



Resolution

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December 2018
FOI_3547

The following information was requested on 26 November 2018:

- 1) *Please send me details of the number of claims successfully settled and the sum of the damages paid, where the primary cause code is 'medication error' for 2016 – 2017 and 2017 – 2018.*
- 2) *If possible, please include the above by medical speciality.*
- 3) *Of those claims where the primary cause code is 'medication error' please undertake a keyword search using the term 'prescribing' or 'prescribing error' whichever is the most appropriate, to determine the number of claims arising from prescribing errors for each financial year indicating the number of successful claims and sum of the damages paid.*
- 5) *If possible please include prescribing error claims and damages by medical speciality.*
- 6) *Although I understand that your database is designed for claims purposes and not specifically for research. Have you, or do you plan to publish details of the medicine products or types of medication error e.g. wrong medicines, wrong strength, known medicine involved in the claims for learning and system improvement in the NHS?*

Our Response

Please find attached the requested information.

In response to Q6 we have recently presented at a national conference some high level data in relation to medicine related claims, we are also currently in discussion about publishing in a journal to raise awareness of this data. We also work closely with NHS providers supporting them in reviewing and learning from their claims.

Please note we are unable to provide you with a breakdown of individual claims and 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(3) (a) (i) 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. Where we are in the territory of such small numbers in the attached, we have used a '#' symbol in the relevant field. You should still be able to see aggregate/total details for higher-level fields containing this data.

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 Corporate and Information 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

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Data correct as at: 2018-11-30

Table 1: Number of Claims received for medication errors between 2016/17 and 2017/18

Notifications	Y
Clinical_NonClinical	Clinical

Notification Year	No. of Claims	Prescribing Errors
2016/17	243	55
2017/18	243	43
Grand Total	486	98

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Table 2: Number and Cost of Claims Closed/Settled with damages for medication errors paid between 2016/17 and 2017/18

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome	Successful

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	Prescribing Claims	Prescribing Damages Paid
2016/17	179	9,119,962	49	603,227
2017/18	167	10,152,984	35	3,382,992
Grand Total	346	19,272,946	84	3,986,219

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Table 3: Analysis of Specialties for Claims Closed/Settled with damages paid for medication errors between 2016/17 and 2017/18

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome	Successful

Year of Closure (Settlement Year for PPOs) -- Specialties	No. of Claims	Damages Paid	Prescribing Claims	Prescribing Damages
2016/17				
General Medicine	25	408,120	8	49,618
Orthopaedic Surgery	17	932,409	9	356,719
Casualty / A & E	17	163,777	5	35,000
General Surgery	11	192,505	#	#
Geriatric Medicine	10	172,035	#	#
Obstetrics	7	128,285	0	0
Pharmacy	7	31,428	#	#
Paediatrics	7	4,695,051	0	0
Cardiology	7	223,910	0	0
Psychiatry/ Mental Health	7	87,707	#	#
HM Prison Medical/dental	6	6,727	#	#
Anaesthesia	6	751,842	#	#
Cardio Surgery	5	163,500	#	#
Ophthalmology	5	44,637	#	#
Respiratory Medicine/ Thoracic Medic	#	#	#	#
Neurology	#	#	0	0
Gynaecology	#	#	#	#
General Practice	#	#	#	#
Community Medicine/ Public Health	#	#	#	#
Comm Mental Servs	#	#	#	#
Oncology	#	#	0	0
Endocrinology	#	#	#	#
Other	#	#	0	0
Gastroenterology	#	#	0	0
Dermatology	#	#	#	#
Urology	#	#	#	#
Microbiology/ Virology	#	#	#	#
Haematology	#	#	0	0
Surgical Speciality - Other	#	#	0	0
Rheumatology	#	#	0	0
Radiology	#	#	0	0
Plastic Surgery	#	#	0	0
Renal Medicine	#	#	0	0
Oral & Maxillo Facial Surgery	#	#	0	0
2017/18				
General Medicine	22	1,085,240	#	#
Anaesthesia	12	1,013,700	0	0
Casualty / A & E	11	97,832	#	#
Obstetrics	11	184,600	#	#
Gastroenterology	9	299,415	#	#
General Surgery	8	354,300	#	#
HM Prison Medical/dental	7	8,683	#	#
Orthopaedic Surgery	7	323,166	#	#
Neurology	7	85,349	#	#
Psychiatry/ Mental Health	6	215,968	#	#
Neurosurgery	6	3,089,206	#	#
Cardiology	5	97,490	0	0
Ophthalmology	5	112,000	#	#
Oncology	#	#	#	#
Pharmacy	#	#	0	0
Paediatrics	#	#	#	#
Geriatric Medicine	#	#	#	#

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Table 3: Analysis of Specialties for Claims Closed/Settled with damages paid for medication errors between 2016/17 and 2017/18

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome	Successful

Year of Closure (Settlement Year for PPOs) -- Specialties	No. of Claims	Damages Paid	Prescribing Claims	Prescribing Damages
Haematology	#	#	0	0
General Practice	#	#	#	#
Surgical Speciality - Other	#	#	0	0
Urology	#	#	0	0
Respiratory Medicine/ Thoracic Medic	#	#	#	#
Other	#	#	#	#
Intensive Care Medicine	#	#	0	0
Comm Mental Servs	#	#	0	0
Cardio Surgery	#	#	0	0
Rehabilitation	#	#	0	0
Miscellaneous	#	#	0	0
Gynaecology	#	#	#	#
Dermatology	#	#	#	#
Infectious Diseases	#	#	0	0
Non-Clinical Staff	#	#	0	0
Renal Medicine	#	#	0	0
Not Specified	#	#	0	0
Rheumatology	#	#	0	0
Physiotherapy	#	#	0	0
District Nursing	#	#	#	#
Plastic Surgery	#	#	0	0
Endocrinology	#	#	#	#
Grand Total	346	19,272,946	84	3,986,219