



## Resolution

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April 2024  
FOI\_6430

The following information was requested on 28<sup>th</sup> February 2024 and clarified on 5 March 2024:

*[You requested the following information on 28 February 2024]:*

*I am currently working on a project regarding ureteric stents and would like to understand the level of litigation nationally relating to the management of stents.*

*Please would I be able to request data on the number of litigation cases relating to ureteric stents nationally? I would need to know timeframe cases cover, type of complaint/problem, any regional breakdown of numbers and financial payouts/total costs of claims process.*

*Are you able to help me with this? Please let me know if I need to give more specific information.*

*[We replied on 28 February 2024]:*

*Thank you for your request. Before we are able to respond I would like to clarify how NHS Resolution holds data.*

*Please refer to our publication: [Guidance-note-Understanding-NHS-Resolution-data-updated](#) 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 have a code for ureteric stents specifically.*

*We could provide data for specialty: Urology, broken down by cause and injury, and also the number closed with nil damages paid; number closed with a damages payment and associated costs. Please check our previous responses related to Urology: [Fol Requests Archive - Urology](#).*

*We hold data in financial years. Please provide us with the time period you would like the data to cover.*

*Would you be interested in the above data?*

*[You replied on 5 March 2024 with]:*

*Thank you for your response, those documents are very helpful. I have looked at the codes and see what you mean. They are more general than I was aware.*

*I would imagine the claims I am looking for would come under any of the following codes:*

- Cause codes: Delay in performing operation, fail/delay treatment, fail to follow up arrangements
- Injury codes: additional/unnecessary op, infectious disease, renal damage/failure, sepsis
- Speciality codes - urology, radiology

*Despite not being able to be specific the data you have offered to provide would be helpful, thank you. I would be interested in data from the last 10 financial years.*

## **Our Response**

Thank you for your request for information. Please find attached the requested information. Please note we only hold information for England.

**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 data shows variation in numbers of cases received, closed per year and costs attributed to those claims. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. In some cases, this can be affected by an adverse issue involving a number of patients. As such, these fluctuations cannot be interpreted as trends.

**Table 1 shows:** - Number of Clinical Claims and Incidents received between financial years '2013/14' and '2022/23' where the Specialty is '**Urology**' or '**Radiology**' and Any

Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'

**Table 2 shows:** - Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is '**Urology**' or '**Radiology**' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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 shows:** - Number and Cost of Clinical Claims Closed between financial years '2013/14' and '2022/23' with **NIL** damages, where the Specialty is '**Urology**' or '**Radiology**' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'.

**Table 4 shows:** - Analysis of Specialties for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is '**Urology**' or '**Radiology**' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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 shows:** - Analysis of Primary Injuries for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is '**Urology**' or '**Radiology**' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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 6 shows:** - Analysis of Primary Causes for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is '**Urology**' or '**Radiology**' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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 shows:** - Analysis of Regions for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is '**Urology**' or '**Radiology**' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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.

## **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.

## **Low Numbers**

We have suppressed low figures 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.

In some instances, the low numbers of claims (fewer than 5) in each category, 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. Where we are in the territory of such small numbers in the attached, we have used a '#' symbol in the relevant field. You should still be able to see aggregate/total details for higher level fields containing this data.

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 '2013/14' and '2022/23' where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'

Table 2: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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 Cost of Clinical Claims Closed between financial years '2013/14' and '2022/23' with NIL damages, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'.

Table 4: Analysis of Specialties for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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.

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Table 1: Number of Clinical Claims and Incidents received between financial years '2013/14' and '2022/23' where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'

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| FOI View<br>scheme | Notified<br>(All) |
|--------------------|-------------------|
|--------------------|-------------------|

| Year of Notification | No. of Claims |
|----------------------|---------------|
| 2013/14              | 187           |
| 2014/15              | 205           |
| 2015/16              | 244           |
| 2016/17              | 281           |
| 2017/18              | 284           |
| 2018/19              | 310           |
| 2019/20              | 346           |
| 2020/21              | 331           |
| 2021/22              | 394           |
| 2022/23              | 397           |
| <b>Grand Total</b>   | <b>2,979</b>  |

**Table 2: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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<br>scheme<br>Claim_Outcome | Closed Settled<br>(All)<br>Successful |
|-------------------------------------|---------------------------------------|

| Year of Closure (Settlement Year for PPOs) | No. of Claims | Damages Paid       | NHS Legal Costs Paid | Claimant Legal Costs Paid | Total Paid         |
|--------------------------------------------|---------------|--------------------|----------------------|---------------------------|--------------------|
| 2013/14                                    | 68            | 3,008,608          | 488,079              | 2,661,948                 | 6,158,635          |
| 2014/15                                    | 90            | 3,301,223          | 466,324              | 3,162,192                 | 6,929,739          |
| 2015/16                                    | 99            | 4,464,443          | 810,803              | 4,428,288                 | 9,703,534          |
| 2016/17                                    | 126           | 3,976,462          | 764,860              | 4,241,793                 | 8,983,115          |
| 2017/18                                    | 154           | 11,127,204         | 1,219,592            | 6,261,475                 | 18,608,271         |
| 2018/19                                    | 179           | 12,875,382         | 1,492,114            | 7,410,657                 | 21,778,153         |
| 2019/20                                    | 213           | 16,632,201         | 2,278,640            | 9,164,161                 | 28,075,001         |
| 2020/21                                    | 192           | 13,199,804         | 2,148,777            | 7,631,660                 | 22,980,241         |
| 2021/22                                    | 236           | 16,407,128         | 1,838,133            | 9,338,736                 | 27,583,997         |
| 2022/23                                    | 263           | 26,939,257         | 2,896,601            | 13,124,764                | 42,960,622         |
| <b>Grand Total</b>                         | <b>1,620</b>  | <b>111,931,712</b> | <b>14,403,922</b>    | <b>67,425,674</b>         | <b>193,761,308</b> |

**Table 3: Number and Cost of Clinical Claims Closed between financial years '2013/14' and '2022/23' with NIL damages, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'.**

|               |                |
|---------------|----------------|
| FOI View      | Closed Settled |
| Claim_Outcome | Unsuccessful   |

| Year of Closure (Settlement Year for PPOs) | No. of Claims | NHS Legal Costs Paid | Claimant Legal Costs Paid |
|--------------------------------------------|---------------|----------------------|---------------------------|
| 2013/14                                    | 51            | 125,827              | 10,000                    |
| 2014/15                                    | 84            | 105,635              | 0                         |
| 2015/16                                    | 78            | 161,993              | 0                         |
| 2016/17                                    | 109           | 169,308              | #                         |
| 2017/18                                    | 106           | 198,746              | 5,000                     |
| 2018/19                                    | 118           | 244,353              | 0                         |
| 2019/20                                    | 132           | 336,729              | 0                         |
| 2020/21                                    | 116           | 415,507              | 0                         |
| 2021/22                                    | 94            | 276,509              | 0                         |
| 2022/23                                    | 130           | 651,674              | 0                         |

**Table 4: Analysis of Specialties for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtn/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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     |

| Closure/ Settlement Year for PPOs<br>--Primary Specialty | No. of Claims | Damages Paid       | NHS Legal<br>Costs Paid | Claimant Legal<br>Costs Paid | Total Paid         |
|----------------------------------------------------------|---------------|--------------------|-------------------------|------------------------------|--------------------|
| <b>2013/14</b>                                           | <b>68</b>     | <b>3,008,608</b>   | <b>488,079</b>          | <b>2,661,948</b>             | <b>6,158,635</b>   |
| Urology                                                  | 49            | 1,847,569          | 338,323                 | 1,589,723                    | 3,775,615          |
| Radiology                                                | 19            | 1,161,039          | 149,755                 | 1,072,225                    | 2,383,020          |
| <b>2014/15</b>                                           | <b>90</b>     | <b>3,301,223</b>   | <b>466,324</b>          | <b>3,162,192</b>             | <b>6,929,739</b>   |
| Urology                                                  | 60            | 2,455,482          | 343,050                 | 2,452,515                    | 5,251,047          |
| Radiology                                                | 30            | 845,740            | 123,275                 | 709,677                      | 1,678,692          |
| <b>2015/16</b>                                           | <b>99</b>     | <b>4,464,443</b>   | <b>810,803</b>          | <b>4,428,288</b>             | <b>9,703,534</b>   |
| Urology                                                  | 70            | 2,617,891          | 540,830                 | 3,008,015                    | 6,166,735          |
| Radiology                                                | 29            | 1,846,552          | 269,973                 | 1,420,273                    | 3,536,798          |
| <b>2016/17</b>                                           | <b>126</b>    | <b>3,976,462</b>   | <b>764,860</b>          | <b>4,241,793</b>             | <b>8,983,115</b>   |
| Urology                                                  | 76            | 2,637,735          | 482,820                 | 2,629,808                    | 5,750,363          |
| Radiology                                                | 50            | 1,338,728          | 282,040                 | 1,611,986                    | 3,232,753          |
| <b>2017/18</b>                                           | <b>154</b>    | <b>11,127,204</b>  | <b>1,219,592</b>        | <b>6,261,475</b>             | <b>18,608,271</b>  |
| Urology                                                  | 95            | 3,822,849          | 783,057                 | 4,127,919                    | 8,733,825          |
| Radiology                                                | 59            | 7,304,355          | 436,535                 | 2,133,556                    | 9,874,447          |
| <b>2018/19</b>                                           | <b>179</b>    | <b>12,875,382</b>  | <b>1,492,114</b>        | <b>7,410,657</b>             | <b>21,778,153</b>  |
| Urology                                                  | 113           | 7,343,709          | 910,334                 | 5,126,338                    | 13,380,380         |
| Radiology                                                | 66            | 5,531,674          | 581,780                 | 2,284,319                    | 8,397,773          |
| <b>2019/20</b>                                           | <b>213</b>    | <b>16,632,201</b>  | <b>2,278,640</b>        | <b>9,164,161</b>             | <b>28,075,001</b>  |
| Urology                                                  | 115           | 6,958,014          | 1,207,139               | 5,094,290                    | 13,259,443         |
| Radiology                                                | 98            | 9,674,187          | 1,071,500               | 4,069,871                    | 14,815,558         |
| <b>2020/21</b>                                           | <b>192</b>    | <b>13,199,804</b>  | <b>2,148,777</b>        | <b>7,631,660</b>             | <b>22,980,241</b>  |
| Urology                                                  | 102           | 5,301,566          | 1,064,259               | 4,048,558                    | 10,414,383         |
| Radiology                                                | 90            | 7,898,238          | 1,084,518               | 3,583,102                    | 12,565,858         |
| <b>2021/22</b>                                           | <b>236</b>    | <b>16,407,128</b>  | <b>1,838,133</b>        | <b>9,338,736</b>             | <b>27,583,997</b>  |
| Urology                                                  | 124           | 5,685,763          | 932,466                 | 4,769,027                    | 11,387,257         |
| Radiology                                                | 112           | 10,721,365         | 905,666                 | 4,569,709                    | 16,196,740         |
| <b>2022/23</b>                                           | <b>263</b>    | <b>26,939,257</b>  | <b>2,896,601</b>        | <b>13,124,764</b>            | <b>42,960,622</b>  |
| Radiology                                                | 134           | 17,195,903         | 1,885,714               | 7,640,160                    | 26,721,778         |
| Urology                                                  | 129           | 9,743,353          | 1,010,887               | 5,484,604                    | 16,238,844         |
| <b>Grand Total</b>                                       | <b>1,620</b>  | <b>111,931,712</b> | <b>14,403,922</b>       | <b>67,425,674</b>            | <b>193,761,308</b> |

**Table 5: Analysis of Primary Injuries for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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     |

| Primary Injuries                                      | No. of Claims | Damages Paid       | NHS Legal Costs Paid | Claimant Legal Costs Paid | Total Paid         |
|-------------------------------------------------------|---------------|--------------------|----------------------|---------------------------|--------------------|
| <b>Injuries with less than 5 Claims (41 Injuries)</b> | <b>85</b>     | <b>11,123,088</b>  | <b>1,504,474</b>     | <b>4,668,504</b>          | <b>17,296,065</b>  |
| Adtnl/unnecessary Operation(s)                        | 410           | 16,392,622         | 2,832,493            | 15,152,866                | 34,377,981         |
| Unnecessary Pain                                      | 312           | 8,789,551          | 1,420,634            | 8,287,526                 | 18,497,711         |
| Cancer                                                | 134           | 9,189,742          | 1,341,330            | 6,284,843                 | 16,815,915         |
| Fatality                                              | 127           | 10,699,168         | 1,303,864            | 5,802,831                 | 17,805,863         |
| Advanced Stage Cancer                                 | 80            | 4,842,866          | 460,012              | 3,536,762                 | 8,839,640          |
| Renal Damage/ Failure                                 | 68            | 5,424,393          | 832,450              | 3,895,963                 | 10,152,806         |
| Fracture                                              | 44            | 1,093,512          | 203,981              | 1,050,975                 | 2,348,468          |
| Removal Of Testicle                                   | 41            | 752,286            | 136,172              | 1,036,355                 | 1,924,813          |
| Bladder Damage                                        | 39            | 3,676,682          | 395,600              | 1,746,651                 | 5,818,933          |
| Poor Outcome - Fractures Etc.                         | 36            | 1,656,302          | 260,664              | 1,318,501                 | 3,235,466          |
| Loss Of Kidney                                        | 31            | 1,972,305          | 329,155              | 2,402,497                 | 4,703,956          |
| Other Infection                                       | 25            | 898,543            | 224,698              | 793,752                   | 1,916,993          |
| Bowel Damage/ Dysfunction                             | 21            | 2,179,812          | 417,846              | 1,375,353                 | 3,973,011          |
| Thrombosis/Embolism                                   | 19            | 1,209,920          | 118,745              | 732,448                   | 2,061,113          |
| Incontinence                                          | 14            | 753,496            | 117,578              | 591,940                   | 1,463,014          |
| Brain Damage                                          | 12            | 8,113,616          | 577,421              | 1,436,650                 | 10,127,687         |
| Other                                                 | 12            | 760,566            | 81,003               | 482,725                   | 1,324,294          |
| Psychiatric/Psychological Dmge                        | 11            | 198,750            | 35,518               | 313,134                   | 547,402            |
| Nerve Damage                                          | 11            | 6,936,898          | 570,427              | 1,769,643                 | 9,276,967          |
| Sepsis                                                | 11            | 4,134,300          | 115,447              | 443,800                   | 4,693,547          |
| Tissue Damage                                         | 10            | 374,635            | 92,613               | 402,050                   | 869,298            |
| Loss Of Sexual Function                               | 9             | 1,587,197          | 98,532               | 417,033                   | 2,102,762          |
| Perforation                                           | 9             | 1,725,738          | 98,497               | 697,612                   | 2,521,847          |
| Malignant Tumour                                      | 9             | 263,677            | 81,332               | 379,425                   | 724,435            |
| Reduced Life Expectancy                               | 6             | 257,500            | 47,968               | 209,500                   | 514,968            |
| Dislocation                                           | 6             | 443,303            | 23,922               | 149,650                   | 616,875            |
| Spinal Damage                                         | 6             | 3,596,723          | 238,816              | 490,500                   | 4,326,039          |
| Infectious Diseases                                   | 6             | 237,302            | 80,624               | 489,840                   | 807,766            |
| Amputation - Lower                                    | 6             | 2,434,520          | 305,369              | 822,383                   | 3,562,273          |
| Bruising/ Extravasation                               | 5             | 50,000             | 23,187               | 117,800                   | 190,987            |
| Joint Damage                                          | 5             | 162,700            | 33,550               | 126,163                   | 322,414            |
| <b>Grand Total</b>                                    | <b>1,620</b>  | <b>111,931,712</b> | <b>14,403,922</b>    | <b>67,425,674</b>         | <b>193,761,308</b> |

**Table 6: Analysis of Primary Causes for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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<br>scheme<br>Claim_Outcome | Closed Settled<br>(All)<br>Successful |
|-------------------------------------|---------------------------------------|

| Primary Causes                                    | No. of Claims | Damages Paid       | NHS Legal Costs Paid | Claimant Legal Costs Paid | Total Paid         |
|---------------------------------------------------|---------------|--------------------|----------------------|---------------------------|--------------------|
| <b>Causes with less than 5 claims (22 Causes)</b> | <b>41</b>     | <b>1,034,278</b>   | <b>227,976</b>       | <b>1,123,343</b>          | <b>2,385,597</b>   |
| Fail / Delay Treatment                            | 649           | 51,310,146         | 6,753,700            | 29,694,317                | 87,758,164         |
| Failure/Delay Diagnosis                           | 205           | 16,476,962         | 2,296,409            | 10,307,593                | 29,080,964         |
| Failure To Interpret X-Ray                        | 165           | 10,787,854         | 1,184,416            | 6,049,010                 | 18,021,279         |
| Fail To Follow-Up Arrangements                    | 102           | 6,401,438          | 612,531              | 3,792,552                 | 10,806,521         |
| Inappropriate Treatment                           | 60            | 1,919,350          | 463,857              | 2,256,318                 | 4,639,525          |
| Delay In Performing Operation                     | 58            | 1,915,324          | 442,574              | 1,991,087                 | 4,348,985          |
| Intra-Op Problems                                 | 52            | 6,547,265          | 520,388              | 2,569,809                 | 9,637,462          |
| Fail To Warn-Informed Consent                     | 43            | 1,736,959          | 253,552              | 1,947,603                 | 3,938,114          |
| Foreign Body Left In Situ                         | 33            | 868,036            | 117,290              | 663,421                   | 1,648,746          |
| Operator Error                                    | 30            | 555,241            | 116,448              | 861,515                   | 1,533,204          |
| Fail To Act On Abnorm Test Res                    | 28            | 4,859,864          | 400,436              | 1,253,335                 | 6,513,634          |
| Wrong Diagnosis                                   | 22            | 607,123            | 91,148               | 561,700                   | 1,259,971          |
| Failure To Perform Tests                          | 22            | 2,279,644          | 245,314              | 918,878                   | 3,443,837          |
| Inadequate Nursing Care                           | 15            | 385,500            | 53,742               | 293,830                   | 733,072            |
| Fail To Recog. Complication Of                    | 14            | 668,998            | 135,670              | 608,692                   | 1,413,360          |
| Fail To Interpret USS                             | 13            | 1,758,027          | 141,911              | 624,250                   | 2,524,188          |
| Wrong Site Surgery                                | 12            | 317,250            | 8,756                | 145,873                   | 471,879            |
| Failure To X-Ray                                  | 9             | 167,600            | 140,168              | 349,443                   | 657,211            |
| Perform. Of Op. Not Indicated                     | 9             | 231,510            | 29,366               | 196,179                   | 457,055            |
| Err With Agnt/Dose/Route/Selec                    | 8             | 152,750            | 23,737               | 159,800                   | 336,287            |
| Failure To Perform Operation                      | 8             | 381,035            | 45,110               | 359,000                   | 785,145            |
| Fail To Infrm Test Rslts                          | 6             | 252,445            | 44,543               | 290,700                   | 587,688            |
| Retained Instrument Post-Operation                | 6             | 183,874            | 28,675               | 204,738                   | 417,287            |
| Other                                             | 5             | 43,990             | 12,764               | 108,488                   | 165,242            |
| Equipment Malfunction                             | 5             | 89,250             | 13,439               | 94,200                    | 196,889            |
| <b>Grand Total</b>                                | <b>1,620</b>  | <b>111,931,712</b> | <b>14,403,922</b>    | <b>67,425,674</b>         | <b>193,761,308</b> |

**Table 7: Analysis of Regions for Clinical Claims Closed (or settled with a periodical payment order) between financial years '2013/14' and '2022/23' with a damages payment, where the Specialty is 'Urology' or 'Radiology' and Any Injury is 'Adtnl/unnecessary Operation(s)', 'Infectious Diseases', 'Renal Damage/ Failure' or 'Sepsis' or Any Cause is 'Delay In Performing Operation', 'Fail / Delay Treatment' or 'Fail To Follow-Up Arrangements'. 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 |
| scheme        | (All)          |
| Claim_Outcome | Successful     |

| Region                   | No. of Claims | Damages Paid       | NHS Legal Costs Paid | Claimant Legal Costs Paid | Total Paid         |
|--------------------------|---------------|--------------------|----------------------|---------------------------|--------------------|
| MIDLANDS                 | 353           | 29,519,951         | 3,529,978            | 13,942,660                | 46,992,590         |
| NORTH EAST AND YORKSHIRE | 319           | 13,394,786         | 2,635,506            | 12,620,404                | 28,650,696         |
| NORTH WEST               | 244           | 14,927,755         | 1,828,966            | 8,724,129                 | 25,480,849         |
| SOUTH EAST               | 220           | 19,288,724         | 2,051,170            | 10,692,028                | 32,031,922         |
| LONDON                   | 218           | 20,776,983         | 2,125,976            | 10,955,126                | 33,858,085         |
| EAST OF ENGLAND          | 156           | 7,028,816          | 1,336,791            | 6,234,309                 | 14,599,916         |
| SOUTH WEST               | 110           | 6,994,697          | 895,535              | 4,257,018                 | 12,147,250         |
| <b>Grand Total</b>       | <b>1,620</b>  | <b>111,931,712</b> | <b>14,403,922</b>    | <b>67,425,674</b>         | <b>193,761,308</b> |