



# Resolution

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February 2025  
FOI\_7025

The following information was requested on 4 February 2025:

*1) Please advise how many claims have been made against Isle of Wight NHS Trust in the last five years. (Broken down by years 2021/22, 2022/23, 2023/24).*

*2) How many of these claims were settled and 3) what was the damages payment for each financial year. (Broken down by years 2019/2020, 2020/21, 2021/22, 2022/23, 2023/24)*

## Our Response

Please find attached the requested information we are able to provide.

**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>.

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 and non-clinical claims for Isle of Wight NHS Trust. For details about the schemes we operate, please refer to our website here: [Claims Management - NHS Resolution](#)

Please find attached the following tables:

**Table 1 shows:** - Number of Claims and Incidents received between financial years '2019/20' and '2023/24' for Isle of Wight NHS Trust. Broken down by year and Clinical / Non-Clinical Claims.

**Table 2 shows:** - Number and cost of Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment for Isle of Wight NHS Trust. 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. Broken down by year and Clinical / Non-Clinical Claims.

**Table 3 shows:** - Number of Claims Closed between financial years '2019/20' and '2023/24' with **NIL** damages paid for Isle of Wight NHS Trust. Broken down by year and Clinical / Non-Clinical Claims.

## **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.

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 Claims and Incidents received between financial years '2019/20' and '2023/24' for Isle of Wight NHS Trust. Broken down by year and Clinical / Non-Clinical Claims.

Table 2: Number and cost of Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment for Isle of Wight NHS Trust. 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. Broken down by year and Clinical / Non-Clinical Claims.

Table 3: Number of Claims Closed between financial years '2019/20' and '2023/24' with NIL damages paid for Isle of Wight NHS Trust. Broken down by year and Clinical / Non-Clinical Claims.

**Table 1: Number of Claims and Incidents received between financial years '2019/20' and '2023/24' for Isle of Wight NHS Trust. Broken down by year and Clinical / Non-Clinical Claims.**

Notified Y

| Year of Notification       |               |
|----------------------------|---------------|
| -- Clinical / Non-Clinical | No. of Claims |
| <b>2019/20</b>             |               |
| Clinical                   | 47            |
| NonClinical                | #             |
| <b>2020/21</b>             |               |
| Clinical                   | 41            |
| NonClinical                | #             |
| <b>2021/22</b>             |               |
| Clinical                   | 44            |
| NonClinical                | #             |
| <b>2022/23</b>             |               |
| Clinical                   | 37            |
| NonClinical                | #             |
| <b>2023/24</b>             |               |
| Clinical                   | 52            |
| NonClinical                | 8             |
| <b>Grand Total</b>         | <b>240</b>    |

**Table 2: Number and cost of Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment for Isle of Wight NHS Trust. 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. Broken down by year and Clinical / Non-Clinical Claims.**

|               |              |
|---------------|--------------|
| ClosedSettled | Y            |
| Claim_Outcome | Damages Paid |

| Year of Closure (Settlement Year for PPOs)<br>-- Clinical / Non-Clinical | No. of Claims | Damages Paid      | NHS Legal Costs<br>Paid | Claimant Legal<br>Costs Paid |
|--------------------------------------------------------------------------|---------------|-------------------|-------------------------|------------------------------|
| <b>2019/20</b>                                                           |               |                   |                         |                              |
| Clinical                                                                 | 23            | 1,256,323         | 249,614                 | 1,087,937                    |
| NonClinical                                                              | #             | #                 | #                       | #                            |
| <b>2020/21</b>                                                           |               |                   |                         |                              |
| Clinical                                                                 | 17            | 2,155,893         | 180,775                 | 687,233                      |
| NonClinical                                                              | 5             | 44,611            | #                       | 49,160                       |
| <b>2021/22</b>                                                           |               |                   |                         |                              |
| Clinical                                                                 | 29            | 3,201,514         | 346,161                 | 1,451,047                    |
| NonClinical                                                              | #             | #                 | #                       | #                            |
| <b>2022/23</b>                                                           |               |                   |                         |                              |
| Clinical                                                                 | 25            | 2,177,706         | 364,486                 | 1,473,593                    |
| NonClinical                                                              | #             | #                 | #                       | #                            |
| <b>2023/24</b>                                                           |               |                   |                         |                              |
| Clinical                                                                 | 30            | 7,696,245         | 560,370                 | 2,315,968                    |
| NonClinical                                                              | #             | #                 | #                       | #                            |
| <b>Grand Total</b>                                                       | <b>137</b>    | <b>16,665,839</b> | <b>1,803,920</b>        | <b>7,281,596</b>             |

**Table 3: Number of Claims Closed between financial years '2019/20' and '2023/24' with NIL damages paid for Isle of Wight NHS Trust. Broken down by year and Clinical / Non-Clinical Claims.**

|               |             |
|---------------|-------------|
| ClosedSettled | Y           |
| Claim_Outcome | Nil Damages |

| Year of Closure            |               |
|----------------------------|---------------|
| -- Clinical / Non-Clinical | No. of Claims |
| <b>2019/20</b>             |               |
| Clinical                   | 18            |
| NonClinical                | #             |
| <b>2020/21</b>             |               |
| Clinical                   | 21            |
| NonClinical                | 6             |
| <b>2021/22</b>             |               |
| Clinical                   | 14            |
| <b>2022/23</b>             |               |
| Clinical                   | 16            |
| NonClinical                | #             |
| <b>2023/24</b>             |               |
| Clinical                   | 19            |
| NonClinical                | #             |
| <b>Grand Total</b>         | <b>99</b>     |