
Thank you for your email of 29 January which we have considered in accordance with s.1(1) Freedom of Information Act 2000 (FOIA). You have requested the following information:

Would it be possible to get the following data:

Individual claim data (claimant name redacted if required) for the following Independent Sector providers:

- *Bath Fertility Centre*
- *Care UK*
- *Circle Health Limited*
- *Community Eye Care*
- *Foscote Private Hospital*
- *KIMS Hospital*
- *Manchester Surgical Services*
- *Nuffield Health*
- *One Health Group Ltd*
- *Pall Mall Medical*
- *Phoenix Health Ltd*
- *Pioneer Health Ltd*
- *Probus Surgical Centre*
- *Ramsay Healthcare*
- *Spire Healthcare*
- *The Orthopaedics and Spine Specialist Hospital*
- *Virgin Care Services*

In an ideal world I would like the following for each claim/incident, or as much as is available:

1. *Incident date*
2. *Claim/Report date*
3. *Payment/Close date*
4. *Specialty or procedure the patient was having done*
5. *Reserved Expenses*
6. *Reserved Indemnity*
7. *Paid Expenses*
8. *Paid Indemnity*
9. *Income associated with each specialty each year back to 01 April 2013 (per entity or not per entity)*

Our Response

Please note that we are unable to provide you with the information you require as we believe that disclosure of information at this level of granularity is exempt under Section 40(2) by virtue of section 40(3)(a)(i) of the Act, where disclosure to a member of the public would contravene one or more of the data protection principles. By disclosing details of each individual claim (even if the claimant's name is anonymised), 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 details), 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. In this instance, NHS Resolution considers that disclosure would be in breach of the first Data Protection Principle, particularly the obligation to process data fairly and lawfully. We are therefore unable to comply with your request.

Using our claims management database, we could provide you with the following limited information, should it be of interest to you.

For each independent sector provider, we would only be able to provide you with aggregate claims data by specialties (as defined by you) where claim figures are greater than five. We could provide numbers of closed successful claims and settled Periodical Payment Orders and the cost associated with the successful claims (eg damages paid, claimant costs, defence costs)

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](#), Head of Governance 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.