



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU

Telephone: 020 7811 2700

May 2024

FOI_6522

The following information was requested on 1 May and clarified on 2 May 2024:

I am writing to request information under the Freedom of Information Act, can you please provide the following?

*1. How many physical **assault claims against the NHS** have been made by NHS staff in the past five years? (Between March 31st, 2019- April 1 2024)?*

**Can this be broken down by year and by type of NHS employee? These include, Nurses and allied health professionals, Doctors/Consultants, Ambulance Workers, Support Staff etc.*

1a) Can this also be broken down by NHS Trust? (i.e. the number of claims made by NHS Staff per Trust)

1b) What were the nature of these claims? Please can you discount unmeritorious (rejected) claims.

2. Can you provide the number and cost of such claims closed (or settled with a periodical payment order) between financial years 2019/20, 2020/21, 2021/22, 2022/23, 2023/24 with a damages payment?

2a) Can this be broken down by NHS Trust and type of NHS employee?

[We replied on 1 May 2024]

Thank you for your request.

Firstly, I would like to clarify a few points.

- 1. We can provide the data up to FY 2022/23. The data for 2023/24 is not available yet – it will be available on request from around August.*
- 2. We are unable to break it down by type of NHS employee.*
- 3. Please can you clarify what you mean by nature of these claims? We would be unable to disclose any details that would allow the identification of the individual claim, where it could lead to the breach of the Data Protection requirements.*

Please, refer to our previous similar responses:

[*FOI 5990 Assault-claims.pdf \(resolution.nhs.uk\)*](#)

[*FOI 6345 Assault-claims.pdf \(resolution.nhs.uk\)*](#)

[*FOI 6346 Assault-claims.pdf \(resolution.nhs.uk\)*](#)

[*FOI 5769 Workplace-accidents-or-personal-injury-claims-filed-by-NHS-staff final.pdf \(resolution.nhs.uk\)*](#)

Your request will be put on hold until we receive the clarification requested above.

[You replied on 2 May 2024]

Thank you for your response.

- 1. That's no problem. Data up to FY 2022/23 will suffice*
- 2. No problem - please omit breakdown by NHS employee.*

Please see the amended request below:

1. How many physical assault claims against the NHS have been made by NHS staff in the past five years? (Between March 31st, 2019- April, 1 2024)?

1a) Can this be broken down by NHS Trust? (i.e. the number of claims made by NHS Staff per Trust)

1b) Can you provide the number and cost of such claims closed (or settled with a periodical payment order) between financial years 2019/20, 2020/21, 2021/22, 2022/23, 2023/24 with a damages payment? (Please include, damages paid, NHS Legal Costs Paid, Claimant Legal Costs Paid, Total Paid)

1c) Can this be broken down by NHS Trust

2. The number of physical assault incidents against NHS staff in the workplace. I.e. the no. of NHS staff who have reported being the subject of physical assault.

2a) Can this be broken down by NHS Trust.

** Definition of physical assault - When an individual or a group attacks a person physically, with or without the use of a weapon, or threatens to hurt the person. It can include scratching, pushing, kicking, punching, throwing things, using weapons, or physically restraining another person.*

[If you have a different definition that you must categorise data under, please include in the response.]

Our Response

Please find attached the requested information we are able to provide. This information only covers England and not the rest of the UK. We are able to provide the data on the claims and incidents notified to us. We will not hold the details of **all** incidents relating to physical assault. Individual Trusts will hold this.

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

[Understanding NHS Resolution data - NHS Resolution](#)

The information for the financial year 2023/24 is currently unavailable and will be available on request from July 2024. Therefore, we have provided the information for the financial years 2018/19 -2022/23.

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.

Therefore, the tables that shows the number of claims **notified/received** during the financial years specified in your request will not correlate with the tables that show the number of claims **closed** in the same time period.

Please **find attached** the following tables:

Table 1 shows: – Number of LTPS Claims and Incidents received between financial years 2018/19 and 2022/23 where the Primary Cause is '**Assault**' and Schedule is 'Employment Liability' or 'EL Portal'. Broken down by NHS Trust.

LTPS Scheme

NHS Resolution manages a number of risk-pooling schemes (similar to insurance) for the NHS, one of which is the Liability to Third Parties Scheme (LTPS). This covers both employers' liability (**EL**) (i.e. in relation to duties of care owed to employees) and public liability (**PL**) (i.e. in relation to duties of care owed other patients, visitors, and other members of the public). You can find out more about the LTPS scheme here: [Liabilities to Third Parties Scheme - NHS Resolution](#)

Table 2 shows: - Number and Cost of LTPS Claims Closed between financial years 2018/19 and 2022/23 where the Primary Cause is '**Assault**' and Schedule is 'Employment Liability' or 'EL Portal'. Broken down by NHS Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Please see the above explanation in respect of the **LTPS** Scheme and the breakdown of liability.

Please note: these tables should not be interpreted as a league table. Larger member organisations and those which provide more complex treatments may receive more claims than smaller organisations or those providing low risk care. Inevitably, different institutions face different levels of risk because of the variations in the nature and complexity of the procedures they perform.

It also worth noting that there may be Trusts with fewer than 5 claims but higher damages payments. Due to Data Protection grounds, we are unable to provide you with the details of these claims.

Low Numbers -

We have suppressed low figures (and not provided the names of the Trusts with fewer than 5 claims) 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/>

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 between financial years 2018/19 and 2022/23 where the Primary Cause is 'Assault' and Schedule is 'Empl Liab' or 'EL Portal'. Broken down by NHS Trust.

Table 2: Number and Cost/Damages of LTPS Claims Closed between financial years 2018/19 and 2022/23 where the Primary Cause is 'Assault' and Schedule is 'Empl Liab' or 'EL Portal'. Broken down by NHS Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Table 1: Number of LTPS Claims and Incidents received between financial years 2018/19 and 2022/23 where the Primary Cause is 'Assault' and Schedule is 'Empl Liab' or 'EL Portal'. Broken down by NHS Trust.

FOI View scheme	Notified LTPS
--------------------	------------------

Year of Notification	No. of Claims
Trusts with less than 5 claims (64 Trusts)	148
Mersey Care NHS Foundation Trust	122
Greater Manchester Mental Health NHS Foundation Trust	81
Lancashire and South Cumbria NHS Foundation Trust	65
Tees, Esk and Wear Valleys NHS Foundation Trust	57
Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust	49
Birmingham & Solihull Mental Health NHS Foundation Trust	48
East London NHS Foundation Trust	48
West London NHS Trust	42
Nottinghamshire Healthcare NHS Foundation Trust	41
University Hospitals Birmingham NHS Foundation Trust	39
Cheshire & Wirral Partnership NHS Foundation Trust	37
Essex Partnership University NHS Foundation Trust	36
Central and North West London NHS Foundation Trust	35
South West Yorkshire Partnership NHS Foundation Trust	34
Coventry and Warwickshire Partnership NHS Trust	34
Pennine Care NHS Foundation Trust	33
South London & Maudsley NHS Foundation Trust	33
Barnet, Enfield and Haringey Mental Health NHS Trust	32
North East London NHS Foundation Trust	31
Manchester University NHS Foundation Trust	30
Sandwell & West Birmingham Hospitals NHS Trust	28
Oxleas NHS Foundation Trust	28
Black Country Healthcare NHS Foundation Trust	28
Oxford Health NHS Foundation Trust	26
Northern Care Alliance NHS Foundation Trust	25
Barts Health NHS Trust	25
Hertfordshire Partnership NHS Foundation Trust	24
South West London and St George's Mental Health NHS Trust	23
Leicestershire Partnership NHS Trust	23
Sheffield Health & Social Care NHS Foundation Trust	22
Liverpool University Hospitals NHS Foundation Trust	22
Southern Health NHS Foundation Trust	21
Norfolk and Suffolk NHS Foundation Trust	21
Sussex Partnership NHS Foundation Trust	20
Sheffield Teaching Hospitals NHS Foundation Trust	20
Midlands Partnership NHS Foundation Trust	19
Kent and Medway NHS and Social Care Partnership Trust	18
Avon & Wiltshire Mental Health Partnership NHS Trust	18
Bolton NHS Foundation Trust	18
Northamptonshire Healthcare NHS Foundation Trust	18
University Hospitals Coventry & Warwickshire NHS Trust	17
Guy's and St Thomas' NHS Foundation Trust	17
Camden and Islington NHS Foundation Trust	17
King's College Hospital NHS Foundation Trust	17
Mid Yorkshire Hospitals NHS Trust (The)	17
Nottingham University Hospitals NHS Trust	16
University Hospitals Sussex NHS Foundation Trust	16
West Midlands Ambulance Service NHS Foundation Trust	16
The Leeds Teaching Hospitals NHS Trust	15
Leeds & York Partnerships NHS Foundation Trust	15
North Cumbria Integrated Care NHS Foundation Trust	15
Wirral University Teaching Hospital NHS Foundation Trust	15
Warrington and Halton Hospitals NHS Foundation Trust	14
Bradford District Care Trust	14
Royal Free London NHS Foundation Trust	14
Lancashire Teaching Hospitals NHS Foundation Trust	14
Rotherham Doncaster and South Humber NHS Foundation Trust	14

Table 1: Number of LTPS Claims and Incidents received between financial years 2018/19 and 2022/23 where the Primary Cause is 'Assault' and Schedule is 'Empl Liab' or 'EL Portal'. Broken down by NHS Trust.

FOI View scheme	Notified LTPS
--------------------	------------------

Year of Notification	No. of Claims
East Lancashire Hospitals NHS Trust	14
Devon Partnership NHS Trust	13
Mid and South Essex NHS Foundation Trust	13
Northumbria Healthcare NHS Foundation Trust	13
South Tyneside and Sunderland NHS Foundation Trust	13
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	13
Lewisham & Greenwich NHS Trust	12
University Plymouth Hospitals NHS Trust	11
Berkshire Healthcare NHS Foundation Trust	11
North Tees & Hartlepool NHS Foundation Trust	11
Walsall Healthcare NHS Trust	11
Surrey & Borders Partnership NHS Foundation Trust	11
London North West University Healthcare NHS Trust	11
Cornwall Partnership NHS Foundation Trust	11
University Hospitals of Derby and Burton NHS Foundation Trust	10
Chelsea & Westminster Hospital NHS Foundation Trust	10
Southport and Ormskirk Hospital NHS Trust	10
Hillingdon Hospitals NHS Foundation Trust (The)	10
Gloucestershire Health and Care NHS Foundation Trust	10
Derbyshire Healthcare NHS Foundation Trust	10
Hull University Teaching Hospitals NHS Trust	10
Barnsley Hospital NHS Foundation Trust	10
North West Ambulance NHS Trust	10
University Hospitals of Morecambe Bay NHS Foundation Trust	9
Bedfordshire Hospitals NHS Foundation Trust	9
The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust	9
Yorkshire Ambulance Service NHS Trust	9
University Hospitals Dorset NHS Foundation Trust	9
York and Scarborough Teaching Hospitals NHS Foundation Trust	9
North Staffordshire Combined Healthcare NHS Trust	9
St George's University Hospitals NHS Foundation Trust	9
London Ambulance Service NHS Trust	8
Royal Cornwall Hospitals NHS Trust	8
Lincolnshire Partnership NHS Foundation Trust	8
Calderdale & Huddersfield NHS Foundation Trust	8
Whittington Health NHS Trust	8
East of England Ambulance NHS Trust	8
Imperial College Healthcare NHS Trust	8
Wrightington, Wigan and Leigh NHS Foundation Trust	8
Northampton General Hospital NHS Trust	8
Derbyshire Community Health Services	8
Royal Wolverhampton NHS Trust (The)	8
Bradford Teaching Hospitals NHS Foundation Trust	7
Cambridgeshire and Peterborough NHS Foundation Trust	7
Dorset HealthCare NHS Foundation Trust	7
Herefordshire and Worcestershire Health and Care NHS Trust	7
Chesterfield Royal Hospital NHS Foundation Trust	7
Somerset NHS Foundation Trust	7
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	7
South Central Ambulance NHS Foundation Trust	7
North Middlesex University Hospital NHS Trust	7
Gloucestershire Hospitals NHS Foundation Trust	6
Kettering General Hospital NHS Foundation Trust	6
University Hospitals of Leicester NHS Trust	6
Birmingham Women's and Children's NHS Foundation Trust	6
Humber Teaching NHS Foundation Trust	6
Stockport NHS Foundation Trust	6
North West Anglia NHS Foundation Trust	6

Table 1: Number of LTPS Claims and Incidents received between financial years 2018/19 and 2022/23 where the Primary Cause is 'Assault' and Schedule is 'Empl Liab' or 'EL Portal'. Broken down by NHS Trust.

FOI View scheme	Notified LTPS
--------------------	------------------

Year of Notification	No. of Claims
Frimley Health NHS Foundation Trust	6
University Hospitals of North Midlands NHS Trust	6
Torbay & South Devon NHS Foundation Trust	6
United Lincolnshire Hospitals NHS Trust	6
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	6
North East Ambulance Service NHS Foundation Trust	5
Walton Centre NHS Foundation Trust (The)	5
Portsmouth Hospitals NHS Trust	5
Dudley Group NHS Foundation Trust (The)	5
Worcestershire Acute Hospitals NHS Trust	5
North Bristol NHS Trust	5
Royal United Hospitals Bath NHS Foundation Trust	5
East Sussex Healthcare NHS Trust	5
South East Coast Ambulance NHS Foundation Trust	5
Epsom and St Helier University Hospitals NHS Trust	5
Birmingham Community Healthcare	5
Alder Hey Children's NHS Foundation Trust	5
Sherwood Forest Hospitals NHS Foundation Trust	5
Tameside and Glossop Integrated Care NHS Foundation Trust	5
The Rotherham NHS Foundation Trust	5
Grand Total	2,413

Table 2: Number and Cost/Damages of LTPS Claims Closed between financial years 2018/19 and 2022/23 where the Primary Cause is 'Assault' and Schedule is 'Empl Liab' or 'EL Portal'. Broken down by NHS Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

FOI View	Closed Settled
scheme	LTPS
Claim_Outcome	Successful

Year of Closure --- Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Trusts with less than 5 claims (98 Trusts)	215	4,716,991	925,849	3,066,029	8,708,869
Mersey Care NHS Foundation Trust	62	1,158,679	229,861	774,532	2,163,071
Tees, Esk and Wear Valleys NHS Foundation Trust	34	395,583	42,118	318,888	756,589
Lancashire and South Cumbria NHS Foundation Trust	33	500,853	136,130	531,949	1,168,931
Greater Manchester Mental Health NHS Foundation Trust	26	695,753	83,661	350,943	1,130,357
Coventry and Warwickshire Partnership NHS Trust	23	181,174	37,419	108,831	327,423
South London & Maudsley NHS Foundation Trust	20	522,659	103,349	364,412	990,419
Barnet, Enfield and Haringey Mental Health NHS Trust	20	358,290	124,665	348,273	831,228
Central and North West London NHS Foundation Trust	20	210,700	40,871	191,219	442,790
East London NHS Foundation Trust	20	190,403	37,466	179,476	407,346
West London NHS Trust	17	539,923	99,184	270,222	909,329
Pennine Care NHS Foundation Trust	16	125,965	16,315	92,336	234,615
Nottinghamshire Healthcare NHS Foundation Trust	16	456,663	88,943	262,502	808,108
Cheshire & Wirral Partnership NHS Foundation Trust	16	323,404	41,581	170,277	535,262
Birmingham & Solihull Mental Health NHS Foundation Trust	15	180,421	24,181	139,401	344,003
Essex Partnership University NHS Foundation Trust	15	486,117	79,602	289,189	854,907
Manchester University NHS Foundation Trust	15	195,182	59,088	261,632	515,902
Kent and Medway NHS and Social Care Partnership Trust	15	118,322	32,078	123,980	274,380
Nottingham University Hospitals NHS Trust	14	104,160	16,800	104,155	225,114
Hertfordshire Partnership NHS Foundation Trust	13	129,402	52,798	163,372	345,572
North East London NHS Foundation Trust	13	296,039	28,180	157,759	481,978
Wirral University Teaching Hospital NHS Foundation Trust	12	361,902	34,832	96,379	493,113
Midlands Partnership NHS Foundation Trust	12	778,304	58,015	346,977	1,183,297
South West London and St George's Mental Health NHS Trust	12	229,729	23,725	121,332	374,786
Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust	12	108,992	44,437	158,588	312,017
Oxford Health NHS Foundation Trust	12	84,103	6,598	71,564	162,265
South West Yorkshire Partnership NHS Foundation Trust	11	153,732	120,910	220,262	494,904
Black Country Healthcare NHS Foundation Trust	11	556,986	86,177	267,552	910,716
University Hospitals Birmingham NHS Foundation Trust	11	582,424	29,665	152,790	764,878
Norfolk and Suffolk NHS Foundation Trust	11	305,604	66,209	210,821	582,634
Sheffield Health & Social Care NHS Foundation Trust	11	66,042	9,918	59,767	135,726
Surrey & Borders Partnership NHS Foundation Trust	10	76,530	9,238	69,739	155,506
Oxleas NHS Foundation Trust	10	215,051	45,884	114,762	375,696
Sussex Partnership NHS Foundation Trust	10	1,180,394	155,538	1,124,947	2,460,879
Warrington and Halton Hospitals NHS Foundation Trust	10	77,516	9,383	42,832	129,731
Avon & Wiltshire Mental Health Partnership NHS Trust	10	300,872	66,123	248,870	615,866
Guy's and St Thomas' NHS Foundation Trust	9	148,178	27,325	72,469	247,972
Liverpool University Hospitals NHS Foundation Trust	9	237,340	85,675	199,679	522,694
Southern Health NHS Foundation Trust	9	296,784	170,830	410,877	878,490
Sandwell & West Birmingham Hospitals NHS Trust	9	71,629	15,796	78,024	165,449
Leeds & York Partnerships NHS Foundation Trust	8	90,534	17,004	63,584	171,122
Sheffield Teaching Hospitals NHS Foundation Trust	8	37,026	19,326	37,751	94,102
Mid Yorkshire Hospitals NHS Trust (The)	8	36,970	#	18,730	56,200
North Cumbria Integrated Care NHS Foundation Trust	8	67,864	17,865	57,917	143,647
Northamptonshire Healthcare NHS Foundation Trust	8	196,827	44,436	129,653	370,916
Bradford Teaching Hospitals NHS Foundation Trust	7	123,520	98,960	170,856	393,336
University Plymouth Hospitals NHS Trust	7	84,758	15,205	68,465	168,428
South Tyneside and Sunderland NHS Foundation Trust	6	153,845	33,842	91,235	278,922
King's College Hospital NHS Foundation Trust	6	64,838	13,334	63,979	142,150
Camden and Islington NHS Foundation Trust	6	224,241	22,017	72,443	318,701
Birmingham Community Healthcare	6	40,711	#	36,300	80,454
Barts Health NHS Trust	6	46,760	10,349	53,154	110,264
Southport and Ormskirk Hospital NHS Trust	6	101,590	14,281	52,298	168,169
Leicestershire Partnership NHS Trust	6	160,487	75,993	86,377	322,856
East Kent Hospitals University NHS Foundation Trust	6	241,890	68,727	127,656	438,273
Rotherham Doncaster and South Humber NHS Foundation Trust	6	45,749	14,170	53,349	113,268
University Hospitals Coventry & Warwickshire NHS Trust	5	50,750	#	39,215	93,898
South Western Ambulance Service NHS Foundation Trust	5	356,387	58,160	121,272	535,819
University Hospitals Sussex NHS Foundation Trust	5	25,150	#	27,777	57,557
Somerset NHS Foundation Trust	5	47,713	#	36,293	85,867
Northumbria Healthcare NHS Foundation Trust	5	42,251	15,375	76,429	134,054
Bradford District Care Trust	5	20,015	7,333	29,375	56,724
University Hospitals of North Midlands NHS Trust	5	39,014	5,795	36,115	80,924
North West Anglia NHS Foundation Trust	5	318,147	62,954	193,510	574,611
Maidstone and Tunbridge Wells NHS Trust	5	152,168	49,370	134,964	336,502
The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust	5	42,000	10,756	35,455	88,211
Northern Care Alliance NHS Foundation Trust	5	37,040	5,677	42,468	85,185
Royal Cornwall Hospitals NHS Trust	5	66,716	#	25,104	92,142
University Hospitals Bristol & Weston NHS Foundation Trust	5	80,574	21,521	98,945	201,039
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	5	48,767	#	38,591	91,817
Grand Total	1,017	20,763,095	4,088,015	14,456,861	39,307,971