



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 020 7811 2700

September 2024
FOI_6700

The following information was requested on 12 August and clarified on 13 August 2024:

[On 12 August 2024 you requested]:

I recently made FOI requests to all NHS ambulance services in the UK, these were the questions I asked,

1. What has been the cost of claims made to (ambulance service) by patients or others for manual handling incidents?

2. What has been the cost of claims made to (ambulance service) by ambulance staff for manual handling incidents?

All but one of the replies have directed me towards NHSR for the figures I require, would you be able to assist me with this at all?

[On 13 August 2024 we replied with]:

Thank you for your request.

Please, would you be able to confirm what date range you are interested in? We can provide the data in financial years up to 2023/24.

*We wish to clarify that we can provide information about **claims** resulting from manual handling – we do receive notification of some, but not all incidents.*

Your request will be put on hold until we receive the clarification requested above. If we don't hear back from you within a month, we will close the request.

[On 13 August 2024 you replied with]:

Thank you for your reply.

Would it be possible to have the last three financial years please?

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 manual handling. 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](#)

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 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.

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 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.

Please **find attached** the following tables:

Table 1 shows: – Number and Cost of LTPS Public Liability Claims Closed between financial years 2021/22 and 2023/24 with a damages payment, where the Primary Cause is '**Manual Handling**' or '**Manual Handling Regulations**' for all Ambulance Service NHS Trusts. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

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 Employers' Liability Claims Closed between financial years 2021/22 and 2023/24 with a damages payment, where the Primary Cause is '**Manual Handling**' or '**Manual Handling Regulations**' for all Ambulance Service NHS Trusts. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

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.

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 and Cost of LTPS Public Liability Claims Closed between financial years 2021/22 and 2023/24 with a damages payment, where the Primary Cause is 'Manual Handling' or 'Manual Handling Regulations' for all Ambulance Service NHS Trusts. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Table 2: Number and Cost of LTPS Employers' Liability Claims Closed between financial years 2021/22 and 2023/24 with a damages payment, where the Primary Cause is 'Manual Handling' or 'Manual Handling Regulations' for all Ambulance Service NHS Trusts. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

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Schedule	Public Liab (PL)
Claim_Outcome	Damages Paid

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2021/22	#	#	#	#	#

Table 2: Number and Cost of LTPS Employers' Liability Claims Closed between financial years 2021/22 and 2023/24 with a damages payment, where the Primary Cause is 'Manual Handling' or 'Manual Handling Regulations' for all Ambulance Service NHS Trusts. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Schedule	(Multiple Items)
Claim_Outcome	Damages Paid

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2021/22	12	191,007	66,420	203,257	460,684
2022/23	12	157,535	62,599	198,260	418,393
2023/24	18	163,267	22,460	95,835	281,562
Grand Total	42	511,808	151,478	497,353	1,160,639