



Resolution

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August 2024
FOI_6673

The following various information was requested between 4 July – 23 July 2024:

Follow up to: [FOI 6592 Guys-and-St-Thomas-NHS-Foundation-Trust.pdf \(resolution.nhs.uk\)](#)

[On 4 July 2024 you replied to the above response with]:

“Having reviewed the data released in this report, I'm asking for further clarifications based on the stipulated timeframes discussed in previous emails:

◆ *According to your records, Table 1 provides a grand total of all clinical claims (26) recorded at Guy's and St Thomas with specialty code: Oncology and Haematology. Table 2 details that out of 26 claims recorded, 19 were closed. Seven are currently active cases.*

◆ *Subsequent tables 3 and 4 detail causes and injuries sustained by patients with grand total 19. In Table 3, there is no mention of 'sexual abuse' as a cause which could mean that all injuries listed in Table 4 are all unrelated to sexual abuse.*

Does this data provided include claims of sexual abuse at all? I wouldn't want to assume that the seven active cases left from Table 1 relate exclusively to sexual abuse.

Please clarify this at your earliest convenience and get back to me.”

[We replied on 10 July 2024 with]:

Further to your e-mail below, please refer to our replies to each point below.

◆ *According to your records, Table 1 provides a grand total of all clinical claims (26) recorded at Guy's and St Thomas with specialty code: Oncology and Haematology. Table 2 details that out of 26 claims recorded, 19 were closed. Seven are currently active cases.*

The letter that accompanies the attached response states: “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, to answer your question, the data in table 1 does not correlate with the data in table 2. Table 1 focuses on the financial year the claim was notified to us, whereas table 2 focusses

on the financial year the claim was closed and a damages payment was made. The claims in table 1 do not necessarily correlate with the claims in table 2.

The claims captured in table 2 may have been notified to us in different years and not necessarily the same years as the claims captured in table 1.

Subsequent tables 3 and 4 detail causes and injuries sustained by patients with grand total 19. In Table 3, there is no mention of 'sexual abuse' as a cause which could mean that all injuries listed in Table 4 are all unrelated to sexual abuse.

Does this data provided include claims of sexual abuse at all?

In terms of tables 3 and 4 we can confirm that sexual abuse is not recorded as one of the Injury or Cause codes for the claims captured in those tables.

In terms of: I wouldn't want to assume that the seven active cases left from Table 1 relate exclusively to sexual abuse.

Please note that because table 2 does not correlate with table 1 for the reasons provided above, the reference to seven active cases is not quite right.

However, we have checked separately the 26 cases captured in table 1 and none of these claims have sexual abuse recorded as one of the Injury or Cause codes.

We hope this assists.

[You replied on 10 July 2024 with]:

"Could you please confirm if claims of child sexual abuse are included in Table 2, detailing closed cases where damages and legal fees have been paid?

Thank you."

[We replied on 10 July 2024 with]:

There are no claims in Table 2 where sexual abuse was recorded as one of the Injury or Cause codes.

[You replied on 10 July 2024 with]:

"I believe this backs up my initial question last week if there were claims of sexual abuse included in this data.

It appears there are none. Please confirm for the record that NHS Resolution does not hold information on child sexual abuse at Guy's and St Thomas NHS Foundation Trust, from the financial years between 2018/2019 to 2022/2023."

[On 23 July 2024 you wrote]:

"This is a follow-up request seeking to remind NHS Resolution that I'm still awaiting confirmation it does not hold any information on child sexual abuse cases recorded at Guy's and St Thomas NHS Foundation Trust."

Our Response

Thank you for your requests for information. As noted in our e-mail of 7 June 2024 we record claims against NHS Trusts rather than hospitals or clinics. We are able to provide the claims data in respect of **Guy's and St Thomas' NHS Foundation Trust**. We would also like to reiterate we do not hold the details of **all** incidents recorded for the Trust. We only hold the details of claims (and some incidents) notified to us. You may wish to approach the Trust directly for further information.

In response to the outstanding requests raised on 10 July 2024 and on 23 July 2024 our response is as follows:

In terms of: *"I believe this backs up my initial question last week if there were claims of sexual abuse included in this data. It appears there are none."*

As this relates directly to our response to: [FOI 6592 Guys-and-St-Thomas-NHS-Foundation-Trust.pdf \(resolution.nhs.uk\)](#)

We can confirm that within the dataset provided for FOI_6592 there were no claims where sexual abuse was recorded as an injury or cause code.

In terms of: *"Please confirm for the record that NHS Resolution does not hold information on child sexual abuse at Guy's and St Thomas NHS Foundation Trust, from the financial years between 2018/2019 to 2022/2023."*

We have carried out a search within the time period specified in your request and we can confirm that there are no claims recorded for the named Trust where the patient was under 18 years old, and the cause or injury is sexual abuse.

In terms of: *"This is a follow-up request seeking to remind NHS Resolution that I'm still awaiting confirmation it does not hold any information on child sexual abuse cases recorded at Guy's and St Thomas NHS Foundation Trust"*.

We wish to reiterate we have conducted our search based on the time period specified in your request and we have only focused on claims where the patient at the time of incident was under 18 years old, and the cause or injury is recorded as sexual abuse. There are no claims that meet this criteria.

As previously advised in [FOI 6592 Guys-and-St-Thomas-NHS-Foundation-Trust.pdf \(resolution.nhs.uk\)](#) our claims are categorised against pre-defined cause, injury and speciality **codes**. Whilst we do have an injury, and a cause code called 'sexual abuse', a claim may be multi-factoral and/or settled on a number of bases. Without interrogating individual claims file (which would likely exceed the FOI time limit), we cannot guarantee that some relevant claims may have been coded with a different cause or injury. We have based our search using the available pre-defined codes.

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:

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Water Lane
Wilmslow
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<https://ico.org.uk/>