



Resolution

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June 2024
FOI_6533

The following information was requested on 13 May 2024 and clarified on 15 May 2024:

[On 13 May 2024 you requested]

Regarding - [FOI 5163 Under-16-Paediatric-and-Orthopaedic-Surgery](#)

'Failure/Delay Diagnosis' & 'Fail delay/treatment' account for majority of claims (both tables).

Is it possible to give a breakdown for these claims regarding the limb involved (e.g. elbow, wrist, ankle), age ranges of the patients, Trusts involved, department (Emergency, ward, theatre) where issue occurred and category of delay in diagnosis/treatment?

[On 15 May 2024 we replied with]

Thank you for your request to NHS Resolution.

Before we can respond I would like to clarify what we can and cannot provide.

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 are unable to break the information down by limb involved or by category of delay. We also are unable to provide the department. We can only break down by specialty of Paediatrics and Orthopaedic Surgery.

*In the response to FOI_5163, we have provided the data from 2003/04 but due to the change in our reporting and data sets, we could only provide the information from **2006/07 onwards, up to 2022/23.***

We are able to provide the breakdown by age and by Trust.

Please, could you confirm the data you would be interested in and the date range you would like covered.

[On 15 May 2024 you replied with]

Thanks for coming back & I appreciate the constraints.

2006-2023 data range

Data by Trust & by age breakdown within Fail/delay treatment & fail/delay diagnosis.

Our Response

Please find attached the requested information we are able to provide. We have provided the information for the financial years 2006/07 – 2022/23 in relation to the specialty: 'Orthopaedic Surgery' or 'Paediatric Surgery'.

NB: 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>. Because of this we have re-run the data requested in FOI_5163, using our current reporting methods, and with the current date range requested (2006/7 – 2022/23). This can be seen in tables 1 and 2.

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.

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 nil damages payment), 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 and resolved by NHS Resolution, which can vary significantly. As such, these fluctuations cannot be interpreted as trends.

We have provided data on clinical cases only.

Table 1 shows: - Analysis of Primary Causes for Clinical Claims Closed with a damages payment (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 where the Specialty is '**Orthopaedic Surgery**' or '**Paediatric Surgery**', where the patient's age at incident is between 0 and 16. 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 2 shows: - Analysis of Primary Injuries for Clinical Claims Closed with a damages payment (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 where the Specialty is '**Orthopaedic Surgery**' or '**Paediatric**

Surgery' and the patient's age at incident is between 0 and 16. 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 (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 with a damages payment, where the Specialty is '**Orthopaedic Surgery**' or '**Paediatric Surgery**' and Primary Cause is 'Fail/Delay Treatment' or 'Failure/Delay Diagnosis', and where the patient's age at incident is between 0 and 16, broken down by age range. 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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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

Please note 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 Freedom of Information 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.

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](#) 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 : Analysis of Primary Causes for Clinical Claims Closed with a damages payment (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 where the Specialty is 'Orthopaedic Surgery' or 'Paediatric Surgery', where the patient's age at incident is between 0 and 16. 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 2 : Analysis of Primary Injuries for Clinical Claims Closed with a damages payment (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 where the Specialty is 'Orthopaedic Surgery' or 'Paediatric Surgery' and the patient's age at incident is between 0 and 16. 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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FOI View	Closed Settled
Claim_Outcome	Successful

Specialty --Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Orthopaedic Surgery	778	84,626,148	9,434,746	34,448,485	128,509,378
Less than 5 claims (19 Causes)	31	1,426,517	339,988	928,073	2,694,579
Failure/Delay Diagnosis	205	16,925,942	2,063,447	8,017,836	27,007,226
Fail / Delay Treatment	168	13,473,602	2,058,421	7,656,200	23,188,223
Inappropriate Treatment	69	6,935,070	680,404	3,077,740	10,693,215
Intra-Op Problems	55	16,327,274	1,158,207	3,773,836	21,259,318
Operator Error	31	1,266,920	268,064	956,578	2,491,562
Fail To Recog. Complication Of	29	4,984,586	768,402	2,118,850	7,871,838
Failure To Interpret X-Ray	26	2,776,860	256,913	899,460	3,933,233
Poor Application Of Plstr Cast	22	259,609	68,365	314,394	642,368
Failure To X-Ray	16	903,336	105,553	430,835	1,439,724
Delay In Performing Operation	16	953,519	178,761	646,805	1,779,086
Failure To Perform Tests	14	2,951,662	330,011	1,220,407	4,502,080
Failure To Perform Operation	14	2,858,757	206,358	856,485	3,921,600
Foreign Body Left In Situ	11	65,837	44,305	200,800	310,942
Fail To Follow-Up Arrangements	10	356,307	37,846	306,762	700,915
Fail To Warn-Informed Consent	9	3,239,750	336,335	960,330	4,536,416
Fail To Act On Abnorm Test Res	7	1,610,500	74,784	182,450	1,867,734
Lack Of Assistance/Care	7	46,573	12,392	102,700	161,666
Diathermy Burns/react. To Prep	7	82,200	12,435	135,266	229,900
Inadequate Monitoring Intra-Op	7	1,108,165	120,770	531,150	1,760,086
Inadequate Nursing Care	7	91,952	5,295	140,552	237,799
Perform. Of Op. Not Indicated	6	859,833	110,268	221,200	1,191,301
Wrong Diagnosis	6	917,154	54,309	284,275	1,255,738
Fail To Carry Out PO Observs.	5	4,204,221	143,111	485,500	4,832,832
Paediatric Surgery	265	41,310,114	4,342,877	14,074,996	59,727,987
Less than 5 claims (28 Causes)	64	9,003,846	984,466	3,518,516	13,506,828
Failure/Delay Diagnosis	43	11,311,988	711,085	2,384,600	14,407,673
Fail / Delay Treatment	36	5,024,840	677,732	1,593,360	7,295,933
Intra-Op Problems	30	9,338,571	961,957	2,656,600	12,957,128
Delay In Performing Operation	20	3,017,310	427,322	1,206,210	4,650,842
Inappropriate Treatment	19	961,743	176,989	696,072	1,834,804
Fail To Recog. Complication Of	12	1,018,682	148,894	579,963	1,747,539
Operator Error	11	275,715	71,333	495,983	843,030
Inadequate Nursing Care	11	117,700	14,304	230,905	362,909
Failure To Perform Operation	7	1,082,625	154,556	466,891	1,704,072
Diathermy Burns/react. To Prep	7	85,095	5,057	109,645	199,796
Foreign Body Left In Situ	5	72,000	9,182	136,250	217,432
Grand Total	1,043	125,936,262	13,777,622	48,523,480	188,237,365

Table 2 : Analysis of Primary Injuries for Clinical Claims Closed with a damages payment (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 where the Specialty is 'Orthopaedic Surgery' or 'Paediatric Surgery' and the patient's age at incident is between 0 and 16. 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

Specialty --Primary Injury	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Orthopaedic Surgery	778	84,626,148	9,434,746	34,448,485	128,509,378
Less than 5 Claims (29 Injuries)	48	29,698,902	2,638,039	6,794,866	39,131,808
Adtnl/unnecessary Operation(s)	150	8,817,744	1,375,419	5,710,565	15,903,727
Poor Outcome - Fractures Etc.	143	7,627,957	1,184,254	5,225,672	14,037,883
Unnecessary Pain	119	5,538,841	653,055	3,035,089	9,226,986
Fracture	72	2,056,542	328,298	1,743,070	4,127,909
Joint Damage	42	13,384,169	935,859	3,031,327	17,351,354
Scarring	40	398,149	69,887	567,616	1,035,652
Nerve Damage	31	3,069,413	435,330	2,158,251	5,662,994
Limb Deformity	30	6,009,403	609,654	1,839,415	8,458,472
Pressure Sores	19	320,247	80,943	433,308	834,498
Burn(s)	17	259,516	36,798	365,962	662,276
Dislocation	16	1,969,256	349,120	1,079,363	3,397,739
Compartment Syndrome	11	2,614,157	282,638	695,752	3,592,547
Fatality	9	467,007	78,700	380,696	926,402
Psychiatric/Psychological Dmge	7	88,094	35,905	225,500	349,499
Tendon Damage	7	1,719,250	173,821	415,175	2,308,246
Cosmetic Disfigurement	6	228,066	117,332	498,554	843,951
Other	6	211,437	25,189	158,500	395,126
Other Infection	5	148,000	24,503	89,804	262,307
Paediatric Surgery	265	41,310,114	4,342,877	14,074,996	59,727,987
Less than 5 Claims (37 Injuries)	69	19,703,915	1,928,950	5,246,307	26,879,172
Fatality	43	1,540,607	448,845	2,258,304	4,247,756
Adtnl/unnecessary Operation(s)	42	1,025,160	160,915	1,211,684	2,397,759
Unnecessary Pain	38	809,332	203,919	998,196	2,011,447
Brain Damage	15	15,638,792	1,199,813	2,512,389	19,350,994
Scarring	15	127,000	20,790	259,770	407,559
Burn(s)	12	111,895	12,422	154,508	278,824
Nerve Damage	8	1,153,547	152,282	390,250	1,696,079
Bowel Damage/ Dysfunction	7	259,500	51,905	342,488	653,893
Poor Outcome - Fractures Etc.	6	184,566	65,559	310,750	560,875
Pressure Sores	5	82,000	8,422	127,750	218,172
Psychiatric/Psychological Dmge	5	673,800	89,057	262,600	1,025,457
Grand Total	1,043	125,936,262	13,777,622	48,523,480	188,237,365

Table 3 : Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 with a damages payment, where the Specialty is 'Orthopaedic Surgery' or 'Paediatric Surgery' and Primary Cause is 'Fail/Delay Treatment' or 'Failure/Delay Diagnosis', broken down by Primary Cause and where the patient's age at incident is between 0 and 16. 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
Fail/Delay Flag	Y

Primary Cause -- Claimant's Age at Incident	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Failure/Delay Diagnosis	248	28,237,930	2,774,532	10,402,437	41,414,899
0-4 Years	53	13,341,414	969,194	2,779,590	17,090,198
5-8 Years	43	2,893,486	454,842	1,669,246	5,017,575
9-12 Years	55	4,580,756	493,093	2,156,518	7,230,367
13-16 Years	97	7,422,275	857,403	3,797,082	12,076,760
Fail / Delay Treatment	204	18,498,442	2,736,154	9,249,560	30,484,155
0-4 Years	52	6,536,918	952,821	2,911,799	10,401,538
5-8 Years	40	4,844,604	504,978	1,449,181	6,798,763
9-12 Years	39	3,039,801	581,768	2,207,590	5,829,160
13-16 Years	73	4,077,119	696,587	2,680,989	7,454,695
Grand Total	452	46,736,372	5,510,686	19,651,996	71,899,054

Table 4 : Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 with a damages payment, where the Speciality is 'Orthopaedic Surgery' or 'Paediatric Surgery' and Primary Cause is 'Fail/Delay Treatment' or 'Failure/Delay Diagnosis' broken down by Primary Cause and Trust, where the patient's age at incident is between 0 and 16. 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
Fail/Delay Flag	Y

Primary Cause -- Trust Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Failure/Delay Diagnosis	248	28,237,930	2,774,532	10,402,437	41,414,899
Manchester University NHS Foundation Trust	9	281,800	59,134	302,895	643,829
University Hospitals Sussex NHS Foundation Trust	7	296,204	16,209	191,000	503,413
East Kent Hospitals University NHS Foundation Trust	7	333,750	58,210	196,713	588,673
Barnet and Chase Farm Hospitals NHS Trust	6	756,500	124,383	388,516	1,269,399
Birmingham Women's and Children's NHS Foundation Trust	6	7,482,096	226,615	662,269	8,370,980
South Tyneside and Sunderland NHS Foundation Trust	6	142,000	41,146	127,950	311,096
United Lincolnshire Hospitals NHS Trust	6	223,810	21,498	182,566	427,874
Alder Hey Children's NHS Foundation Trust	6	237,524	95,332	252,283	585,140
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	5	73,500	45,951	188,750	308,201
Buckinghamshire Healthcare NHS Trust	5	1,419,941	78,742	343,500	1,842,183
Nottingham University Hospitals NHS Trust	5	258,893	36,714	143,854	439,460
Medway NHS Foundation Trust	5	57,550	30,780	71,625	159,955
Countess of Chester Hospital NHS Foundation Trust	#	#	#	#	#
Bedfordshire Hospitals NHS Foundation Trust	#	#	#	#	#
Department of Health	#	#	#	#	#
Bradford Teaching Hospitals NHS Foundation Trust	#	#	#	#	#
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	#	#	#	#	#
University Hospital Southampton NHS Foundation Trust	#	#	#	#	#
Dudley Group NHS Foundation Trust (The)	#	#	#	#	#
Sandwell & West Birmingham Hospitals NHS Trust	#	#	#	#	#
James Paget University Hospitals NHS Foundation Trust	#	#	#	#	#
Surrey and Sussex Healthcare NHS Trust	#	#	#	#	#
Norfolk & Norwich University Hospitals NHS Foundation Trust	#	#	#	#	#
Walsall Healthcare NHS Trust	#	#	#	#	#
North Tees & Hartlepool NHS Foundation Trust	#	#	#	#	#
South Tees Hospitals NHS Foundation Trust	#	#	#	#	#
North West Strategic Health Authority	#	#	#	#	#
South Warwickshire NHS Foundation Trust	#	#	#	#	#
East Lancashire Hospitals NHS Trust	#	#	#	#	#
Bolton NHS Foundation Trust	#	#	#	#	#
Lancashire Teaching Hospitals NHS Foundation Trust	#	#	#	#	#
University Hospitals of Derby and Burton NHS Foundation Trust	#	#	#	#	#
Royal United Hospitals Bath NHS Foundation Trust	#	#	#	#	#
Salisbury NHS Foundation Trust	#	#	#	#	#
Yeovil District Hospital NHS Foundation Trust	#	#	#	#	#
Mid and South Essex NHS Foundation Trust	#	#	#	#	#
Barking, Havering and Redbridge University Hospitals NHS Trust	#	#	#	#	#
University Hospitals of Morecambe Bay NHS Foundation Trust	#	#	#	#	#
Mid Cheshire Hospitals NHS Foundation Trust	#	#	#	#	#
Northern Care Alliance NHS Foundation Trust	#	#	#	#	#
Wrightington, Wigan and Leigh NHS Foundation Trust	#	#	#	#	#
East Sussex Healthcare NHS Trust	#	#	#	#	#
The Leeds Teaching Hospitals NHS Trust	#	#	#	#	#
Northumbria Healthcare NHS Foundation Trust	#	#	#	#	#
East and North Hertfordshire NHS Trust	#	#	#	#	#
Epsom and St Helier University Hospitals NHS Trust	#	#	#	#	#
Calderdale & Huddersfield NHS Foundation Trust	#	#	#	#	#
Royal Cornwall Hospitals NHS Trust	#	#	#	#	#
Stockport NHS Foundation Trust	#	#	#	#	#
Royal Devon University Healthcare NHS Foundation Trust	#	#	#	#	#
Tameside and Glossop Integrated Care NHS Foundation Trust	#	#	#	#	#
Gloucestershire Hospitals NHS Foundation Trust	#	#	#	#	#
Bristol Community Health CIC	#	#	#	#	#
Royal Wolverhampton NHS Trust (The)	#	#	#	#	#
University Hospitals Coventry & Warwickshire NHS Trust	#	#	#	#	#
Cambridge University Hospitals NHS Foundation Trust	#	#	#	#	#
University Hospitals of Leicester NHS Trust	#	#	#	#	#
Barts and The London NHS Trust	#	#	#	#	#
Barnsley Hospital NHS Foundation Trust	#	#	#	#	#
Lewisham & Greenwich NHS Trust	#	#	#	#	#
Worcestershire Acute Hospitals NHS Trust	#	#	#	#	#
Maidstone and Tunbridge Wells NHS Trust	#	#	#	#	#
East Midlands Strategic Health Authority	#	#	#	#	#
Dartford and Gravesham NHS Trust	#	#	#	#	#
Mid Yorkshire Hospitals NHS Trust (The)	#	#	#	#	#
Harrogate & District NHS Foundation Trust	#	#	#	#	#
University Hospitals Birmingham NHS Foundation Trust	#	#	#	#	#
York and Scarborough Teaching Hospitals NHS Foundation Trust	#	#	#	#	#
Royal Berkshire NHS Foundation Trust	#	#	#	#	#
North West Anglia NHS Foundation Trust	#	#	#	#	#
Kettering General Hospital NHS Foundation Trust	#	#	#	#	#
Wirral University Teaching Hospital NHS Foundation Trust	#	#	#	#	#
King's College Hospital NHS Foundation Trust	#	#	#	#	#

Table 4 : Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 with a damages payment, where the Specialty is 'Orthopaedic Surgery' or 'Paediatric Surgery' and Primary Cause is 'Fail/Delay Treatment' or 'Failure/Delay Diagnosis' broken down by Primary Cause and Trust, where the patient's age at incident is between 0 and 16. 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 Claim_Outcome Fail/Delay Flag	Closed Settled Successful Y					
Primary Cause -- Trust Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid	
NHS Commissioning Board	#	#	#	#	#	#
Royal Surrey County Hospital NHS Foundation Trust (The)	#	#	#	#	#	#
University Hospitals Dorset NHS Foundation Trust	#	#	#	#	#	#
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	#	#	#	#	#	#
Northampton General Hospital NHS Trust	#	#	#	#	#	#
Leicestershire County and Rutland PCT	#	#	#	#	#	#
West Hertfordshire Hospitals NHS Trust	#	#	#	#	#	#
East Lancashire Teaching PCT	#	#	#	#	#	#
Isle of Wight NHS PCT	#	#	#	#	#	#
London North West University Healthcare NHS Trust	#	#	#	#	#	#
Torbay & South Devon NHS Foundation Trust	#	#	#	#	#	#
Sheffield Children's NHS Foundation Trust	#	#	#	#	#	#
George Eliot Hospital NHS Trust	#	#	#	#	#	#
Sherwood Forest Hospitals NHS Foundation Trust	#	#	#	#	#	#
North Cumbria Integrated Care NHS Foundation Trust	#	#	#	#	#	#
Dorset County Hospital NHS Foundation Trust	#	#	#	#	#	#
East Cheshire NHS Trust	#	#	#	#	#	#
East Suffolk and North Essex NHS Foundation Trust	#	#	#	#	#	#
Hampshire Hospitals NHS Foundation Trust	#	#	#	#	#	#
County Durham and Darlington NHS Foundation Trust	#	#	#	#	#	#
University Plymouth Hospitals NHS Trust	#	#	#	#	#	#
South West Strategic Health Authority	#	#	#	#	#	#
Warrington and Halton Hospitals NHS Foundation Trust	#	#	#	#	#	#
Chelsea & Westminster Hospital NHS Foundation Trust	#	#	#	#	#	#
Whipps Cross University Hospital NHS Trust	#	#	#	#	#	#
Frimley Health NHS Foundation Trust	#	#	#	#	#	#
Hull University Teaching Hospitals NHS Trust	#	#	#	#	#	#
Airedale NHS Foundation Trust	#	#	#	#	#	#
Ashford & St Peter's Hospitals NHS Foundation Trust	#	#	#	#	#	#
Gateshead Health NHS Foundation Trust	#	#	#	#	#	#
Princess Alexandra Hospital NHS Trust (The)	#	#	#	#	#	#
The Rotherham NHS Foundation Trust	#	#	#	#	#	#
Fail / Delay Treatment	204	18,498,442	2,736,154	9,249,560	30,484,155	
Manchester University NHS Foundation Trust	8	181,020	29,177	175,532	385,729	
University Hospitals Sussex NHS Foundation Trust	5	109,134	45,962	110,692	265,788	
The Leeds Teaching Hospitals NHS Trust	5	143,250	96,919	257,500	497,669	
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	5	101,376	16,010	100,450	217,836	
North Cumbria Integrated Care NHS Foundation Trust	5	78,872	48,830	134,500	262,203	
Guy's and St Thomas' NHS Foundation Trust	#	#	#	#	#	#
Royal Free London NHS Foundation Trust	#	#	#	#	#	#
Bedfordshire Hospitals NHS Foundation Trust	#	#	#	#	#	#
Worcestershire Acute Hospitals NHS Trust	#	#	#	#	#	#
Sheffield Children's NHS Foundation Trust	#	#	#	#	#	#
Northern Care Alliance NHS Foundation Trust	#	#	#	#	#	#
Hull University Teaching Hospitals NHS Trust	#	#	#	#	#	#
East Kent Hospitals University NHS Foundation Trust	#	#	#	#	#	#
Princess Alexandra Hospital NHS Trust (The)	#	#	#	#	#	#
Milton Keynes Hospital NHS Foundation Trust	#	#	#	#	#	#
University Hospitals Birmingham NHS Foundation Trust	#	#	#	#	#	#
St George's University Hospitals NHS Foundation Trust	#	#	#	#	#	#
Calderdale & Huddersfield NHS Foundation Trust	#	#	#	#	#	#
Department of Health	#	#	#	#	#	#
Chelsea & Westminster Hospital NHS Foundation Trust	#	#	#	#	#	#
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	#	#	#	#	#	#
Walsall Healthcare NHS Trust	#	#	#	#	#	#
Kettering General Hospital NHS Foundation Trust	#	#	#	#	#	#
South Tyneside and Sunderland NHS Foundation Trust	#	#	#	#	#	#
Barts Health NHS Trust	#	#	#	#	#	#
Stockport NHS Foundation Trust	#	#	#	#	#	#
Airedale NHS Foundation Trust	#	#	#	#	#	#
University Hospital Southampton NHS Foundation Trust	#	#	#	#	#	#
Alder Hey Children's NHS Foundation Trust	#	#	#	#	#	#
University Hospitals of Derby and Burton NHS Foundation Trust	#	#	#	#	#	#
Wrightington, Wigan and Leigh NHS Foundation Trust	#	#	#	#	#	#
Warrington and Halton Hospitals NHS Foundation Trust	#	#	#	#	#	#
Blackpool Teaching Hospitals NHS Foundation Trust	#	#	#	#	#	#
North Tees & Hartlepool NHS Foundation Trust	#	#	#	#	#	#
Frimley Health NHS Foundation Trust	#	#	#	#	#	#
East Lancashire Hospitals NHS Trust	#	#	#	#	#	#
Gateshead Health NHS Foundation Trust	#	#	#	#	#	#
Gloucestershire Hospitals NHS Foundation Trust	#	#	#	#	#	#
Epsom and St Helier University Hospitals NHS Trust	#	#	#	#	#	#
Northumbria Healthcare NHS Foundation Trust	#	#	#	#	#	#
County Durham and Darlington NHS Foundation Trust	#	#	#	#	#	#

Table 4 : Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2006/07 and 2022/23 with a damages payment, where the Speciality is 'Orthopaedic Surgery' or 'Paediatric Surgery' and Primary Cause is 'Fail/Delay Treatment' or 'Failure/Delay Diagnosis' broken down by Primary Cause and Trust, where the patient's age at incident is between 0 and 16. 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
Fail/Delay Flag	Y

Primary Cause -- Trust Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Nottingham University Hospitals NHS Trust	#	#	#	#	#
Sussex Community NHS Foundation Trust	#	#	#	#	#
Royal United Hospitals Bath NHS Foundation Trust	#	#	#	#	#
The Royal Orthopaedic Hospital NHS Foundation Trust	#	#	#	#	#
Good Hope Hospital NHS Trust	#	#	#	#	#
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	#	#	#	#	#
Shrewsbury and Telford Hospital NHS Trust	#	#	#	#	#
North Middlesex University Hospital NHS Trust	#	#	#	#	#
Ashford & St Peter's Hospitals NHS Foundation Trust	#	#	#	#	#
Wirral University Teaching Hospital NHS Foundation Trust	#	#	#	#	#
Lancashire Teaching Hospitals NHS Foundation Trust	#	#	#	#	#
Lewisham & Greenwich NHS Trust	#	#	#	#	#
Dartford and Gravesham NHS Trust	#	#	#	#	#
Barnet and Chase Farm Hospitals NHS Trust	#	#	#	#	#
Newham University Hospital NHS Trust	#	#	#	#	#
Mid Yorkshire Hospitals NHS Trust (The)	#	#	#	#	#
James Paget University Hospitals NHS Foundation Trust	#	#	#	#	#
University Hospitals of Morecambe Bay NHS Foundation Trust	#	#	#	#	#
East Cheshire NHS Trust	#	#	#	#	#
Winchester and Eastleigh Healthcare NHS Trust	#	#	#	#	#
King's College Hospital NHS Foundation Trust	#	#	#	#	#
United Lincolnshire Hospitals NHS Trust	#	#	#	#	#
Bradford Teaching Hospitals NHS Foundation Trust	#	#	#	#	#
NHS Commissioning Board	#	#	#	#	#
Royal Berkshire NHS Foundation Trust	#	#	#	#	#
Chesterfield Royal Hospital NHS Foundation Trust	#	#	#	#	#
Buckinghamshire Healthcare NHS Trust	#	#	#	#	#
West Hertfordshire Hospitals NHS Trust	#	#	#	#	#
Royal National Orthopaedic Hospital NHS Trust	#	#	#	#	#
Isle of Wight NHS PCT	#	#	#	#	#
Derbyshire Community Health Services	#	#	#	#	#
East and North Hertfordshire NHS Trust	#	#	#	#	#
Royal Wolverhampton NHS Trust (The)	#	#	#	#	#
Great Ormond Street Hospital for Children NHS Foundation Trust	#	#	#	#	#
George Eliot Hospital NHS Trust	#	#	#	#	#
University Hospitals Bristol & Weston NHS Foundation Trust	#	#	#	#	#
Sheffield Teaching Hospitals NHS Foundation Trust	#	#	#	#	#
University Hospitals of Leicester NHS Trust	#	#	#	#	#
Liverpool University Hospitals NHS Foundation Trust	#	#	#	#	#
University Hospitals of North Midlands NHS Trust	#	#	#	#	#
South Tees Hospitals NHS Foundation Trust	#	#	#	#	#
University Plymouth Hospitals NHS Trust	#	#	#	#	#
London North West University Healthcare NHS Trust	#	#	#	#	#
Hampshire Hospitals NHS Foundation Trust	#	#	#	#	#
Dudley Group NHS Foundation Trust (The)	#	#	#	#	#
West Suffolk NHS Foundation Trust	#	#	#	#	#
St Helens and Knowsley Teaching Hospitals NHS Trust	#	#	#	#	#
Barts and The London NHS Trust	#	#	#	#	#
Medway NHS Foundation Trust	#	#	#	#	#
Birmingham Women's and Children's NHS Foundation Trust	#	#	#	#	#
Mid and South Essex NHS Foundation Trust	#	#	#	#	#
North West Anglia NHS Foundation Trust	#	#	#	#	#
Grand Total	452	46,736,372	5,510,686	19,651,996	71,899,054