



Resolution

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December 2024
FOI_6909

The following information was requested on 11 December 2024 and clarified on 12 December 2024:

[On 11 December 2024 you requested]

A&E Claims for the following Trusts:

Are you able to let me have some comparative data please?

I have the 2023-24 Member and Health Authority statistics, which includes the overall numbers of CNST claims for each Trust.

Can you please let me have the CNST claims numbers for 2023-24, where the primarily clinical specialty is Accident & Emergency, for the following Trusts? These are the Trusts which are within the same member type as our organisation.

<i>Blackpool Teaching Hospitals NHS Foundation Trust</i>
<i>Calderdale and Huddersfield NHS Foundation Trust</i>
<i>Doncaster and Bassetlaw Hospitals NHS Foundation Trust</i>
<i>East and North Hertfordshire NHS Trust</i>
<i>Epsom and St Helier University Hospitals NHS Trust</i>
<i>Frimley Health NHS Foundation Trust</i>
<i>Gloucestershire Hospitals NHS Foundation Trust</i>
<i>Hull and East Yorkshire Hospitals NHS Trust</i>
<i>Maidstone and Tunbridge Wells NHS Trust</i>
<i>Mid Yorkshire Hospitals NHS Trust</i>
<i>North Bristol NHS Trust</i>
<i>Northumbria Healthcare NHS Foundation Trust</i>
<i>Plymouth Hospitals NHS Trust</i>
<i>Shrewsbury and Telford Hospital NHS Trust</i>
<i>Sandwell & West Birmingham NHS Trust</i>
<i>South Tees Hospitals NHS Foundation Trust</i>
<i>The London North West Health Care NHS Trust</i>
<i>United Lincolnshire Hospitals NHS Trust</i>
<i>University Hospital of North Staffordshire NHS Trust</i>
<i>University Hospitals of Morecambe Bay NHS Foundation Trust</i>

University Hospitals Sussex NHS Foundation Trust
Wirral University Teaching Hospital NHS Foundation Trust
Wrightington, Wigan and Leigh NHS Foundation Trust

[On 12 December 2024 we sought clarification]

Further to my email below, please could you clarify whether you want just the number of claims for A&E (received and closed) or would you also like the costs involved?

We look forward to hearing from you.

[You replied on 12 December 2024]

Just the numbers 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 claims data in respect of complete financial years. We have provided the information for the financial year 2023/24 in relation to the specialty: **Emergency Medicine.**

We note the request for benchmarking data which we are unable to provide. We have however provided claims data on the Trusts named in the request. The tables broken down by Trusts 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. In some circumstances, volumes of reported cases may be impacted by multiple claims notified in relation to one cause of action.

Please note that some Trust names differ in the response to those provided in the request – the current names of Trusts have been used, which align with the Member Codes for Trusts listed in the request.

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>.

For this request we have used our Supplementary Annual Statistics (SAS) dataset to ensure the data represents the most up to date information. For further information

about our SAS dataset please see: [Annual statistics \(including Factsheet 5\) - NHS Resolution](#). Therefore, our response to this request may not align with other publications on our website.

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.

For information about our Clinical Negligence Scheme for Trusts, please visit our website here: [Clinical Negligence Scheme for Trusts - NHS Resolution](#)

Table 1 shows: - Number of CNST Claims and Incidents received in the financial year '2023/24' for requested Trusts where the Specialty is '**Emergency Medicine**'. Broken down by specified Trust.

Table 2 shows: - Number of CNST Claims Closed (or settled with a periodical payment order) in the financial year '2023/24' for requested Trusts with a damages payment, where the Specialty is '**Emergency Medicine**'. Broken down by specified Trust.

Table 3 shows: - Number of CNST Claims Closed in the financial year '2023/24' for requested Trusts with **NIL** damages paid where the Specialty is '**Emergency Medicine**'. Broken down by specified Trust.

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.

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 CNST Claims and Incidents received in the financial year '2023/24' for requested Trusts where the Specialty is 'Emergency Medicine'. Broken down by specified Trust.

Table 2: Number of CNST Claims Closed (or settled with a periodical payment order) in the financial year '2023/24' for requested Trusts with a damages payment, where the Specialty is 'Emergency Medicine'. Broken down by specified Trust.

Table 3: Number of CNST Claims Closed in the financial year '2023/24' for requested Trusts with NIL damages paid where the Specialty is 'Emergency Medicine'. Broken down by specified Trust.

Table 1: Number of CNST Claims and Incidents received in the financial year '2023/24' for requested Trusts where the Specialty is 'Emergency Medicine'. Broken down by specified Trust.

Notified Scheme	Y CNST
Trust	No. of Claims
Mid Yorkshire Teaching NHS Trust	33
University Hospitals of North Midlands NHS Trust	30
University Hospitals Sussex NHS Foundation Trust	23
Hull University Teaching Hospitals NHS Trust	23
Shrewsbury and Telford Hospital NHS Trust	17
Gloucestershire Hospitals NHS Foundation Trust	16
South Tees Hospitals NHS Foundation Trust	16
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	16
United Lincolnshire Hospitals NHS Trust	14
Northumbria Healthcare NHS Foundation Trust	14
Sandwell & West Birmingham Hospitals NHS Trust	11
London North West University Healthcare NHS Trust	11
Blackpool Teaching Hospitals NHS Foundation Trust	11
Wirral University Teaching Hospital NHS Foundation Trust	10
Maidstone and Tunbridge Wells NHS Trust	10
Frimley Health NHS Foundation Trust	10
Wrightington, Wigan and Leigh NHS Foundation Trust	9
University Hospitals of Morecambe Bay NHS Foundation Trust	9
Epsom and St Helier University Hospitals NHS Trust	8
East and North Hertfordshire NHS Trust	8
Calderdale & Huddersfield NHS Foundation Trust	8
University Hospitals Plymouth NHS Trust	8
North Bristol NHS Trust	#

Table 2: Number of CNST Claims Closed (or settled with a periodical payment order) in the financial year '2023/24' for requested Trusts with a damages payment, where the Specialty is 'Emergency Medicine'. Broken down by specified Trust.

Closed/Settled Scheme ClaimOutcome	Y CNST Damages Paid
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Trust	No. of Claims
Mid Yorkshire Teaching NHS Trust	22
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	16
Northumbria Healthcare NHS Foundation Trust	14
University Hospitals Plymouth NHS Trust	13
United Lincolnshire Hospitals NHS Trust	12
University Hospitals of North Midlands NHS Trust	12
Shrewsbury and Telford Hospital NHS Trust	10
Gloucestershire Hospitals NHS Foundation Trust	9
Wrightington, Wigan and Leigh NHS Foundation Trust	9
Maidstone and Tunbridge Wells NHS Trust	8
University Hospitals of Morecambe Bay NHS Foundation Trust	8
Calderdale & Huddersfield NHS Foundation Trust	7
University Hospitals Sussex NHS Foundation Trust	6
Sandwell & West Birmingham Hospitals NHS Trust	6
London North West University Healthcare NHS Trust	6
South Tees Hospitals NHS Foundation Trust	6
Frimley Health NHS Foundation Trust	6
East and North Hertfordshire NHS Trust	6
Blackpool Teaching Hospitals NHS Foundation Trust	6
Hull University Teaching Hospitals NHS Trust	5
Wirral University Teaching Hospital NHS Foundation Trust	#
Epsom and St Helier University Hospitals NHS Trust	#
North Bristol NHS Trust	#
Grand Total	193

Table 3: Number of CNST Claims Closed in the financial year '2023/24' for requested Trusts with NIL damages paid where the Specialty is 'Emergency Medicine'. Broken down by specified Trust.

Closed/Settled	Y
Scheme	CNST
ClaimOutcome	Nil Damages

Trust	No. of Claims
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	11
University Hospitals of North Midlands NHS Trust	8
Hull University Teaching Hospitals NHS Trust	8
Sandwell & West Birmingham Hospitals NHS Trust	6
Mid Yorkshire Teaching NHS Trust	6
Frimley Health NHS Foundation Trust	5
University Hospitals Plymouth NHS Trust	5
Northumbria Healthcare NHS Foundation Trust	5
University Hospitals of Morecambe Bay NHS Foundation Trust	#
United Lincolnshire Hospitals NHS Trust	#
East and North Hertfordshire NHS Trust	#
Blackpool Teaching Hospitals NHS Foundation Trust	#
South Tees Hospitals NHS Foundation Trust	#
Wrightington, Wigan and Leigh NHS Foundation Trust	#
Epsom and St Helier University Hospitals NHS Trust	#
Maidstone and Tunbridge Wells NHS Trust	#
London North West University Healthcare NHS Trust	#
University Hospitals Sussex NHS Foundation Trust	#
Gloucestershire Hospitals NHS Foundation Trust	#
North Bristol NHS Trust	#
Shrewsbury and Telford Hospital NHS Trust	#
Calderdale & Huddersfield NHS Foundation Trust	#
Wirral University Teaching Hospital NHS Foundation Trust	#
Grand Total	94