
East and North Hertfordshire NHS Trust	6	1,029,026	40,794	105,507	1,175,327
Chelsea & Westminster Hospital NHS Foundation Trust	6	1,245,409	153,386	533,680	1,932,475
East Cheshire NHS Trust	6	630,842	142,632	672,000	1,445,474
Princess Alexandra Hospital NHS Trust (The)	6	123,500	22,341	88,000	233,841
East Kent Hospitals University NHS Foundation Trust	6	265,669	26,310	135,300	427,279
East Suffolk and North Essex NHS Foundation Trust	6	127,350	36,298	238,107	401,754
Dartford and Gravesham NHS Trust	6	553,025	58,564	391,815	1,003,404
University Hospitals Coventry & Warwickshire NHS Trust	5	115,427	47,225	229,650	392,302
Hampshire Hospitals NHS Foundation Trust	5	484,805	206,080	360,950	1,051,835
Torbay & South Devon NHS Foundation Trust	5	55,283	40,937	140,750	236,970
Dudley Group NHS Foundation Trust (The)	5	448,648	21,390	125,000	595,037
Harrogate & District NHS Foundation Trust	5	59,500	20,135	67,818	147,453
Shrewsbury and Telford Hospital NHS Trust	5	90,283	9,998	68,750	169,031
Whittington Health NHS Trust	5	166,237	37,021	175,500	378,758
Royal Free London NHS Foundation Trust	5	1,227,217	84,119	559,600	1,870,935
James Paget University Hospitals NHS Foundation Trust	5	1,553,890	92,100	407,620	2,053,610
South Warwickshire NHS Foundation Trust	5	30,500	18,067	29,300	77,867
Kettering General Hospital NHS Foundation Trust	5	83,240	44,358	175,300	302,898
Ashford & St Peter's Hospitals NHS Foundation Trust	5	83,783	11,445	51,237	146,465
Wrightington, Wigan and Leigh NHS Foundation Trust	5	309,898	34,215	158,500	502,613
Grand Total	915	106,299,697	11,059,208	45,054,801	162,413,706

Table 2 – Number and total cost of clinical negligence claims (excluding GPI claims) closed with damages paid, or settled with a periodical payment order, in the financial year 2022/23 and where the specialty is 'Emergency Medicine', broken down by trust.

FOI View Claim_Outcome reportingYear	Closed Settled Successful 2022/23				
Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Trusts with less than 5 claims (49 Trusts)	125	20,231,283	2,109,112	8,092,293	30,432,687
Northern Care Alliance NHS Foundation Trust	31	5,581,742	846,446	2,628,698	9,056,886
Mid and South Essex NHS Foundation Trust	22	1,545,106	460,798	2,078,752	4,084,655
Manchester University NHS Foundation Trust	20	4,503,186	332,001	1,191,249	6,026,436
Frimley Health NHS Foundation Trust	18	11,481,925	254,675	946,226	12,682,825
East Kent Hospitals University NHS Foundation Trust	18	1,380,956	310,055	1,040,044	2,731,054
University Hospitals Birmingham NHS Foundation Trust	16	4,017,147	534,078	1,457,075	6,008,300
Worcestershire Acute Hospitals NHS Trust	16	4,983,775	293,121	1,086,050	6,362,946
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	16	376,705	79,058	612,910	1,068,673
University Hospitals Coventry & Warwickshire NHS Trust	15	1,494,195	215,697	828,639	2,538,531
The Leeds Teaching Hospitals NHS Trust	14	2,034,604	150,175	619,950	2,804,728
Royal Wolverhampton NHS Trust (The)	14	1,476,496	201,425	599,003	2,276,923
Hull University Teaching Hospitals NHS Trust	14	3,620,746	282,640	1,261,210	5,164,596
United Lincolnshire Hospitals NHS Trust	14	2,180,540	195,149	876,250	3,251,939
County Durham and Darlington NHS Foundation Trust	14	470,569	116,344	487,500	1,074,413
East Lancashire Hospitals NHS Trust	13	1,562,882	262,668	857,770	2,683,321
Northumbria Healthcare NHS Foundation Trust	13	1,297,199	149,096	518,750	1,965,044
Barts Health NHS Trust	13	7,359,698	512,781	1,402,705	9,275,185
Mid Yorkshire Hospitals NHS Trust (The)	13	602,205	76,973	469,000	1,148,178
Liverpool University Hospitals NHS Foundation Trust	12	563,614	63,384	456,250	1,083,248
University Hospitals Sussex NHS Foundation Trust	12	2,804,183	385,792	997,000	4,186,975
York and Scarborough Teaching Hospitals NHS Foundation Trust	11	421,328	81,270	565,500	1,068,098
Royal Cornwall Hospitals NHS Trust	11	528,504	113,818	375,030	1,017,352
Barking, Havering and Redbridge University Hospitals NHS Trust	11	309,117	196,671	398,892	904,680
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	11	1,632,617	106,939	662,512	2,402,068
Bedfordshire Hospitals NHS Foundation Trust	11	407,407	102,166	348,500	858,073
Shrewsbury and Telford Hospital NHS Trust	11	3,396,487	239,609	902,210	4,538,306
North West Anglia NHS Foundation Trust	11	596,183	121,690	425,070	1,142,943
Northampton General Hospital NHS Trust	11	402,988	104,105	381,455	888,548
Chelsea & Westminster Hospital NHS Foundation Trust	10	1,541,218	162,016	598,675	2,301,909
University Hospitals of Derby and Burton NHS Foundation Trust	10	127,950	27,811	252,100	407,861
Dudley Group NHS Foundation Trust (The)	10	220,875	73,011	460,982	754,868
The Rotherham NHS Foundation Trust	9	1,004,017	107,518	548,374	1,659,909
King's College Hospital NHS Foundation Trust	9	7,498,014	429,526	1,241,935	9,169,475
Buckinghamshire Healthcare NHS Trust	9	467,012	124,144	590,000	1,181,156
Calderdale & Huddersfield NHS Foundation Trust	9	1,694,296	128,613	594,978	2,417,887
Sandwell & West Birmingham Hospitals NHS Trust	9	768,430	100,299	436,244	1,304,973
University Hospitals of North Midlands NHS Trust	8	791,812	124,086	376,500	1,292,397
Medway NHS Foundation Trust	8	397,262	80,657	434,660	912,579
Barnsley Hospital NHS Foundation Trust	8	1,202,443	222,112	498,500	1,923,055
Princess Alexandra Hospital NHS Trust (The)	8	150,246	56,187	274,725	481,158
East Suffolk and North Essex NHS Foundation Trust	8	433,590	79,154	536,125	1,048,869
Nottingham University Hospitals NHS Trust	7	246,839	16,794	123,000	386,633
Isle of Wight NHS Trust	7	1,470,615	196,585	638,000	2,305,200
London North West University Healthcare NHS Trust	7	133,974	58,906	268,313	461,192
Wirral University Teaching Hospital NHS Foundation Trust	7	117,786	33,226	179,451	330,463
Royal Devon University Healthcare NHS Foundation Trust	7	2,751,364	129,821	423,500	3,304,684
University Plymouth Hospitals NHS Trust	7	385,030	86,457	393,000	864,487
Milton Keynes Hospital NHS Foundation Trust	7	2,548,122	106,179	462,750	3,117,050
Bolton NHS Foundation Trust	7	3,796,793	159,429	654,464	4,610,685
Blackpool Teaching Hospitals NHS Foundation Trust	7	613,014	114,106	421,504	1,148,624
South Tyneside and Sunderland NHS Foundation Trust	7	2,465,930	155,282	709,756	3,330,968
University Hospitals of Leicester NHS Trust	7	616,592	32,692	286,500	935,784
Southport and Ormskirk Hospital NHS Trust	7	307,270	46,841	224,000	578,111
Royal Free London NHS Foundation Trust	7	2,820,722	260,847	980,700	4,062,270
Tameside and Glossop Integrated Care NHS Foundation Trust	7	123,021	15,372	176,520	314,913
Oxford University Hospitals NHS Foundation Trust	7	320,250	134,892	406,850	861,992
Lewisham & Greenwich NHS Trust	7	581,228	94,050	476,986	1,152,264
Sheffield Teaching Hospitals NHS Foundation Trust	7	4,260,500	136,788	586,143	4,983,431
South Tees Hospitals NHS Foundation Trust	7	260,376	155,434	531,250	947,061
Maidstone and Tunbridge Wells NHS Trust	6	348,846	82,325	326,000	757,171
University Hospitals Dorset NHS Foundation Trust	6	65,977	18,817	114,328	199,122
Lancashire Teaching Hospitals NHS Foundation Trust	6	155,923	63,092	153,155	372,170
St Helens and Knowsley Teaching Hospitals NHS Trust	6	282,482	52,977	211,534	546,993
West Hertfordshire Hospitals NHS Trust	6	530,796	33,966	267,500	832,262
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	6	306,033	201,872	550,900	1,058,804
Bradford Teaching Hospitals NHS Foundation Trust	5	125,486	39,932	225,895	391,313
St George's University Hospitals NHS Foundation Trust	5	1,030,880	72,706	505,000	1,608,586
Croydon Health Services NHS Trust	5	5,024,824	269,802	675,160	5,969,786
Norfolk & Norwich University Hospitals NHS Foundation Trust	5	86,276	14,702	81,000	181,978
University Hospitals of Morecambe Bay NHS Foundation Trust	5	955,733	89,217	464,000	1,508,949
North Cumbria Integrated Care NHS Foundation Trust	5	232,680	31,410	145,895	409,986
Sherwood Forest Hospitals NHS Foundation Trust	5	39,083	15,315	95,748	150,145
Portsmouth Hospitals NHS Trust	5	289,222	67,748	294,856	651,825
Ashford & St Peter's Hospitals NHS Foundation Trust	5	312,046	30,466	246,000	588,512
Royal Berkshire NHS Foundation Trust	5	911,372	155,087	392,598	1,459,057
University College London Hospitals NHS Foundation Trust	5	514,444	55,373	420,000	989,817
Hampshire Hospitals NHS Foundation Trust	5	1,913,228	174,759	455,422	2,543,409
Chesterfield Royal Hospital NHS Foundation Trust	5	108,500	66,776	191,121	366,397
Hillingdon Hospitals NHS Foundation Trust (The)	5	105,500	8,532	148,050	262,082
Imperial College Healthcare NHS Trust	5	1,436,172	183,585	678,735	2,298,491
Grand Total	883	142,155,476	14,275,028	53,995,873	210,426,377