



Resolution

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December 2023
FOI_6270

The following information was requested on 8 November 2023:

1. Number of claims where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis' for the following financial years:

2021 - 2022

2022-2023

2. How many of these claims were as follows for each of the year as above

- successfully settled as a Periodical payment order

- successfully closed

- not upheld

- was dealt in courts - any other outcome

3. The total value of claims successfully closed or settled as a periodical payment order (PPO) in the 2021/2022 and 2022/23 financial years until the end of 2021 where wrong diagnosis and/or 'failure/delay diagnosis' was either the first or second cause.

4. Primary Injuries for Successful Claims Closed between financial years 2021/2022 and 2022/23 with damages paid (including PPOs) where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'.

5. Primary Injuries for unsettled claims between financial years 2021/2022 and 2022/23 where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'.

6. What are the top 10 misdiagnosed or failures to diagnose conditions for 2021 - 2023?

Our Response

Please find attached the requested information we are able to provide. Please note we only hold information for England.

Table 1: Number of Clinical Claims and Incidents received between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'.

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. Due to the nature of clinical 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. **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.

Please also note that the data shows a variation in the number of claims received during this period. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. As such, these fluctuations cannot be interpreted as trends.

Table 2: Number of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by claim outcome and Litigation stage.

Table 3: Number of Clinical Claims settled only with a periodical payment order between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by claim outcome and Litigation stage.

Table 4: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by claim outcome. 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.

Please also note that the data shows variation in damages and costs paid in the relevant financial years. 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.

Table 5: Number of Clinical Claims settled only with a periodical payment order between financial years 2021/22 and 2022/23, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'. The data includes the damages and legal costs paid up until the end of each relevant financial year of settlement.

Table 6: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23 with a damages payment, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken

down by **Primary Injury**. 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.

We have interpreted Q6 of your request to mean what are the top 10 injuries where 'Failure/Delay Diagnosis' or 'Wrong Diagnosis' are the cause. Table 6 provides the injuries organised by the number of claims.

Table 7: Number of Clinical Claims Closed between financial years 2021/22 and 2022/23 with **NIL** damages paid, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury.

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.

In response to **Q5** of your request – *Primary Injuries for unsettled claims between financial years 2021/2022 and 2022/23 where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'.*

We are unable to provide this information as it would exceed the appropriate limit set under the Freedom of Information Act 2000 (FOIA). Therefore, we estimate that the cost of complying with the request in its entirety would exceed the 'appropriate limit'. Section 12(1) of the FOIA is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit (known as the 'appropriate limit'). The 'appropriate limit' for NHS Resolution is £450. This equates to 18 hours of work at the rate of £25 per hour set out in the 'Fees Regulations'.

We have provided the information we are able to provide within the cost limit.

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 Clinical Claims and Incidents received between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'.

Table 2: Number of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by claim outcome and Litigation stage.

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Table 5: Number and cost of Clinical Claims settled with a periodical payment order between financial years 2021/22 and 2022/23 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'. The data includes the damages and legal costs paid up until the end of each relevant financial year for PPO matters.

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Table 6: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23 with a damages payment, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury. 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 7: Number of Clinical Claims Closed between financial years 2021/22 and 2022/23 with NIL damages paid, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury.

Table 1: Number of Clinical Claims and Incidents received between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'.

FOI View	Notified
Clinical	Clinical

Year of Notification	No. of Claims
Failure/Delay Diagnosis	4,555
2021/22	2,343
2022/23	2,212
Wrong Diagnosis	277
2021/22	128
2022/23	149
Grand Total	4,832

Table 2: Number of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by claim outcome and Litigation stage.

FOI View	Closed Settled
Clinical	Clinical

Primary Cause			
-----Claim Outcome			
-----Year of Closure (Settlement Year for PPOs)			
	Trial	Litigation - No Trial	No Litigation - No Trial
Failure/Delay Diagnosis	#	1,354	4,009
Successful			
2021/22	#	531	914
2022/23	#	539	957
Unsuccessful			
2021/22	8	148	1,055
2022/23	5	136	1,083
Wrong Diagnosis	#	74	214
Successful			
2021/22	0	31	53
2022/23	0	27	51
Unsuccessful			
2021/22	#	7	53
2022/23	0	9	57

Table 3: Number of Clinical Claims settled with a periodical payment order between financial years 2021/22 and 2022/23, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by claim outcome and Litigation stage.

FOI View	Closed Settled
Clinical	Clinical
Is_PPO	Yes

Primary Cause		
-----Claim Outcome		
----- Settlement Year for PPOs		
Failure/Delay Diagnosis	Trial	Litigation - No Trial
Successful	#	
2021/22	0	11
2022/23	#	19

Table 4: Number of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by claim outcome. 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 Clinical	Closed Settled Clinical			
Primary Cause or Secondary Cause				
-----Claim Outcome	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid
-----Year of Closure (Settlement Year for PPOs)				
Failure/Delay Diagnosis				
Successful				
2021/22	1,754	293,970,522	29,726,749	111,998,715
2022/23	1,911	343,320,314	32,555,672	127,192,113
Unsuccessful				
2021/22	1,562	#	6,269,177	732,425
2022/23	1,737	#	6,797,885	131,525
Wrong Diagnosis				
Successful				
2021/22	97	10,943,809	1,328,603	5,399,752
2022/23	98	14,180,044	1,094,166	5,041,375
Unsuccessful				
2021/22	75	0	398,840	0
2022/23	81	#	276,503	39,000

Table 5: Number and cost of Clinical Claims settled with a periodical payment order between financial years 2021/22 and 2022/23 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis'. The data includes the damages and legal costs paid up until the end of each relevant financial year for PPO matters.

FOI View	Closed Settled
Clinical	Clinical
Is_PPO	Yes

Primary Cause or Secondary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid
-----Claim Outcome				
-----Settlement Year for PPOs				
Failure/Delay Diagnosis				
Successful				
2021/22	16	62,627,059	2,212,472	5,879,000
2022/23	23	94,373,763	3,712,026	11,137,537

Table 6: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23 with a damages payment, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury. 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
Clinical	Clinical
Claim_Outcome	Successful

Primary Injury	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Failure/Delay Diagnosis	2,945	511,542,841	52,227,389	197,077,560	760,847,790
Unnecessary Pain	478	24,457,456	3,990,432	19,040,264	47,488,152
Fatality	276	32,005,395	5,306,648	17,651,214	54,963,257
Adtnl/unnecessary Operation(s)	241	15,872,448	3,368,961	13,446,386	32,687,795
Cancer	231	31,039,973	3,224,739	14,479,128	48,743,840
Advanced Stage Cancer	184	20,066,600	2,301,226	10,419,958	32,787,784
Poor Outcome - Fractures Etc.	143	6,919,396	1,194,788	5,339,088	13,453,272
Fracture	116	3,100,669	728,095	3,654,902	7,483,667
Bowel Damage/ Dysfunction	67	15,482,418	1,895,817	6,620,337	23,998,572
Spinal Damage	61	35,835,293	2,961,933	9,562,696	48,359,922
Amputation - Lower	55	43,367,511	2,473,352	8,178,919	54,019,782
Tendon Damage	53	1,292,326	369,820	1,703,306	3,365,452
Other Visual Problems	53	8,140,058	1,092,815	3,134,039	12,366,912
Brain Damage	52	83,814,429	4,378,994	14,098,358	102,291,782
Nerve Damage	49	17,089,203	2,116,961	7,233,528	26,439,693
Thrombosis/Embolism	48	3,641,300	611,498	2,698,858	6,951,657
Blindness	45	9,985,881	788,787	2,884,700	13,659,367
Other	39	2,176,346	423,623	1,771,619	4,371,588
Cardiac Arrest	39	5,048,280	706,512	2,637,815	8,392,607
Removal Of Testicle	39	921,998	124,102	1,015,000	2,061,100
Psychiatric/Psychological Dmge	37	2,150,950	515,958	1,902,407	4,569,315
Other Infection	33	3,179,500	476,901	1,720,347	5,376,748
Renal Damage/ Failure	32	1,604,559	367,612	1,355,749	3,327,920
Stroke	29	14,371,777	1,495,223	4,360,399	20,227,398
Joint Damage	28	3,614,170	498,780	1,969,550	6,082,499
Perforation	25	1,412,377	223,235	1,132,041	2,767,654
Cardiovascular Condition	21	2,183,871	378,941	1,378,819	3,941,631
Tissue Damage	20	1,479,952	234,710	985,150	2,699,812
Rupture	20	519,234	78,552	646,440	1,244,226
Infertility	20	3,417,050	284,065	1,292,557	4,993,672
Scarring	19	393,221	118,667	577,376	1,089,264
Removal Of Fallopian Tube	19	426,428	75,465	532,550	1,034,443
Pressure Sores	18	1,923,508	147,901	1,065,532	3,136,941
Reduced Life Expectancy	17	971,431	141,312	794,065	1,906,808
Dislocation	17	647,085	106,253	697,391	1,450,729
Bladder Damage	15	9,998,356	631,057	2,492,155	13,121,568
Aneurysm	14	2,863,659	414,274	1,283,100	4,561,033
Sepsis	14	701,192	101,217	476,640	1,279,049
Paraplegia	14	12,241,695	768,609	2,677,863	15,688,167
Stillborn	13	615,702	75,734	635,820	1,327,256
Peritonitis	13	1,346,000	186,524	849,250	2,381,774
Respiratory Disorder/ Failure	11	1,701,676	298,259	932,910	2,932,846
Multiple Injuries	11	603,532	190,985	699,905	1,494,423
Partial Paralysis	11	6,976,934	1,124,147	3,351,105	11,452,186
Foot Drop	10	3,619,863	314,499	1,091,798	5,026,160
Incontinence	10	4,331,981	212,412	827,822	5,372,215
Infection (bacterial)	10	620,943	90,709	480,317	1,191,969
Compartment Syndrome	9	2,951,554	316,732	984,779	4,253,065
Loss Of Kidney	9	380,330	88,483	480,977	949,790
Malignant Tumour	8	469,925	107,410	852,938	1,430,273
Loss Of Baby	8	265,980	62,278	299,819	628,078
Meningitis	8	15,721,599	604,687	1,808,500	18,134,786
Limb Deformity	8	432,255	183,545	424,617	1,040,417
Deafness	7	975,660	147,854	595,500	1,719,014
Amputation - Upper	7	14,436,453	254,297	935,275	15,626,025

Table 6: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23 with a damages payment, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury. 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
Clinical	Clinical
Claim_Outcome	Successful

Primary Injury	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Lung Disease	6	138,056	34,961	125,250	298,267
Benign Tumour	6	133,709	95,534	146,000	375,243
Liver Damage	5	552,082	99,026	381,072	1,032,180
Fistula	5	801,500	92,323	465,700	1,359,523
Infectious Diseases	5	1,033,178	109,125	329,250	1,471,553
Dental Damage	5	40,948	26,043	68,682	135,673
Developmental Delay	5	479,166	87,240	417,207	983,613
Arterial Damage	5	527,572	58,215	217,983	803,770
Bile Duct Damage	#	#	#	#	#
Hernia	#	#	#	#	#
Tuberculosis	#	#	#	#	#
Partial Hearing Loss	#	#	#	#	#
Tetraplegia/ Quadriplegia	#	#	#	#	#
Foetal Abnormality	#	#	#	#	#
Tetraplegia/ Quadraplegia	#	#	#	#	#
Cerebral Palsy	#	#	#	#	#
Removal Of Cervix	#	#	#	#	#
Loss Of Sexual Function	#	#	#	#	#
Anal Fissure	#	#	#	#	#
H.I.V.	#	#	#	#	#
Not Specified	#	#	#	#	#
Epilepsy	#	#	#	#	#
Radiation Exposure	#	#	#	#	#
Viral Infection	#	#	#	#	#
Cosmetic Disfigurement	#	#	#	#	#
Hospital Acquired Infection	#	#	#	#	#
Osteoporosis	#	#	#	#	#
Multiple Disabilities	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
Premature Onset Of Menopause	#	#	#	#	#
Wrongful Birth	#	#	#	#	#
Hypothermia	#	#	#	#	#
Cystic Growth	#	#	#	#	#
Loss Of/Damage To Breast	#	#	#	#	#
Chronic Fatigue Syndrome	#	#	#	#	#
Chromosomal Abnormality	#	#	#	#	#
Thyroid Condition	#	#	#	#	#
Burn(s)	#	#	#	#	#
Liver Transplant	#	#	#	#	#
Oedema	#	#	#	#	#
Hypoglycaemia	#	#	#	#	#
Loss Of Lung	#	#	#	#	#
Wrong Diagnosis	162	23,790,061	2,186,376	9,424,985	35,401,422
Unnecessary Pain	29	2,178,987	331,584	1,375,146	3,885,717
Adtnl/unnecessary Operation(s)	26	1,366,087	287,628	1,301,880	2,955,595
Psychiatric/Psychological Dmge	21	931,262	237,141	924,600	2,093,003
Fatality	12	961,073	130,105	619,236	1,710,415
Cancer	8	767,243	100,205	452,812	1,320,260
Advanced Stage Cancer	6	2,728,449	169,398	647,000	3,544,848
Bladder Damage	5	1,113,001	66,436	76,132	1,255,569
Other	5	150,132	85,835	265,231	501,198
Fracture	5	162,500	104,737	361,000	628,237
Other Infection	#	#	#	#	#
Reduced Life Expectancy	#	#	#	#	#

Table 6: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2022/23 with a damages payment, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury. 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
Clinical	Clinical
Claim_Outcome	Successful

Primary Injury	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Rupture	#	#	#	#	#
Loss Of Kidney	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Loss Of Baby	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Compartment Syndrome	#	#	#	#	#
Brain Damage	#	#	#	#	#
Respiratory Disorder/ Failure	#	#	#	#	#
Renal Damage/ Failure	#	#	#	#	#
Anal Fissure	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Wrongful Birth	#	#	#	#	#
Amputation - Lower	#	#	#	#	#
Thrombosis/Embolism	#	#	#	#	#
Removal Of Fallopian Tube	#	#	#	#	#
Unwanted Pregnancy	#	#	#	#	#
Fistula	#	#	#	#	#
Thyroid Condition	#	#	#	#	#
Perforation	#	#	#	#	#
Scarring	#	#	#	#	#
Infertility	#	#	#	#	#
Stillborn	#	#	#	#	#
Sepsis	#	#	#	#	#
Lung Disease	#	#	#	#	#
Blindness	#	#	#	#	#
Spinal Damage	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#
Cystic Growth	#	#	#	#	#
Multiple Disabilities	#	#	#	#	#
Multiple Injuries	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Grand Total	3,107	535,332,902	54,413,765	206,502,545	796,249,212

Table 7: Number of Clinical Claims Closed between financial years 2021/22 and 2022/23 with NIL damages paid, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury.

FOI View	Closed Settled
Clinical	Clinical
Claim_Outcome	Unsuccessful

Primary Injury	No. of Claims
Failure/Delay Diagnosis	2,435
Unnecessary Pain	438
Advanced Stage Cancer	230
Fatality	223
Cancer	186
Adtnl/unnecessary Operation(s)	139
Fracture	78
Stroke	63
Poor Outcome - Fractures Etc.	62
Spinal Damage	61
Amputation - Lower	60
Brain Damage	51
Nerve Damage	46
Psychiatric/Psychological Dmge	44
Other	43
Bowel Damage/ Dysfunction	42
Thrombosis/Embolism	38
Joint Damage	37
Other Infection	32
Cardiac Arrest	30
Not Specified	30
Other Visual Problems	28
Tendon Damage	28
Removal Of Testicle	20
Renal Damage/ Failure	19
Cardiovascular Condition	18
Lung Disease	17
Rupture	15
Respiratory Disorder/ Failure	13
Bladder Damage	13
Reduced Life Expectancy	12
Sepsis	12
Scarring	12
Blindness	12
Infection (bacterial)	11
Deafness	11
Perforation	10
Limb Deformity	10
Tissue Damage	10
Removal Of Fallopien Tube	10
Multiple Injuries	9
Infectious Diseases	8
Partial Paralysis	8
Foot Drop	8
Unknown	8
Tuberculosis	7
Partial Hearing Loss	7
Incontinence	7
Paraplegia	7

Table 7: Number of Clinical Claims Closed between financial years 2021/22 and 2022/23 with NIL damages paid, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury.

FOI View	Closed Settled
Clinical	Clinical
Claim_Outcome	Unsuccessful

Primary Injury	No. of Claims
Liver Damage	7
Infertility	7
Benign Tumour	7
Wrongful Birth	6
Loss Of Baby	6
Developmental Delay	6
Stillborn	6
Cosmetic Disfigurement	5
Pressure Sores	5
Peritonitis	5
Cerebral Palsy	5
Malignant Tumour	5
Pacemaker Installation	5
Epilepsy	5
Multiple Disabilities	#
Dental Damage	#
Fistula	#
Aneurysm	#
Cystic Growth	#
Compartment Syndrome	#
Hernia	#
Dislocation	#
Meningitis	#
Pierced Ear Drum	#
Thyroid Condition	#
Loss Of Kidney	#
Anaphylact Shock/Allergic Shock/allergy	#
Arterial Damage	#
Hypoglycaemia	#
Osteoporosis	#
Amputation - Upper	#
Hypoxia	#
Bile Duct Damage	#
Infection (group B strep)	#
Loss Of Sexual Function	#
Anal Fissure	#
Labial Fusion	#
Chronic Fatigue Syndrome	#
Downs Syndrome	#
Radiation Exposure	#
Tetraplegia/ Quadraplegia	#
Liver Transplant	#
Bruising/ Extravasation	#
Decompression Illness	#
Spinabifida	#
Unwanted Pregnancy	#
Hospital Acquired Infection	#
Wrong Diagnosis	128
Psychiatric/Psychological Dmge	34

Table 7: Number of Clinical Claims Closed between financial years 2021/22 and 2022/23 with NIL damages paid, where the Primary Cause is 'Failure/Delay Diagnosis' or 'Wrong Diagnosis', broken down by Primary Injury.

FOI View	Closed Settled
Clinical	Clinical
Claim_Outcome	Unsuccessful

Primary Injury	No. of Claims
Unnecessary Pain	22
Adtnl/unnecessary Operation(s)	10
Advanced Stage Cancer	5
Cancer	5
Fatality	#
Rupture	#
Amputation - Lower	#
Stroke	#
Other	#
Deafness	#
Cardiac Arrest	#
Joint Damage	#
Loss Of Kidney	#
Scarring	#
Removal Of Testicle	#
Other Visual Problems	#
Limb Deformity	#
Blindness	#
Fracture	#
Malignant Tumour	#
Multiple Injuries	#
Removal Of Fallopian Tube	#
Peritonitis	#
Bowel Damage/ Dysfunction	#
Unknown	#
Infectious Diseases	#
Multiple Disabilities	#
Fistula	#
Not Specified	#
Spinal Damage	#
Nerve Damage	#
Thyroid Condition	#
Addiction/Dependency	#
Scalp Damage	#
Hernia	#
Developmental Delay	#
Other Infection	#
Grand Total	2,563