



Resolution

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April 2025

FOI_7126

The following information was requested on 27 March 2025:

I am writing to request information under the Freedom of Information Act, please can you provide the following:

*The number of claims against NHS Trusts for **Plastic Surgery** in the last 5 years? Can this be broken down by year and by NHS Trust? Financial Years: 2019/20, 2020/21, 2021/22, 2023/24.*

The number of claims against NHS Trusts for Plastic Surgery in the last 5 years? Can this be broken down by year and by cause? Financial Years: 2019/20, 2020/21, 2021/22, 2023/24.

The number of claims against NHS Trusts for Plastic Surgery in the last 5 years? Can this be broken down by year and by injury? Financial Years: 2019/20, 2020/21, 2021/22, 2023/24.

The number and cost of claims against NHS Trusts for Plastic Surgery in the last 5 years broken down by Trust and year. (Including No. of claims, Damages Paid, NHS Legal Costs paid, Claimant legal costs paid, Total paid)

The number and cost of claims against NHS Trusts for Plastic Surgery in the last 5 years broken down by cause and year. (Including No. of claims, Damages Paid, NHS Legal Costs paid, Claimant legal costs paid, Total paid)

Our Response

Please find attached the requested information we are able to provide. We only hold claims data for England, not the rest of the UK.

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](#)

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 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.

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

Table 1 shows: - Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is '**Plastic Surgery**'. Broken down by Year and NHS Trust.

Table 2 shows: - Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is '**Plastic Surgery**'. Broken down by Year and Primary Cause.

Table 3 shows: - Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is '**Plastic Surgery**'. Broken down by Year and Primary Injury.

Table 4 shows: - Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with a damages payment, where the Specialty is '**Plastic Surgery**'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure. Broken down by Year and NHS Trust.

Table 5 shows: - Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with a damages payment, where the Specialty is '**Plastic Surgery**'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure. Broken down by Year and Primary Cause.

Table 6 shows: - Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with a damages payment, where the Specialty is '**Plastic Surgery**'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure. Broken down by Year and Primary Injury.

Table 7 shows: - Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with **NIL** damages paid where the Specialty is '**Plastic Surgery**'. Broken down by Year and NHS Trust.

Table 8 shows: - Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with **NIL** damages paid where the Specialty is '**Plastic Surgery**'. Broken down by Year and Primary Cause.

Table 9 shows: - Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with **NIL** damages paid where the Specialty is '**Plastic Surgery**'. Broken down by Year and Primary Injury.

Please note: 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.

Low figures

We have not provided the information for low figures involved 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 several [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.

Please refer to [Understanding NHS Resolution data](#) guidance for further details on how our Claims database is categorised.

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/>

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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 between financial years 2019/20 and 2023/24 where the Specialty is 'Plastic Surgery'. Broken down by Year and NHS Trust.

Table 2: Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is 'Plastic Surgery'. Broken down by Year and Primary Cause.

Table 3: Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is 'Plastic Surgery'. Broken down by Year and Primary Injury.

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Table 1: Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is 'Plastic Surgery'. Broken down by Year and NHS Trust.

Notified scheme	Y CNST
Year of Notification	
2019/20	
Trusts with less than 5 Claims	66
Mid and South Essex NHS Foundation Trust	7
Royal Free London NHS Foundation Trust	7
North West Anglia NHS Foundation Trust	6
Mersey and West Lancashire Hospitals NHS Trust	6
Oxford University Hospitals NHS Foundation Trust	5
2020/21	
Trusts with less than 5 Claims	68
Mid and South Essex NHS Foundation Trust	6
2021/22	
Trusts with less than 5 Claims	51
Mersey and West Lancashire Hospitals NHS Trust	6
Barts Health NHS Trust	6
Queen Victoria Hospital NHS Foundation Trust	5
Mid and South Essex NHS Foundation Trust	5
2022/23	
Trusts with less than 5 Claims	51
Lancashire Teaching Hospitals NHS Foundation Trust	5
Mersey and West Lancashire Hospitals NHS Trust	5
2023/24	
Trusts with less than 5 Claims	40
Mid and South Essex NHS Foundation Trust	6
Mersey and West Lancashire Hospitals NHS Trust	6
Grand Total	357

Table 2: Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is 'Plastic Surgery'. Broken down by Year and Primary Cause.

Notified scheme	Y CNST
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Year of Notification	No. of Claims
2019/20	
Causes with less than 5 Claims	27
Fail / Delay Treatment	24
Inappropriate Treatment	12
Fail To Warn-Informed Consent	10
Intra-Op Problems	9
Failure To Perform Operation	5
Foreign Body Left In Situ	5
Failure/Delay Diagnosis	5
2020/21	
Causes with less than 5 Claims	27
Fail / Delay Treatment	19
Fail To Warn-Informed Consent	11
Inappropriate Treatment	6
Intra-Op Problems	6
Fail To Recog. Complication Of	5
2021/22	
Causes with less than 5 Claims	29
Fail / Delay Treatment	20
Fail To Warn-Informed Consent	8
Delay In Performing Operation	6
Failure/Delay Diagnosis	5
Operator Error	5
2022/23	
Causes with less than 5 Claims	19
Fail / Delay Treatment	12
Failure/Delay Diagnosis	11
Fail To Warn-Informed Consent	7
Inappropriate Treatment	6
Operator Error	6
2023/24	
Causes with less than 5 Claims	29
Fail / Delay Treatment	12
Fail To Follow-Up Arrangements	6
Fail To Warn-Informed Consent	5
Grand Total	357

Table 3: Number of CNST Claims and Incidents received between financial years 2019/20 and 2023/24 where the Specialty is 'Plastic Surgery'. Broken down by Year and Primary Injury.

Notified scheme	Y CNST
Year of Notification	No. of Claims
2019/20	
Injuries with less than 5 Claims	34
Adtnl/unnecessary Operation(s)	15
Unnecessary Pain	13
Nerve Damage	9
Scarring	9
Amputation - Upper	7
Poor Outcome - Fractures Etc.	5
Fatality	5
2020/21	
Injuries with less than 5 Claims	30
Adtnl/unnecessary Operation(s)	14
Cosmetic Disfigurement	9
Poor Outcome - Fractures Etc.	8
Unnecessary Pain	7
Nerve Damage	6
2021/22	
Injuries with less than 5 Claims	31
Scarring	11
Adtnl/unnecessary Operation(s)	11
Unnecessary Pain	9
Amputation - Upper	6
Poor Outcome - Fractures Etc.	5
2022/23	
Injuries with less than 5 Claims	25
Adtnl/unnecessary Operation(s)	13
Scarring	6
Unnecessary Pain	6
Infection (bacterial)	6
Amputation - Upper	5
2023/24	
Injuries with less than 5 Claims	27
Unnecessary Pain	11
Adtnl/unnecessary Operation(s)	9
Nerve Damage	5
Grand Total	357

Table 4: Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with a damages payment, where the Specialty is 'Plastic Surgery'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure. Broken down by Year and NHS Trust.

ClosedSettled scheme	Y
Claim_Outcome	CNST Damages Paid

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2019/20					
Trusts with less than 5 Claims	65	2,813,271	676,058	2,672,354	6,161,683
2020/21					
Trusts with less than 5 Claims	39	1,618,170	340,625	1,397,378	3,356,173
Mersey and West Lancashire Hospitals NHS Trust	5	69,931	95,706	291,965	457,603
Mid and South Essex NHS Foundation Trust	5	539,000	36,251	169,000	744,251
2021/22					
Trusts with less than 5 Claims	58	4,339,447	600,835	2,552,671	7,492,952
Queen Victoria Hospital NHS Foundation Trust	6	211,627	120,355	131,700	463,682
2022/23					
Trusts with less than 5 Claims	46	2,522,410	413,159	1,699,067	4,634,636
2023/24					
Trusts with less than 5 Claims	37	1,374,706	280,184	1,552,459	3,207,349
Mersey and West Lancashire Hospitals NHS Trust	6	91,250	36,970	268,900	397,120
Grand Total	267	13,579,813	2,600,143	10,735,494	26,915,450

Table 5: Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with a damages payment, where the Specialty is 'Plastic Surgery'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure. Broken down by Year and Primary Cause.

ClosedSettled scheme	Y CNST
Claim_Outcome	Damages Paid

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2019/20					
Causes with less than 5 Claims	26	701,137	125,174	623,399	1,449,710
Fail / Delay Treatment	18	731,848	124,148	595,218	1,451,213
Fail To Warn-Informed Consent	10	754,103	322,073	969,455	2,045,632
Inappropriate Treatment	6	157,615	33,421	144,350	335,386
Intra-Op Problems	5	468,568	71,241	339,932	879,741
2020/21					
Causes with less than 5 Claims	27	1,599,034	258,117	1,066,783	2,923,934
Fail / Delay Treatment	12	115,568	118,794	423,695	658,058
Inappropriate Treatment	5	258,174	58,657	174,150	490,982
Fail To Warn-Informed Consent	5	254,325	37,015	193,715	485,055
2021/22					
Causes with less than 5 Claims	27	2,844,217	419,957	1,241,411	4,505,585
Fail / Delay Treatment	18	785,550	120,108	542,233	1,447,891
Inappropriate Treatment	9	288,270	99,933	358,527	746,730
Intra-Op Problems	5	204,500	20,869	153,200	378,569
Fail To Warn-Informed Consent	5	428,536	60,323	389,000	877,859
2022/23					
Causes with less than 5 Claims	28	473,705	143,740	701,673	1,319,117
Fail / Delay Treatment	13	488,540	75,856	341,118	905,514
Fail To Warn-Informed Consent	5	1,560,164	193,564	656,277	2,410,005
2023/24					
Causes with less than 5 Claims	22	814,219	136,716	821,496	1,772,431
Fail / Delay Treatment	9	369,915	114,475	567,086	1,051,475
Fail To Warn-Informed Consent	7	185,597	48,509	278,637	512,744
Operator Error	5	96,225	17,454	154,140	267,819
Grand Total	267	13,579,813	2,600,143	10,735,494	26,915,450

Table 6: Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with a damages payment, where the Specialty is 'Plastic Surgery'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure. Broken down by Year and Primary Injury.

ClosedSettled scheme	Y
Claim_Outcome	CNST Damages Paid

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2019/20					
Injuries with less than 5 Claims	26	1,140,810	190,194	924,642	2,255,646
Adtnl/unnecessary Operation(s)	16	350,787	89,905	433,406	874,098
Scarring	10	488,627	79,352	278,029	846,008
Unnecessary Pain	7	313,830	88,968	293,910	696,708
Nerve Damage	6	519,217	227,638	742,367	1,489,222
2020/21					
Injuries with less than 5 Claims	25	1,686,903	371,151	1,289,105	3,347,160
Unnecessary Pain	8	78,137	15,948	134,165	228,250
Cosmetic Disfigurement	6	259,490	39,213	235,850	534,553
Scarring	5	88,071	14,650	85,448	188,169
Adtnl/unnecessary Operation(s)	5	114,500	31,621	113,775	259,896
2021/22					
Injuries with less than 5 Claims	27	3,498,025	499,969	1,485,675	5,483,669
Adtnl/unnecessary Operation(s)	18	743,988	104,581	649,891	1,498,459
Unnecessary Pain	8	166,061	88,302	343,533	597,896
Scarring	6	84,500	7,190	78,022	169,712
Cosmetic Disfigurement	5	58,500	21,148	127,250	206,898
2022/23					
Injuries with less than 5 Claims	29	2,302,525	338,723	1,317,467	3,958,714
Adtnl/unnecessary Operation(s)	9	141,534	61,032	228,925	431,491
Unnecessary Pain	8	78,351	13,404	152,675	244,430
2023/24					
Injuries with less than 5 Claims	24	904,491	147,647	982,844	2,034,981
Adtnl/unnecessary Operation(s)	8	360,777	113,669	471,293	945,739
Unnecessary Pain	6	62,500	13,299	140,487	216,286
Nerve Damage	5	138,188	42,540	226,735	407,463
Grand Total	267	13,579,813	2,600,143	10,735,494	26,915,450

Table 7: Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with NIL damages paid where the Specialty is 'Plastic Surgery'. Broken down by Year and NHS Trust.

ClosedSettled scheme Claim_Outcome	Y CNST Nil Damages
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Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2019/20			
Trusts with less than 5 Claims	31	82,667	0
2020/21			
Trusts with less than 5 Claims	36	154,107	0
2021/22			
Trusts with less than 5 Claims	37	230,016	13,675
2022/23			
Trusts with less than 5 Claims	17	62,581	0
Mersey and West Lancashire Hospitals NHS Trust	5	22,592	0
Mid and South Essex NHS Foundation Trust	5	64,297	0
2023/24			
Trusts with less than 5 Claims	33	98,530	0

Table 8: Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with NIL damages paid where the Specialty is 'Plastic Surgery'. Broken down by Year and Primary Cause.

ClosedSettled	Y
scheme	CNST
Claim_Outcome	Nil Damages

Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2019/20			
Causes with less than 5 Claims	21	56,273	0
Fail / Delay Treatment	10	26,394	0
2020/21			
Causes with less than 5 Claims	24	111,751	0
Fail / Delay Treatment	12	42,356	0
2021/22			
Causes with less than 5 Claims	16	58,751	#
Fail / Delay Treatment	8	40,007	16,875
Fail To Recog. Complication Of	7	84,526	0
Fail To Warn-Informed Consent	6	46,732	0
2022/23			
Causes with less than 5 Claims	14	28,526	0
Fail / Delay Treatment	7	38,253	0
Inappropriate Treatment	6	82,692	0
2023/24			
Causes with less than 5 Claims	24	56,214	0
Fail / Delay Treatment	9	42,316	0

Table 9: Number and Cost of CNST Claims Closed between financial years 2019/20 and 2023/24 with NIL damages paid where the Specialty is 'Plastic Surgery'. Broken down by Year and Primary Injury.

ClosedSettled scheme Claim_Outcome	Y CNST Nil Damages			
Year of Closure		No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2019/20				
Injuries with less than 5 Claims		20	67,455	0
Unnecessary Pain		6	13,191	0
Scarring		5	#	0
2020/21				
Injuries with less than 5 Claims		25	122,712	0
Adtnl/unnecessary Operation(s)		11	31,396	0
2021/22				
Injuries with less than 5 Claims		24	181,444	13,675
Cosmetic Disfigurement		8	21,832	0
Scarring		5	26,741	0
2022/23				
Injuries with less than 5 Claims		22	131,731	0
Amputation - Upper		5	17,739	0
2023/24				
Injuries with less than 5 Claims		26	77,053	0
Adtnl/unnecessary Operation(s)		7	21,478	0