



Resolution

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November 2023

FOI_6228

The following information was requested on 6th October, clarified on 11 October, with an additional request on 20 October 2023:

*In any one calendar year since the inception of **CNSGP** and **ELSGP**:*

- 1. What proportion of complaints/claims against GPs relate to delay in diagnosis of cancers, or missed cancers?*
- 2. Which were the commonest 5 cancers cited in order of frequency?*
- 3. What proportion of completed complaints/claims were dismissed?*
- 4. Of the remainder, what was the median and the largest compensation agreed?*

[We advised on 10 October 2023]

We do not hold information about complaints made to the NHS – we have claims information only.

Please refer to our publication: [Guidance-note-Understanding-NHS-Resolution-data-Final.pdf](#) and a set of codes against which claims are logged: [CNST-Codes.xlsx \(live.com\)](#) (see the three tabs in the spreadsheet).

We do not code by many individual cancers. We have the following injury codes for cancers: Advanced stage cancer, Cancer, Lung cancer and the cause code of Failure/ delay diagnosis and missed diagnosis.

We report claims data in financial years, rather than calendar years.

We could provide you with the numbers of claims received for the above codes, closed with damages paid and with nil damages.

Please confirm if you are interested in receiving the information as set out above or feel free to rephrase the criteria.

[You replied on 11 October 2023]

I am trying to match data which I hope NHS Resolution hold, with some pre-2019 data I have found on the MDU and MPS websites

I am seeking information on the code titled: "Failure/delay diagnosis and missed diagnosis" but only for cancer claims made against GPs. I seek no information on claims made against Trusts.

Therefore, if it is available, may I know the total number of claims received against GPs in the financial years 2020/2021 and separately, 2021/2022 and how many of these were related to the cancer code above. Also, the proportion of claims completed with nil damages and those completed with damages. Of the later, please may I know the median and largest compensation paid.

[on 20 October 2023 you also requested]

please may I also request the same data for the financial year 2022 - 2023.

Our Response

Thank you for your request for information. We are able to provide the information in financial years.

Please note: 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>.

Claims notified/received in any given year will often relate to incidents that have occurred many years prior. Due to the nature of negligence claims and the level of investigation needed to bring them to a resolution, claims received and notified in a specific year may take years to settle and close. They are not guaranteed to be settled and closed in the same year. As such, there will be a time gap between incident and claim closure.

Due to the way in which data is extracted, it is also possible that the same claim may appear more than once in a dataset, across different year groups e.g. where the case has been closed (as unsuccessful), challenged, reopened and closed again at conclusion.

The individual nature of claims received by NHS Resolution means they can vary significantly in value and any such fluctuations cannot be interpreted as trends.

We would caution against attempting to compare the numbers we provide with those recorded by the MDO's. Each individual organisation will code things differently in their claims systems for different uses and therefore you will not be comparing like for like. For example, the recording of a matter being an incident or claim may be different based on the criteria used by the organisation.

Table 1 shows: - Number of CNSGP or ELSGP Claims and Incidents received between financial years 2020/21 and 2022/23.

The increase in the volume of claims between 2020/21 – 2021/22 is due to the bulk take-on of general practice indemnity claims for pre-1 April 2019 incidents from medical defence organisations is the most significant driver of this increase.

Table 2 shows: - Number of CNSGP or ELSGP Claims and Incidents received between financial years 2020/21 and 2022/23 where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

Table 3 shows: - Number of CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

Table 4 shows: - Number of CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with **NIL** damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

Table 5 shows: - Average amount of damages paid for CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

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 of CNSGP or ELSGP Claims and Incidents received between financial years 2020/21 and 2022/23.

Table 2: Number of CNSGP or ELSGP Claims and Incidents received between financial years 2020/21 and 2022/23 where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

Table 3: Number of CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

Table 4: Number of CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with NIL damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

Table 5: Average amount of compensation for CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis by Damages Tranche.

Table 1: Number of CNSGP or ELSGP Claims and Incidents received between financial years 2020/21 and 2022/23.

Is_PPO	(All)
FOI View	Notified
scheme	(All)

Year of Notification	No. of Claims
2020/21	2,535
2021/22	4,794
2022/23	2,889
Grand Total	10,218

Table 2: Number of CNSGP or ELSGP Claims and Incidents received between financial years 2020/21 and 2022/23 where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

FOI View	Notified
scheme	(All)
CancerFlag	Y

Year of Notification	No. of Claims
2020/21	161
2021/22	180
2022/23	119
Grand Total	460

Table 3: Number of CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

CancerFlag	Y
FOI View	Closed Settled
scheme	(All)
Claim_Outcome	Successful

Year of Closure (Settlement Y	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2020/21	6	1,126,821	44,620	369,150	1,540,591
2021/22	25	1,234,443	139,713	861,675	2,235,831
2022/23	44	3,740,504	730,520	2,887,714	7,358,738
Grand Total	75	6,101,768	914,853	4,118,538	11,135,159

Table 4: Number of CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with NIL damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis.

CancerFlag	Y
FOI View	Closed Settled
Claim_Outcome	Unsuccessful

Year of Closure (Settlement Year for PPOs)	No. of Claims
2020/21	77
2021/22	120
2022/23	141
Grand Total	338

Table 5: Average amount of compensation for CNSGP or ELSGP Claims Closed between financial years 2020/21 and 2022/23 with damages paid where the Primary Injury is either Advanced stage cancer or Cancer or Lung Cancer and the Primary Cause is Failure/Delay Diagnosis by Damages Tranche.

Status Flag	Closed
Claim_Outcome	Successful

Closure/Settlement Year	Average of Damages Paid
2020/21	187,804
2021/22	45,185
2022/23	85,011