



Resolution

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Telephone: 020 7811 2700

January 2024
FOI_6306

The following information was requested on 4 December 2023:

- 1. Please could you state how many claims you have received for compensation from the families of people whose relatives were abused by David Fuller in the mortuaries of hospitals in the south east of England?*
- 2. How many payments have already been made, and what is the mean and median payments that have been made?*
- 3. Do you have a figure for the total estimated payments that will be made to relatives for these claims?*

Our Response

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 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 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.

Table 1 shows: - Number of LTPS Claims and Incidents received in financial year 2022/23 where the Group Code is 'David Fuller Compensation Scheme'.

For further information about the David Fuller Compensation Scheme the link below will take you to a FAQ document about the compensation scheme:

[Compensation scheme approved for David Fuller's mortuary crimes - Maidstone and Tunbridge Wells NHS Trust \(mtw.nhs.uk\)](https://www.mtw.nhs.uk/compensation-scheme-approved-for-david-fuller-s-mortuary-crimes)

In regards to **Q2** of your request - some of the claims relating to David Fuller have been closed in the current financial year 2023/24 and the rest remain currently open. As we report in complete financial years, we are currently unable to provide you with this information as it may be subject to change. This information will be available on request from July 2024.

In regards to **Q3** of your request, we are not able to provide this information as all claims made / to be made by relatives may not have been presented and the value of payments fully assessed.

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/>

TABLE OF CONTENTS

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 LTPS Claims and Incidents received in financial year 2022/23 where the Group Code is 'David Fuller Compensation Scheme'.](#)

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FOI View scheme	Notified LTPS
Year of Notification	No. of Claims
2022/23	59
Grand Total	59