



Resolution

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October 2023
FOI_6221

The following information was requested on 4 October 2023:

I am writing to request information under the Freedom of Information Act 2000. Specifically, I am seeking data related to clinical negligence claims involving Physician Associates under the Clinical Negligence Scheme for Trusts (CNST) for the fiscal years 2018/19 to 2022/23.

- 1. What is the total number of clinical negligence claims involving Physician Associates during this period?*
- 2. Could you please provide a breakdown of these claims by severity (e.g., minor injuries, long-term disability, death) and financial cost (both compensation paid out, legal costs and/or total liabilities under the scheme)?*
- 3. Are there any risk management assessments or analyses that focus specifically on Physician Associates? If so please share these documents.*

Our Response

Claims are recorded against the Legal Defendant which will either be an NHS Trust or, in the case of General Practice, the individual or practice. The incidents which lead to claims can however involve a range of healthcare professionals. These are not coded separately given that the data is collected primarily for the management of the claim, however we do identify the healthcare specialty to support the pricing of the indemnity schemes which also enables us to derive insights and trends.

If you would like to know how data is categorised in our Claims database please see the following link: [Glossary](#). A set of the codes against which claims are logged are available here: [CNST-Codes.xlsx \(live.com\)](#) (see the **three** tabs in the spreadsheet).

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.

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 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

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