



Resolution

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September 2025

FOI_7369

The following information was requested on 7 August 2025:

[On 7 August 2025 you requested]

I sent a request to the Epsom and St Helier University Hospitals NHS Trust and the advised that your Fol team is better placed to respond to questions in relation to that trust.

I would be grateful for responses by email to the following 13 questions, which I am sending to every UK non-specialist health trust and board.

I appreciate it is a long list of questions, and it's quite possible not all of them will be relevant to your organisation. I also appreciate that data going back 10 years may not always be available, as your organisation may have been formed more recently than that. In this case, I would be grateful for the data stretching back as far as is possible.

Please do not hesitate to get in touch if you have any questions at all.

How many vacancies do you currently have for a) midwives; b) obstetricians? (And how many members of staff do you currently have in both those roles?)

What is the number of stillbirths and neonatal deaths recorded in your trust/board in each of the past 10 years? And what was the recorded ethnicity of those who died if the data is available?

How many live births were recorded at your trust/board in each of the past 10 years?

What is the number of maternal deaths recorded in your trust/board in each of the past 10 years? And what was the recorded ethnicity of those who died?

How many medical negligence suits have arisen from incidents in your maternity department in each of the past 10 years? How many resulted in a payment being made, and how much was paid out in each of the past 10 years?

How many third- and fourth-degree tears have you recorded for each of the past 10 years?

What are your current rates of forceps use if you keep data on this?

What are your current rates of ventouse assisted deliveries if you keep data on this?

How many emergency caesarean sections have you carried out in each of the past 10 years?

How many Maternal Request Caesareans were made to staff in each of the past 10 years, and how many were approved?

How much did your trust/board pay for use of interpreters in its maternity department in each of the past 10 years?

How many people have received treatment as part of any MMHS (Maternal Mental Health Service) in the past year?

How many people are on the waiting list to receive treatment from the MMHS right now? And how long is the average waiting time for treatment?

[We replied on 7 August to advise]

Thank you for your request to NHS Resolution. Before we can respond I would like to clarify what data we hold and are able to provide.

Out of all the questions listed below, we are able to respond only to (highlighted below for ease, as the numbers seem not in order):

How many medical negligence suits have arisen from incidents in your maternity department in each of the past 10 years? How many resulted in a payment being made, and how much was paid out in each of the past 10 years?

We are able to provide information about claims for specialty: maternity and obstetrics, broken down by causes and injuries, number closed with damages payment and associated costs. We can provide the data for last 10 financial years. We could also break it down by trusts – or is it only Epsom and St Helier you are interested in?

Please refer to our publication: [Guidance-note-Understanding-NHS-Resolution-data-updated](#) and a set of codes against which claims are logged: [CNST-Codes.xlsx \(live.com\)](#) (see the three tabs in the spreadsheet).

In terms of number of stillbirths, maternal/neonatal deaths, perineal tears (1 – 3 degree) – we have codes for claims related to these injuries, but we don't hold information about number of these injuries sustained in the hospital, as not all of them would result in a claim being brought up.

All the other questions re staffing or numbers of procedures would be for the trust to respond to as we don't hold this information.

Would you be interested in the data as set out above? We look forward to hearing from you.

[You replied on 7 August 2025 with]

Thanks for getting back to me so quickly. Yes, it's only in relation to Epsom & St Helier that I'm looking, as I have sent FoI to all other trusts already.

Our Response

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 <https://resolution.nhs.uk/resources/understanding-nhs-resolution-data>.

For this request we have used our Supplementary Annual Statistics (SAS) dataset to ensure the averages represent 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.

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 based on our [Clinical Negligence Scheme for Trusts - NHS Resolution](#).

Please find attached the following information we can provide:

Table 1 shows: - Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Specialty is 'Obstetrics' for Epsom & St Helier University Hospitals NHS Trust.

Table 2 shows: - Number and Cost of CNST Claims Closed (or settled as a Periodical Payment Order) for Epsom & St Helier University Hospitals NHS Trust, where the claim was notified between 01-04-2015 to 31-03-2025 and the Specialty is 'Obstetrics'. The data includes the damages and legal costs paid up until 31 March 2025.

There were no claims during the financial year 2015/16 that met the above criteria.

PPOs

The attached data includes PPOs. 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 the payments as it relates to, costs paid up until the end of the financial year 2024/25.

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 '2015/16' and '2024/25' where the Specialty is 'Obstetrics' for Epsom & St Helier University Hospitals NHS Trust.

Table 2: Number and Cost of CNST Claims Closed (or Settled as a Periodical Payment Order) for Epsom and St. Helier University Hospitals NHS Trust, where the claim was notified between 01-04-2015 to 31-03-2025 and the Specialty is 'Obstetrics'. The data includes damages and legal costs paid up until the end of 31st March 2025.

Table 1: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Specialty is 'Obstetrics' for Epsom & St Helier University Hospitals NHS Trust.

Notified	Y
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Year of Notification	No. of Claims
2015/16	7
2016/17	10
2017/18	7
2018/19	14
2019/20	20
2020/21	#
2021/22	#
2022/23	9
2023/24	#
2024/25	9
Grand Total	88

Table 2: Number and Cost of CNST Claims Closed (or Settled as a Periodical Payment Order) for Epsom and St. Helier University Hospitals NHS Trust, where the claim was notified between 01-04-2015 to 31-03-2025 and the Specialty is 'Obstetrics'. The data includes damages and legal costs paid up until the end of 31st March 2025.

ClaimOutcome	Damages Paid
ClosedSettled	Y

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid	Total Paid
2016/17	#	#	#	#	#
2017/18	#	#	#	#	#
2018/19	#	#	#	#	#
2019/20	8	232,500	50,574	281,875	564,949
2020/21	#	#	#	#	#
2021/22	7	4,390,677	236,201	999,118	5,625,996
2022/23	6	7,986,887	217,628	827,085	9,031,600
2023/24	6	5,722,835	297,380	887,500	6,907,715
2024/25	8	614,137	110,946	466,750	1,191,833
Grand Total	47	19,291,371	968,876	3,779,593	24,039,840