

November 2023
FOI_6242

The following information was requested on 20 October 2023:

- 1. Can you provide me with data (based on the financial year 2022/2023 in which the claim was paid) arising from a general misdiagnosis (which I believe has the cause code "**Failure/Delay Diagnosis**"), where this is either the first or second cause of the claim? Please state the number of successful claims and the total amount of damages paid to settle these claims.*
- 2. If a NHS Trust had ten or more claims paid out within the three year period of 2020/21, 2021/22 and 2022/23 where misdiagnosis was either the first or second cause of the claim then please provide the name of the trust and the total value in compensation in relation to those claims and the number of those claims for the three year period?*
- 3. Please provide the three highest figures that have been paid out to patients where claims were found in their favour in 2022/2023 where misdiagnosis was either the first or second cause of the claim?*
- 4. Can you provide me with data (based on the financial year 2022/2023 in which the claim was paid) arising from a general misdiagnosis (which I believe has the cause code "**Failure/Delay Diagnosis**"), where this is either the first or second cause of the claim and where "**cancer**" or "**malignant**" is in the free write field? Please state the number of successful claims and the total amount of damages paid to settle these claims.*
- 5. If a NHS Trust had five or more claims paid out in the three year period of 2020/21, 2021/22 and 2022/23 where misdiagnosis was either the first or second cause of the claim and where "**cancer**" or "**malignant**" is in the free write field then please provide the name of the trust and the total value in compensation in relation to those claims and the number of those claims in the three year period.*
- 6. Please provide the three highest figures that have been paid out to patients where claims were found in their favour in 2022/2023 where misdiagnosis was either the first or second cause of the claim, and where "**cancer**" or "**malignant**" is in the free write field?*

Our Response

Please find attached the information we are able to provide.

Table 1 shows: - Number and Damages for Claims Closed (or settled with a PPO) between the financial years 2020/21 - 2022/23 with damages paid, where the first or second cause is '**Failure/Delay Diagnosis**' (including damages paid up to the end of

the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

The data disclosed includes CNSGP and ELSGP claims. Details about the clinical schemes that we operate are available here: - [Clinical schemes - NHS Resolution](#)

Table 2 shows: - Trusts with a total of 10 or more Claims Closed (or settled with a PPO) between the financial years 2020/21 - 2022/23 with damages paid, where the first or second cause code is '**Failure/Delay Diagnosis**' (including damages paid up to the end of the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

Table 3 shows:- Number and damages for Claims Closed (or settled with a PPO) between the financial years 2020/21 - 2022/23 with damages paid, where one of the cause codes is '**Failure/Delay Diagnosis**', and at least one of the injury codes is '**cancer**', '**advanced stage cancer**' or '**malignant tumour**' (including damages paid up to the end of the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

Table 4 shows:- Trusts with a total of 5 or more Claims Closed (or settled with a PPO) between the financial years 2020/21 - 2022/23 with damages paid, where the first or second cause is '**Failure/Delay Diagnosis**' and at least one of the injury codes is '**cancer**', '**advanced stage cancer**' or '**malignant tumour**' (including damages paid up to the end of the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

For questions 4 and 5 we have relied on the cause code "Failure/Delay Diagnosis where the injury codes are: 'cancer', 'advanced stage cancer' or 'malignant tumour' as this is more accurate and provides more consistent data, rather than relying on the incident description field which is the free text field and is subjective.

Table 5 shows: - The damages range of highest 3 Clinical Claims Closed (or settled with a periodical payment order) in financial year 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 6 shows: - The damages range of highest 3 Clinical Claims Closed in financial year 2022/23, with a damages payment where one of the cause codes is 'Failure/Delay Diagnosis' and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'

Please also note that the data shows variation in damages and costs paid. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. As such, year on year fluctuations cannot necessarily be interpreted as trends.

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.

Q3 and Q6 –

We have provided the data range for Qs 3 and 6 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 FOI 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.

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.

Please refer to [Understanding NHS Resolution data](#) guidance for further details on how our Claims database is categorised.

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 Damages Cost of Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 2 – Trusts with a total of 10 or more Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause code is 'Failure/Delay Diagnosis'. 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 3 – Number and Damages Cost of Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where one of the cause codes is 'Failure/Delay Diagnosis', and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 4 – Trusts with a total of 5 or more Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis' and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'. 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 5 – The damages range of highest 3 Clinical Claims Closed (or settled with a periodical payment order) in financial year 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

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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 6 – The damages range of highest 3 Clinical Claims Closed in financial year 2022/23, with a damages payment where one of the cause codes is 'Failure/Delay Diagnosis' and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'

Table 1 – Number and Damages Cost of Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

FOI View	Closed Settled
Clinical	Clinical
Claim_Outcome	Successful

Year of Closure/Settlement as PPO	No. of Claims	Damages Paid
2020/21	1,413	194,746,269
2021/22	1,759	294,301,978
2022/23	1,913	343,590,013
Grand Total	5,085	832,638,260

Table 2 – Trusts with a total of 10 or more Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause code is 'Failure/Delay Diagnosis'. 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.

FOI View	Closed Settled
Claim_Outcome	Successful
Clinical	Clinical

Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Department of Health	417	42,656,799	5,857,249	22,774,882	71,288,930
DH CL	12	4,742,432	512,447	1,935,348	7,190,227
ELSGP	405	37,914,367	5,344,803	20,839,533	64,098,703
Mid and South Essex NHS Foundation Trust	114	16,198,058	1,893,879	7,664,635	25,756,573
United Lincolnshire Hospitals NHS Trust	110	10,981,758	997,496	4,743,738	16,722,992
University Hospitals Birmingham NHS Foundation Trust	90	17,598,422	2,000,888	5,914,101	25,513,411
Mid Yorkshire Hospitals NHS Trust (The)	85	10,821,773	1,198,150	4,800,772	16,820,696
University Hospitals of Derby and Burton NHS Foundation Trust	83	9,614,662	1,242,042	4,168,377	15,025,081
NHS Commissioning Board	81	3,298,658	495,857	1,717,408	5,511,923
Northern Care Alliance NHS Foundation Trust	80	15,745,926	1,884,320	6,142,414	23,772,659
County Durham and Darlington NHS Foundation Trust	75	6,665,545	990,701	4,097,583	11,753,829
Hull University Teaching Hospitals NHS Trust	72	12,732,472	1,215,735	4,884,507	18,832,714
Nottingham University Hospitals NHS Trust	67	20,798,072	1,857,451	5,439,038	28,094,561
University Hospitals of Leicester NHS Trust	66	13,017,322	1,310,585	4,569,665	18,897,573
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	65	8,093,106	627,418	2,771,375	11,491,898
Barts Health NHS Trust	64	18,864,153	1,488,410	5,288,179	25,640,742
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	61	9,261,066	723,867	3,309,718	13,294,651
Shrewsbury and Telford Hospital NHS Trust	60	8,593,233	1,048,604	3,644,128	13,285,966
Royal Free London NHS Foundation Trust	59	14,329,425	1,119,807	5,117,012	20,566,244
Worcestershire Acute Hospitals NHS Trust	59	11,336,769	926,483	3,565,184	15,828,436
The Leeds Teaching Hospitals NHS Trust	57	4,406,901	757,781	3,068,412	8,233,093
University Hospitals Coventry & Warwickshire NHS Trust	55	11,660,550	836,755	2,988,280	15,485,585
Liverpool University Hospitals NHS Foundation Trust	55	7,245,570	748,758	3,139,901	11,134,229
Manchester University NHS Foundation Trust	55	17,200,591	902,619	3,373,424	21,476,635
North West Anglia NHS Foundation Trust	55	7,772,699	586,216	2,990,638	11,349,553
University Hospitals Sussex NHS Foundation Trust	53	25,779,390	2,332,357	6,246,260	34,358,008
Sherwood Forest Hospitals NHS Foundation Trust	52	5,734,404	643,078	2,200,671	8,578,153
East Kent Hospitals University NHS Foundation Trust	52	6,381,835	884,154	3,219,489	10,485,478
Barking, Havering and Redbridge University Hospitals NHS Trust	51	3,315,792	742,389	2,385,404	6,443,586
South Tees Hospitals NHS Foundation Trust	51	4,320,818	869,802	2,848,581	8,039,201
Sandwell & West Birmingham Hospitals NHS Trust	50	4,802,730	893,132	3,512,123	9,207,985
Barnsley Hospital NHS Foundation Trust	50	7,573,759	1,007,029	3,555,144	12,135,931
University Hospitals of North Midlands NHS Trust	49	6,125,276	618,678	2,161,438	8,905,392
Frimley Health NHS Foundation Trust	48	14,123,456	758,208	2,900,835	17,782,499
Norfolk & Norwich University Hospitals NHS Foundation Trust	47	5,344,501	449,099	2,108,092	7,901,692
Lewisham & Greenwich NHS Trust	47	1,866,433	575,136	2,412,414	4,853,983
King's College Hospital NHS Foundation Trust	47	14,121,129	1,463,279	5,035,832	20,620,240
Northampton General Hospital NHS Trust	46	3,391,269	549,267	2,548,568	6,489,104
East Lancashire Hospitals NHS Trust	46	5,351,256	758,945	2,680,575	8,790,777
Royal Cornwall Hospitals NHS Trust	45	6,207,432	662,211	2,248,224	9,117,868
Northumbria Healthcare NHS Foundation Trust	42	3,920,792	522,933	2,073,371	6,517,096
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	42	8,694,268	893,930	3,368,805	12,957,003
South Tyneside and Sunderland NHS Foundation Trust	42	3,177,898	509,340	2,021,703	5,708,941
St Helens and Knowsley Teaching Hospitals NHS Trust	41	3,804,241	583,404	1,743,336	6,130,981
Bedfordshire Hospitals NHS Foundation Trust	39	2,997,974	573,960	2,679,893	6,251,827
York and Scarborough Teaching Hospitals NHS Foundation Trust	39	3,290,463	342,142	1,922,788	5,555,393
Medway NHS Foundation Trust	38	5,948,872	625,424	2,560,438	9,134,735
Lancashire Teaching Hospitals NHS Foundation Trust	37	6,637,715	558,576	1,969,599	9,165,890
University Hospitals Bristol & Weston NHS Foundation Trust	36	8,879,648	678,241	2,237,741	11,795,630
Buckinghamshire Healthcare NHS Trust	35	6,748,182	548,811	2,508,525	9,805,519
Warrington and Halton Hospitals NHS Foundation Trust	34	2,232,926	275,024	1,183,621	3,691,571
University Hospitals of Morecambe Bay NHS Foundation Trust	34	2,854,906	578,361	1,977,345	5,410,611
Gloucestershire Hospitals NHS Foundation Trust	34	4,068,903	308,589	1,989,374	6,366,866
Dudley Group NHS Foundation Trust (The)	33	1,617,648	460,579	1,608,068	3,686,294
Chelsea & Westminster Hospital NHS Foundation Trust	33	7,796,721	737,207	2,411,167	10,945,095
Dartford and Gravesham NHS Trust	33	5,029,005	522,412	2,640,537	8,191,955
Wrightington, Wigan and Leigh NHS Foundation Trust	32	12,359,225	901,638	3,387,518	16,648,381
East and North Hertfordshire NHS Trust	31	8,068,146	781,259	3,389,276	12,238,681
Walsall Healthcare NHS Trust	30	1,887,460	354,350	1,297,283	3,539,094
Oxford University Hospitals NHS Foundation Trust	30	2,058,960	444,502	1,833,433	4,336,894
Pennine Acute Hospitals NHS Trust (The)	30	2,686,850	329,127	1,288,590	4,304,567
University Hospitals Dorset NHS Foundation Trust	30	5,764,923	298,086	1,437,868	7,500,876
Ashford & St Peter's Hospitals NHS Foundation Trust	30	7,747,066	513,883	2,412,244	10,673,193
Hampshire Hospitals NHS Foundation Trust	29	4,870,165	531,172	2,004,106	7,405,444
University Hospital Southampton NHS Foundation Trust	29	1,321,635	275,148	1,520,037	3,116,820
Sheffield Teaching Hospitals NHS Foundation Trust	29	15,428,160	747,584	2,537,070	18,712,814
Tameside and Glossop Integrated Care NHS Foundation Trust	28	846,456	203,396	902,208	1,952,059
North Bristol NHS Trust	28	3,957,998	635,255	2,328,260	6,921,513
Blackpool Teaching Hospitals NHS Foundation Trust	28	5,170,312	447,130	1,440,904	7,058,345
East Suffolk and North Essex NHS Foundation Trust	28	10,561,135	488,672	2,272,347	13,322,154
Calderdale & Huddersfield NHS Foundation Trust	28	985,791	190,020	868,550	2,044,361
The Rotherham NHS Foundation Trust	26	3,849,645	537,369	1,883,336	6,270,351

Table 2 – Trusts with a total of 10 or more Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause code is 'Failure/Delay Diagnosis'. 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.

FOI View	Closed Settled
Claim_Outcome	Successful
Clinical	Clinical

Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Kettering General Hospital NHS Foundation Trust	26	3,173,182	251,617	1,276,434	4,701,233
Chesterfield Royal Hospital NHS Foundation Trust	26	2,893,988	359,618	1,240,799	4,494,404
Maidstone and Tunbridge Wells NHS Trust	26	2,346,552	429,296	1,530,419	4,306,267
Countess of Chester Hospital NHS Foundation Trust	26	3,988,321	504,328	2,803,905	7,296,554
Bolton Hospitals NHS Foundation Trust	26	7,423,346	372,863	1,540,949	9,337,158
Wirral University Teaching Hospital NHS Foundation Trust	25	4,085,491	344,123	1,579,297	6,008,912
University College London Hospitals NHS Foundation Trust	25	2,393,691	342,958	1,644,139	4,380,788
Mid Cheshire Hospitals NHS Foundation Trust	25	2,238,807	548,546	1,632,884	4,420,237
Hillingdon Hospitals NHS Foundation Trust (The)	25	7,116,491	560,604	1,952,425	9,629,519
Gateshead Health NHS Foundation Trust	24	2,190,000	348,027	1,815,795	4,353,822
St George's University Hospitals NHS Foundation Trust	24	3,121,495	372,751	1,312,400	4,806,646
University Plymouth Hospitals NHS Trust	23	4,340,881	476,446	2,427,310	7,244,638
Bradford Teaching Hospitals NHS Foundation Trust	23	3,235,021	265,936	1,277,321	4,778,278
North Tees & Hartlepool NHS Foundation Trust	23	2,163,527	316,826	1,174,923	3,655,276
Royal Surrey County Hospital NHS Foundation Trust (The)	22	3,142,950	465,715	1,767,300	5,375,965
Southport and Ormskirk Hospital NHS Trust	22	1,272,940	246,906	873,380	2,393,226
Salisbury NHS Foundation Trust	22	1,155,676	259,601	960,578	2,375,855
North Cumbria Integrated Care NHS Foundation Trust	22	1,979,516	291,718	1,224,823	3,496,057
West Hertfordshire Hospitals NHS Trust	21	2,182,974	360,354	1,252,860	3,796,187
Epsom and St Helier University Hospitals NHS Trust	21	4,157,748	280,770	1,563,867	6,002,384
Royal Wolverhampton NHS Trust (The)	20	3,293,400	274,646	1,001,733	4,569,778
Guy's and St Thomas' NHS Foundation Trust	20	2,691,873	347,033	1,618,355	4,657,261
Royal Berkshire NHS Foundation Trust	19	9,747,835	1,303,890	3,005,131	14,056,856
North Middlesex University Hospital NHS Trust	19	858,162	176,643	623,301	1,658,106
Imperial College Healthcare NHS Trust	19	7,806,646	456,926	1,659,250	9,922,823
Stockport NHS Foundation Trust	19	7,225,305	449,836	1,261,640	8,936,782
Wye Valley NHS Trust	19	6,121,608	417,584	2,095,056	8,634,247
George Eliot Hospital NHS Trust	18	2,611,373	340,669	1,265,508	4,217,550
Isle of Wight NHS Trust	18	2,513,774	335,574	1,180,692	4,030,039
Surrey and Sussex Healthcare NHS Trust	17	9,335,959	343,625	1,347,779	11,027,363
South Warwickshire NHS Foundation Trust	17	2,062,907	376,875	945,750	3,385,532
East Sussex Healthcare NHS Trust	17	4,768,007	398,923	1,178,164	6,345,094
Royal Devon University Healthcare NHS Foundation Trust	16	3,506,145	219,722	911,709	4,637,575
Croydon Health Services NHS Trust	16	2,211,821	394,310	1,223,819	3,829,949
London North West University Healthcare NHS Trust	16	5,948,427	499,901	1,680,013	8,128,341
James Paget University Hospitals NHS Foundation Trust	16	2,138,055	201,779	789,300	3,129,134
Portsmouth Hospitals NHS Trust	16	4,968,105	296,193	1,559,504	6,823,802
Princess Alexandra Hospital NHS Trust (The)	16	8,317,028	636,262	2,264,182	11,217,471
Dorset County Hospital NHS Foundation Trust	16	3,259,641	383,891	1,185,986	4,829,518
Cambridge University Hospitals NHS Foundation Trust	16	5,162,410	255,246	1,168,608	6,586,264
Great Western Hospitals NHS Foundation Trust	15	315,793	53,033	502,575	871,401
Yeovil District Hospital NHS Foundation Trust	15	1,150,505	191,699	594,598	1,936,801
Liverpool Women's Hospital NHS Foundation Trust	15	1,178,952	247,088	853,020	2,279,060
Royal Devon and Exeter NHS Foundation Trust	14	10,772,097	293,522	1,044,250	12,109,869
East Cheshire NHS Trust	14	4,727,471	339,512	921,753	5,988,736
Royal United Hospitals Bath NHS Foundation Trust	13	2,235,541	225,304	916,650	3,377,496
Somerset NHS Foundation Trust	13	3,877,411	195,416	1,170,500	5,243,327
West Suffolk NHS Foundation Trust	13	360,877	65,501	353,712	780,090
Bolton NHS Foundation Trust	12	5,218,360	333,314	1,225,903	6,777,577
Birmingham Women's and Children's NHS Foundation Trust	12	14,764,192	659,085	1,640,399	17,063,676
Torbay & South Devon NHS Foundation Trust	11	1,598,400	213,732	614,500	2,426,632
Harrogate & District NHS Foundation Trust	11	673,367	127,659	563,037	1,364,064
Ramsay Healthcare	11	2,037,591	141,000	508,518	2,687,109
Brighton & Sussex University Hospitals NHS Trust	11	1,646,329	231,564	872,952	2,750,845
Kingston Hospital NHS Trust	11	425,247	85,594	355,500	866,341
Northern Devon Healthcare NHS Trust	11	2,940,700	239,352	821,866	4,001,918
York Teaching Hospital NHS Foundation Trust	10	823,696	153,684	581,750	1,559,130
Milton Keynes Hospital NHS Foundation Trust	10	3,785,623	251,224	924,270	4,961,118
Grand Total	4,826	796,280,331	79,871,174	301,219,403	1,177,370,907

Table 3 – Number and Damages Cost of Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where one of the cause codes is 'Failure/Delay Diagnosis', and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

FOI View	Closed Settled
Clinical	Clinical
Claim_Outcome	Successful
ConcatenatedInjury	(Multiple Items)

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid
2020/21	211	27,651,510
2021/22	281	30,803,643
2022/23	319	35,885,295
Grand Total	811	94,340,449

Table 4 – Trusts with a total of 5 or more Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis' and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'. 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.

FOI View	Closed Settled
Claim_Outcome	Successful
Clinical	Clinical
ConcatenatedInjury	(Multiple Items)

Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Department of Health					
ELSGP	99	7,202,736	1,340,922	5,491,531	14,035,189
DH CL	#	#	#	#	#
University Hospitals of Leicester NHS Trust	18	2,830,617	287,086	886,339	4,004,041
Royal Free London NHS Foundation Trust	18	1,495,069	211,512	1,262,750	2,969,331
Mid Yorkshire Hospitals NHS Trust (The)	17	1,091,622	131,223	767,825	1,990,670
Mid and South Essex NHS Foundation Trust	17	1,154,792	227,233	1,128,365	2,510,390
University Hospitals of North Midlands NHS Trust	16	2,455,718	124,074	654,599	3,234,391
Northern Care Alliance NHS Foundation Trust	16	1,680,317	432,254	1,346,163	3,458,734
County Durham and Darlington NHS Foundation Trust	15	1,180,314	196,890	795,778	2,172,982
University Hospitals of Derby and Burton NHS Foundation Trust	14	1,833,757	125,818	665,561	2,625,135
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	14	1,600,616	131,210	614,538	2,346,363
South Tyneside and Sunderland NHS Foundation Trust	12	1,137,002	120,581	524,198	1,781,780
Hull University Teaching Hospitals NHS Trust	12	1,307,701	142,534	598,234	2,048,468
Worcestershire Acute Hospitals NHS Trust	12	775,746	154,408	626,750	1,556,904
Shrewsbury and Telford Hospital NHS Trust	12	2,528,103	273,123	704,375	3,505,600
South Tees Hospitals NHS Foundation Trust	12	1,393,096	238,381	837,813	2,469,291
Nottingham University Hospitals NHS Trust	12	1,429,899	209,981	730,200	2,370,081
United Lincolnshire Hospitals NHS Trust	11	2,474,841	108,440	597,879	3,181,160
Manchester University NHS Foundation Trust	11	2,062,038	231,128	671,700	2,964,866
NHS Commissioning Board	10	76,605	26,106	182,939	285,649
Warrington and Halton Hospitals NHS Foundation Trust	10	1,316,237	105,491	537,190	1,958,918
Barts Health NHS Trust	10	944,226	130,137	603,657	1,678,019
The Leeds Teaching Hospitals NHS Trust	9	767,640	68,736	465,900	1,302,276
Norfolk & Norwich University Hospitals NHS Foundation Trust	9	537,514	38,543	343,118	919,175
University Hospitals Birmingham NHS Foundation Trust	9	641,587	143,795	700,350	1,485,732
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	9	2,521,052	173,087	718,023	3,412,162
Northampton General Hospital NHS Trust	9	1,110,775	109,780	539,500	1,760,055
St Helens and Knowsley Teaching Hospitals NHS Trust	9	927,763	146,392	581,709	1,655,864
Northumbria Healthcare NHS Foundation Trust	8	1,119,255	121,871	470,827	1,711,953
University Hospitals of Morecambe Bay NHS Foundation Trust	8	596,974	161,867	429,750	1,188,591
North Bristol NHS Trust	8	1,545,845	134,912	591,750	2,272,507
Countess of Chester Hospital NHS Foundation Trust	8	836,923	72,700	421,424	1,331,047
Barnsley Hospital NHS Foundation Trust	8	1,406,000	162,136	693,761	2,261,897
The Rotherham NHS Foundation Trust	8	1,009,427	147,069	500,628	1,657,124
Liverpool University Hospitals NHS Foundation Trust	8	1,002,500	155,341	663,425	1,821,266
Bradford Teaching Hospitals NHS Foundation Trust	7	2,030,592	71,631	563,033	2,665,256
Sheffield Teaching Hospitals NHS Foundation Trust	7	667,825	89,819	416,780	1,174,424
East Kent Hospitals University NHS Foundation Trust	7	961,344	110,840	379,200	1,451,385
Pennine Acute Hospitals NHS Trust (The)	7	291,374	57,045	246,203	594,622
North Tees & Hartlepool NHS Foundation Trust	7	541,664	47,712	196,825	786,201
York and Scarborough Teaching Hospitals NHS Foundation Trust	6	211,857	36,033	278,900	526,790
Hampshire Hospitals NHS Foundation Trust	6	353,851	73,228	327,250	754,329
University College London Hospitals NHS Foundation Trust	6	1,032,937	66,708	305,539	1,405,183
Royal Cornwall Hospitals NHS Trust	6	1,233,610	96,269	426,000	1,755,879
King's College Hospital NHS Foundation Trust	6	1,964,902	254,975	847,102	3,066,978
Bedfordshire Hospitals NHS Foundation Trust	6	276,773	140,244	879,143	1,296,160
Gateshead Health NHS Foundation Trust	6	594,667	33,593	214,625	842,885
Sandwell & West Birmingham Hospitals NHS Trust	6	418,250	50,299	324,200	792,749
North West Anglia NHS Foundation Trust	6	1,525,300	79,909	336,390	1,941,599
London North West University Healthcare NHS Trust	6	1,664,975	127,595	492,250	2,284,820
Chelsea & Westminster Hospital NHS Foundation Trust	6	1,189,375	95,743	346,625	1,631,743
Sherwood Forest Hospitals NHS Foundation Trust	6	261,117	51,212	265,500	577,828
Barking, Havering and Redbridge University Hospitals NHS Trust	6	231,721	112,875	323,355	667,951
Calderdale & Huddersfield NHS Foundation Trust	6	200,250	34,896	155,150	390,296
Dartford and Gravesend NHS Trust	5	340,507	49,877	404,272	794,656
Gloucestershire Hospitals NHS Foundation Trust	5	1,175,000	46,366	350,289	1,571,655
Blackpool Teaching Hospitals NHS Foundation Trust	5	323,727	20,757	158,250	502,734
University Hospital Southampton NHS Foundation Trust	5	330,202	36,859	235,875	602,936
Wye Valley NHS Trust	5	1,187,250	124,150	463,890	1,775,290
Ashford & St Peter's Hospitals NHS Foundation Trust	5	169,759	34,005	164,817	368,581
Kettering General Hospital NHS Foundation Trust	5	505,733	60,174	214,000	779,906
University Hospitals Coventry & Warwickshire NHS Trust	5	553,392	37,093	195,495	785,981

Table 4 – Trusts with a total of 5 or more Clinical Claims Closed (or settled with a periodical payment order) between the financial years 2020/21 - 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis' and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'. 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.

FOI View	Closed Settled
Claim_Outcome	Successful
Clinical	Clinical
ConcatenatedInjury	(Multiple Items)

Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
St George's University Hospitals NHS Foundation Trust	5	270,000	31,865	155,000	456,865
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	5	824,723	44,825	219,625	1,089,173
Lewisham & Greenwich NHS Trust	5	405,747	107,247	404,194	917,188
Cambridge University Hospitals NHS Foundation Trust	5	1,109,500	40,465	346,000	1,495,965

Table 5 – The damages range of highest 3 Clinical Claims Closed (or settled with a periodical payment order) in financial year 2022/23, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Year of Closure (Settlement Year for PPOs)	Range of Damages Paid
2022/23	£8,000,000-£11,500,000

Table 6 – The damages range of highest 3 Clinical Claims Closed in financial year 2022/23, with a damages payment where one of the cause codes is 'Failure/Delay Diagnosis' and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'

Year of Closure (Settlement Year for PPOs)	Range of Damages Paid
2022/23	£1,000,000-£2,500,000