



Resolution

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March 2025

FOI_7051

The following information was requested on 17 February 2025:

I am writing to you under the Freedom of Information Act to request information held by NHS Resolution relating to negligence claims against trusts in Kent regarding surgical errors and clinical negligence.

Please could you provide details as to the following for all surgery specialities and all cause codes for both during and post-surgery:

1) The number of claims and incidents against NHS trusts in Kent (Medway, East Kent Hospitals, Dartford and Gravesham and Maidstone and Tunbridge Wells) for clinical negligence for all surgery specialities and all cause codes (during and post-surgery) in the last 5 years? Can this be broken down by individual trust, year and each cause code? Financial Years: 2019/20, 2020/21, 2021/22, 2022/23, 2023/24.

2) The number of claims and incidents against NHS trusts in Kent (Medway, East Kent Hospitals, Dartford and Gravesham and Maidstone and Tunbridge Wells) for clinical negligence for all surgery specialities and all cause codes (during and post-surgery) in the last 5 years? Can this be broken down by individual trust, year and surgery speciality? Financial Years: 2019/20, 2020/21, 2021/22, 2022/23, 2023/24.

3) The number of claims and incidents and amounts paid out (damages paid, legal costs and total amount paid) by NHS trusts in Kent (Medway, East Kent Hospitals, Dartford and Gravesham and Maidstone and Tunbridge Wells) for each type of clinical negligence for all surgery specialities and all cause codes (during and post-surgery) in the last 5 years? Can this be broken down by individual trust, year, surgical speciality and primary cause? Financial Years: 2019/20, 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 claims for the Trusts specified in your request. For details about the schemes we operate, please refer to our website here: [Claims Management - NHS Resolution](#)

Please note: these tables 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.

Please find attached the following tables:

Table 1 shows: - Number of CNST Claims and Incidents received between financial years '2019/20' and '2023/24' where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member.

Table 2 shows: - Number of CNST Claims and Incidents received between financial years '2019/20' and '2023/24' where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust, broken down by Member, Specialty and Primary Cause.

Table 3 shows: - Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a

damages payment where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member. 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.

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 [Joanne Appleby](#), Deputy 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/>

TABLE OF CONTENTS

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 between financial years '2019/20' and '2023/24' where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member.

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Table 3: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member. 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 OF CONTENTS

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Table 4: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member, Specialty and Primary Cause. 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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Notified scheme	Y CNST
Year of Notification ---Member Name	No. of Claims
2019/20	81
East Kent Hospitals University NHS Foundation Trust	27
Medway NHS Foundation Trust	23
Maidstone and Tunbridge Wells NHS Trust	16
Dartford and Gravesham NHS Trust	15
2020/21	71
East Kent Hospitals University NHS Foundation Trust	31
Medway NHS Foundation Trust	20
Dartford and Gravesham NHS Trust	12
Maidstone and Tunbridge Wells NHS Trust	8
2021/22	64
East Kent Hospitals University NHS Foundation Trust	24
Medway NHS Foundation Trust	18
Dartford and Gravesham NHS Trust	11
Maidstone and Tunbridge Wells NHS Trust	11
2022/23	60
East Kent Hospitals University NHS Foundation Trust	23
Medway NHS Foundation Trust	20
Dartford and Gravesham NHS Trust	10
Maidstone and Tunbridge Wells NHS Trust	7
2023/24	61
East Kent Hospitals University NHS Foundation Trust	17
Dartford and Gravesham NHS Trust	15
Maidstone and Tunbridge Wells NHS Trust	15
Medway NHS Foundation Trust	14
Grand Total	337

Table 2: Number of CNST Claims and Incidents received between financial years '2019/20' and '2023/24' where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust, broken down by Member, Specialty and Primary Cause.

Notified scheme	Y CNST
Member Name	No. of Claims
---Specialty	
---Primary Cause	
East Kent Hospitals University NHS Foundation Trust	122
General Surgery	43
Fail / Delay Treatment	18
Intra-Op Problems	#
Operator Error	#
Inappropriate Treatment	#
Foreign Body Left In Situ	#
Fail/Delay Referring To Hosp.	#
Failure/Delay Diagnosis	#
Delay In Performing Operation	#
Failure To Perform Tests	#
Fail To Recog. Complication Of	#
Fail/Delay Admitting To Hosp.	#
Medication Errors	#
Failure To Perform Operation	#
Other	#
Fail To Warn-Informed Consent	#
Lack Of Assistance/Care	#
Neurosurgery	#
Fail / Delay Treatment	#
Oral & Maxillo Facial Surgery	#
Fail To Warn-Informed Consent	#
Orthopaedic Surgery	65
Fail / Delay Treatment	25
Failure/Delay Diagnosis	11
Inappropriate Treatment	6
Delay In Performing Operation	5
Intra-Op Problems	#
Inadequate Nursing Care	#
Failure To Interpret X-Ray	#
Operator Error	#
Failure To Perform Operation	#
Fail To Recog. Complication Of	#
Fail To Interpret USS	#
Fail To Warn-Informed Consent	#
Inappropriate Discharge	#
Unexpected Death	#
Failure To X-Ray	#
Vascular Surgery	12
Fail / Delay Treatment	6
Failure/Delay Diagnosis	#
Lack Of Assistance/Care	#
Inappropriate Discharge	#
Delay In Performing Operation	#
Inadequate Nursing Care	#
Medway NHS Foundation Trust	95
General Surgery	33
Failure/Delay Diagnosis	8
Delay In Performing Operation	#
Fail To Follow-Up Arrangements	#

Table 2: Number of CNST Claims and Incidents received between financial years '2019/20' and '2023/24' where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust, broken down by Member, Specialty and Primary Cause.

Notified scheme	Y CNST
Member Name ---Specialty ---Primary Cause	No. of Claims
Fail / Delay Treatment	#
Inadequate Nursing Care	#
Operator Error	#
Fail To Recog. Complication Of	#
Inappropriate Treatment	#
Foreign Body Left In Situ	#
Err With Agnt/Dose/Route/Selec	#
Intra-Op Problems	#
Fail To Supervise	#
Retained Instrument Post-Operation	#
Wrong Diagnosis	#
Diathermy Burns/react. To Prep	#
Failed Infection Control Policy/Hospital Hygiene	#
Oral & Maxillo Facial Surgery	#
Fail / Delay Treatment	#
Orthopaedic Surgery	49
Failure/Delay Diagnosis	16
Fail / Delay Treatment	9
Inappropriate Treatment	6
Delay In Performing Operation	#
Inadequate Nursing Care	#
Fail To Follow-Up Arrangements	#
Fail To Recog. Complication Of	#
Failure To X-Ray	#
Operator Error	#
Fail To Warn-Informed Consent	#
Medication Errors	#
Failure To Interpret X-Ray	#
Wrong Site Surgery	#
Failure To Perform Operation	#
Failure To Perform Tests	#
Vascular Surgery	12
Fail / Delay Treatment	#
Failure/Delay Diagnosis	#
Inappropriate Treatment	#
Wrong Diagnosis	#
Fail To Recog. Complication Of	#
Inappropriate Discharge	#
Dartford and Gravesham NHS Trust	63
General Surgery	31
Failure/Delay Diagnosis	7
Fail / Delay Treatment	#
Operator Error	#
Inappropriate Treatment	#
Intra-Op Problems	#
Fail To Warn-Informed Consent	#
Fail To Recog. Complication Of	#
Fail To Supervise	#
Delay In Performing Operation	#
Foreign Body Left In Situ	#

Table 2: Number of CNST Claims and Incidents received between financial years '2019/20' and '2023/24' where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust, broken down by Member, Specialty and Primary Cause.

Notified scheme	Y CNST
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Member Name ---Specialty ---Primary Cause	No. of Claims
Failure To Perform Operation	#
Neurosurgery	#
Failure/Delay Diagnosis	#
Orthopaedic Surgery	29
Fail / Delay Treatment	10
Inappropriate Treatment	6
Intra-Op Problems	5
Failure/Delay Diagnosis	#
Inadequate Nursing Care	#
Fail To Recog. Complication Of	#
Delay In Performing Operation	#
Fail To Warn-Informed Consent	#
Vascular Surgery	#
Fail / Delay Treatment	#
Maidstone and Tunbridge Wells NHS Trust	57
General Surgery	19
Foreign Body Left In Situ	#
Intra-Op Problems	#
Inappropriate Treatment	#
Err With Agnt/Dose/Route/Selec	#
Failure To Perform Operation	#
Failure/Delay Diagnosis	#
Application Of Excess Force	#
Lack Of Pre-Op Evaluation	#
Failure To Perform Tests	#
Fail To Warn-Informed Consent	#
Operator Error	#
Inadequate Nursing Care	#
Cross Infection	#
Orthopaedic Surgery	33
Fail / Delay Treatment	12
Delay In Performing Operation	#
Failure/Delay Diagnosis	#
Inappropriate Treatment	#
Failure To Perform Operation	#
Intra-Op Problems	#
Fail To Follow-Up Arrangements	#
Lack Of Assistance/Care	#
Failure To Perform Tests	#
Fail/Delay Referring To Hosp.	#
Bacterial Infection	#
Failed Infection Control Policy/Hospital Hygiene	#
Paediatric Surgery	#
Inappropriate Discharge	#
Fail / Delay Treatment	#
Vascular Surgery	#
Fail / Delay Treatment	#
Delay In Performing Operation	#
Grand Total	337

Table 3: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member. 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.

ClosedSettled scheme	Y
Claim_Outcome	CNST Damages Paid

Year of Closure (Settlement Year for PPOs) ---Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2019/20					
East Kent Hospitals University NHS Foundation Trust	25	3,135,521	266,830	2,070,168	5,472,518
Maidstone and Tunbridge Wells NHS Trust	19	6,936,373	473,690	1,197,541	8,607,604
Medway NHS Foundation Trust	18	2,089,933	168,748	1,065,007	3,323,687
Dartford and Gravesham NHS Trust	9	319,050	81,496	521,127	921,673
2020/21					
East Kent Hospitals University NHS Foundation Trust	23	2,952,090	598,631	1,713,838	5,264,559
Medway NHS Foundation Trust	14	5,010,866	484,767	1,323,517	6,819,150
Maidstone and Tunbridge Wells NHS Trust	14	1,576,813	218,138	797,883	2,592,834
Dartford and Gravesham NHS Trust	10	1,712,343	173,277	778,050	2,663,670
2021/22					
East Kent Hospitals University NHS Foundation Trust	21	1,648,291	203,120	989,073	2,840,484
Medway NHS Foundation Trust	14	1,120,936	213,884	755,788	2,090,607
Maidstone and Tunbridge Wells NHS Trust	12	511,854	79,843	438,669	1,030,366
Dartford and Gravesham NHS Trust	9	720,626	235,371	894,240	1,850,237
2022/23					
Medway NHS Foundation Trust	21	2,353,470	366,254	1,246,014	3,965,738
East Kent Hospitals University NHS Foundation Trust	17	1,440,158	279,878	1,067,097	2,787,132
Dartford and Gravesham NHS Trust	8	1,835,229	155,826	708,000	2,699,055
Maidstone and Tunbridge Wells NHS Trust	7	408,271	42,722	279,500	730,493
2023/24					
Dartford and Gravesham NHS Trust	14	1,938,634	208,821	887,716	3,035,171
East Kent Hospitals University NHS Foundation Trust	14	2,110,227	215,674	1,379,770	3,705,671
Medway NHS Foundation Trust	13	332,420	76,545	442,135	851,100
Maidstone and Tunbridge Wells NHS Trust	#	#	#	#	#

Table 4: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member, Specialty and Primary Cause. 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.

ClosedSettled scheme	Y
Claim_Outcome	CNST Damages Paid

Member Name ---Specialty ---Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
East Kent Hospitals University NHS Foundation Trust					
General Surgery					
Fail / Delay Treatment	7	799,755	111,386	417,500	1,328,641
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Medication Errors	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Neurosurgery					
Fail / Delay Treatment	#	#	#	#	#
Oral & Maxillo Facial Surgery					
Fail To Warn-Informed Consent	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Orthopaedic Surgery					
Fail / Delay Treatment	15	1,226,916	185,978	868,213	2,281,107
Failure/Delay Diagnosis	12	1,280,213	110,754	633,500	2,024,467
Inappropriate Treatment	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Operator Error	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Vascular Surgery					
Failure/Delay Diagnosis	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Medway NHS Foundation Trust					
General Surgery					
Fail / Delay Treatment	11	763,425	160,813	495,385	1,419,622

Table 4: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member, Specialty and Primary Cause. 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.

ClosedSettled scheme	Y
Claim_Outcome	CNST Damages Paid

Member Name ---Specialty ---Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Failure/Delay Diagnosis	8	2,805,109	248,273	719,000	3,772,382
Delay In Performing Operation	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Retained Instrument Post-Operation	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Oral & Maxillo Facial Surgery					
Fail / Delay Treatment	#	#	#	#	#
Orthopaedic Surgery					
Fail / Delay Treatment	12	402,436	184,060	540,000	1,126,496
Failure/Delay Diagnosis	9	699,928	62,783	446,302	1,209,013
Failure To Perform Operation	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Medication Errors	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Plastic Surgery					
Fail / Delay Treatment	#	#	#	#	#
Vascular Surgery					
Failure/Delay Diagnosis	#	#	#	#	#
Fail / Delay Treatment	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Maidstone and Tunbridge Wells NHS Trust					
General Surgery					
Fail To Warn-Informed Consent	#	#	#	#	#
Operator Error	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Inapprop. Case Selection	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Fail / Delay Treatment	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#

Table 4: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2019/20' and '2023/24' with a damages payment where the Specialty is 'Cardio Surgery', 'General Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Paediatric Surgery', 'Plastic Surgery' or 'Vascular Surgery', for Maidstone and Tunbridge Wells NHS Trust, Medway NHSFT, East Kent Hospitals University NHSFT and Dartford & Gravesham NHS Trust. Broken down by Member, Specialty and Primary Cause. 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.

ClosedSettled scheme	Y
Claim_Outcome	CNST Damages Paid

Member Name ---Specialty ---Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Neurosurgery					
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Orthopaedic Surgery					
Fail / Delay Treatment	5	79,500	10,465	95,500	185,465
Fail To Recog. Complication Of	5	1,832,401	134,053	402,675	2,369,128
Failure/Delay Diagnosis	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Application Of Excess Force	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Vascular Surgery					
Fail / Delay Treatment	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Dartford and Gravesham NHS Trust					
General Surgery					
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Fail / Delay Treatment	#	#	#	#	#
Operator Error	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Neurosurgery					
Failure/Delay Diagnosis	#	#	#	#	#
Orthopaedic Surgery					
Intra-Op Problems	8	2,577,527	226,583	799,559	3,603,669
Inappropriate Treatment	7	848,165	168,970	581,008	1,598,143
Failure/Delay Diagnosis	#	#	#	#	#
Fail / Delay Treatment	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Vascular Surgery					
Fail / Delay Treatment	#	#	#	#	#