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May 2025
FOI_7181

The following information was requested on 17 April 2025 and clarified on 27 April 2025:

[On 17 April 2025 you requested]

Please could you tell me how many times Russells Hall Hospital in Dudley, West Midlands has been successfully sued for medical negligence in the last five years.
How much compensation has Russell's Hall paid out for successful medical negligence claims in the last five years?

[On 23 April 2025 we replied with]

Thank you for your request for information.

We record our claims against NHS Trusts rather than hospitals. We are able to provide the claims data for The Dudley Group NHS Foundation Trust. Would you be interested in the claims data for the Trust?

If so, we report in complete financial years. The data for the financial year 2024/25 is currently unavailable and will be available on request from August 2025. We are able to provide you with the claims data for the above Trust for the financial years 2019/20 – 2023/24. Are you interested in this data?

We look forward to hearing from you.

[On 23 April 2025 you replied with]

Thank you for responding to my request.

I would like the claims data for the years 2019/20 - 2023/4 for the Dudley Group NHS Foundation Trust.

Is there any way you can tell me how this compares with other trusts? If not, please just send the data.

[On 23 April 2025 we replied with]

Thank you for your swift response.

We do publish Trust level claims data. Please see the following links:

Factsheet 5 - trust and authority claims data 2019/20 - NHS Resolution

Factsheet-5—-trust-and-authority-claims-data-2020-21.xlsx

Factsheet-5-trust-and-authority-claims-data-2021-22_Dec_Corrections.xlsx

Factsheet-5-member-and-health-authority-claims-data-2022_23.xlsx

Member-and-Health-Authority-Statistics-NHS-Resolution-2023_24.xlsx

In each of the above links there is a separate worksheet called: ***Claims received****. (relevant financial year) Trust for each Trust. There is also another worksheet called* ***Successful Clinical Claims*** *broken down by Trust. I think these 2 worksheets should assist.*

However*, we would add some caution and please note: the breakdown 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.*

Did you want to take a look at the above links to see if they provide what you are looking for?

I hope this assists.

[On 27 April 2025 you replied with]

Thank you so much for sending the data concerning all NHS Trusts.

It has been useful but difficult to trawl through.

Would it be possible just to send the information for Dudley NHS Trust?

Our Response

Please find attached the requested information we are able to provide. We report in complete financial years. The data for the financial year 2024/25 is currently unavailable and will be available on request from August 2025.

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 Trust specified in your request. 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 Clinical Claims and Incidents received between financial years 2019/20 and 2023/24 where the trust is 'Dudley Group NHS Foundation Trust'.

Table 2 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 trust is 'Dudley Group NHS Foundation 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.

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.

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/

Freedom of Information Request# 7181
Data correct as at: The end of every financial year

T A B L E O F C O N T E N T S

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.

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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.

NHS Resolution

Table 1: Number of Clinical Claims and Incidents received between financial years 2019/20 and 2023/24 where the trust is 'Dudley Group NHS Foundation Trust'.

Notified	Y

Year of Notification	No. of Claims
2019/20	55
2020/21	54
2021/22	46
2022/23	55
2023/24	49
Grand Total	**259**

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NHS Resolution

Table 2: 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 trust is 'Dudley Group NHS Foundation 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.

ClosedSettled	Y
Claim_Outcome	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2019/20	42	14,858,493	940,570	2,992,670	18,791,732
2020/21	40	5,929,169	644,458	2,156,075	8,729,702
2021/22	39	3,308,267	597,986	1,826,226	5,732,479
2022/23	38	2,718,733	504,072	1,826,382	5,049,187
2023/24	36	5,467,989	515,332	2,140,573	8,123,894
Grand Total	**195**	**32,282,651**	**3,202,417**	**10,941,926**	**46,426,995**