

December 2018  
FOI\_3557

The following information was requested on 3 December 2018:

*I am contacting you from the Service Transformation team in NHS England Specialised Commissioning. We run over 20 national reviews/ transformation programmes on specialised services. This includes the Neuroscience Transformation Programme which covers neurology and neurosurgery. A recently published GIRFT report indicated a high litigation spend in neurosurgery and as part of the programme we would like to investigate this in order to highlight quality issues and inform pathway and configuration work.*

*I would therefore like to request the below litigation data. I'm aware it may not all be available but this would be the ideal.*

- All neurosurgery claims across all providers. For each claim, include:
  - Trust code
  - Specialty (guessing this will be down as neurosurgery?)
  - Procedure
  - Cost of claim
  - Cause of claim
- For each neuroscience centre (see below for a list of the neuroscience centres), all claims (not restricted by specialty), to include:
  - Total number of claims at trust
  - Total number of neurosurgery claims at trust
  - Total cost of claims at trust
  - Total cost of neurosurgery claims at trust
- All of the above for the past 5 years

Let me know if you have any questions or require further info.

1.	<b>Barking, Havering, Redbridge University Hospitals</b>
2.	<b>Barts Health</b>
3.	<b>Brighton and Sussex University Hospitals</b>
4.	<b>Cambridge University Hospitals</b>
5.	<b>Hull and East Yorkshire Hospitals</b>
6.	<b>Imperial College Healthcare</b>
7.	<b>King's College Hospital</b>
8.	<b>Lancashire Teaching</b>

	<i>Hospitals</i>
9.	<i>Newcastle Upon Tyne Hospitals</i>
10.	<i>North Bristol</i>
11.	<i>Nottingham University Hospitals</i>
12.	<i>Oxford University Hospitals</i>
13.	<i>Plymouth Hospitals</i>
14.	<i>Salford Royal</i>
15.	<i>Sheffield Teaching Hospitals</i>
16.	<i>South Tees Hospitals</i>
17.	<i>St George's University Hospitals</i>
18.	<i>The Leeds Teaching Hospitals</i>
19.	<i>The Walton Centre</i>
20.	<i>UCL Hospitals</i>
21.	<i>University Hospital Birmingham</i>
22.	<i>University hospital of North Staffordshire</i>
23.	<i>University Hospital Southampton</i>
24.	<i>University Hospitals Coventry and Warwickshire</i>

## **Our Response**

Please find attached the information we are able to provide. Please note we are unable to provide the breakdown requested and we have suppressed low figures and provided approximate totals 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 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 injury or cause 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.

Please see the following link for how data is recorded in the Claims database: [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 [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

## NHS Resolution

Data correct as at:

30-Nov-18

Date range (Closure Date or Settlement Date for PPOs):

01-Apr-2013 to 31-Mar-2018

**NB: No of Claims less than 5 have been masked with "#"** (along with associated costs) in accordance with Data Protection principles.

Where numbers are masked, the total values have been approximated.

		Neurosurgery				
Trust_Code	TrustName	Nr of Claims	Damages	Defence Costs	Claimant Costs	Total Claim
RF4	Barking, Havering and Redbridge University Hospitals NHS Trust	8	3,510,427	190,510	661,851	4,362,788
R1H	Barts Health NHS Trust	10	7,117,324	461,819	2,117,800	9,696,943
RXH	Brighton & Sussex University Hospitals NHS Trust	8	292,125	34,136	207,798	534,059
RGT	Cambridge University Hospitals NHS Foundation Trust	8	13,253,234	343,133	2,083,815	15,680,182
RWA	Hull & East Yorkshire Hospitals NHS Trust	9	3,583,399	327,472	1,310,550	5,221,422
RYJ	Imperial College Healthcare NHS Trust	9	9,664,865	468,652	2,492,757	12,626,275
RJZ	King's College Hospital NHS Foundation Trust	22	8,439,978	441,505	2,644,666	11,526,150
RXN	Lancashire Teaching Hospitals NHS Foundation Trust	12	14,749,694	366,696	2,527,625	17,644,015
RTD	Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	13	11,443,532	398,086	1,199,707	13,041,325
RVJ	North Bristol NHS Trust	10	11,079,605	451,648	1,722,367	13,253,620
RX1	Nottingham University Hospitals NHS Trust	7	11,490,674	398,935	1,633,400	13,523,009
RTH	Oxford University Hospitals NHS Foundation Trust	10	14,562,900	433,846	1,794,750	16,791,496
RK9	University Plymouth Hospitals NHS Trust	6	3,357,185	394,007	1,964,070	5,715,263
RM3	Salford Royal NHS Foundation Trust	22	14,606,419	819,849	2,847,095	18,273,363
RHQ	Sheffield Teaching Hospitals NHS Foundation Trust	19	3,761,563	503,691	1,583,991	5,849,245
RTR	South Tees Hospitals NHS Foundation Trust	#	#	#	#	#
RJ7	St George's University Hospitals NHS Foundation Trust	14	14,571,081	671,902	3,086,206	18,329,189
RR8	The Leeds Teaching Hospitals NHS Trust	12	6,618,600	498,030	2,030,817	9,147,446
RET	Walton Centre NHS Foundation Trust (The)	30	3,649,245	673,422	2,069,203	6,391,871
RRV	University College London Hospitals NHS Foundation Trust	8	3,537,862	307,881	1,472,851	5,318,593
RRK	University Hospitals Birmingham NHS Foundation Trust	23	11,612,051	607,459	2,868,001	15,087,510
RJE	University Hospitals of North Midlands NHS Trust	12	4,815,081	269,083	1,296,245	6,380,409
RHM	University Hospital Southampton NHS Foundation Trust	13	7,963,930	366,402	2,124,133	10,454,465
RKB	University Hospitals Coventry & Warwickshire NHS Trust	13	1,129,251	205,193	725,830	2,060,274
XXX	All Other Trusts	58	59,298,137	2,586,346	8,763,150	70,647,633
		<b>361</b>	<b>244,223,160</b>	<b>12,249,704</b>	<b>51,408,678</b>	<b>307,881,543</b>

		All Claims (incl Neurosurgery)				
Trust_Code	TrustName	Nr of Claims	Damages	Defence Costs	Claimant Costs	Total Claim
RF4	Barking, Havering and Redbridge University Hospitals NHS Trust	320	66,952,152	4,234,165	18,494,135	89,680,452
R1H	Barts Health NHS Trust	422	147,624,341	6,707,145	32,152,943	186,484,429
RXH	Brighton & Sussex University Hospitals NHS Trust	241	84,876,000	3,336,429	16,889,662	105,102,092
RGT	Cambridge University Hospitals NHS Foundation Trust	132	74,718,570	2,680,501	12,966,382	90,365,453
RWA	Hull & East Yorkshire Hospitals NHS Trust	436	47,699,401	3,955,890	17,175,375	68,830,666
RYJ	Imperial College Healthcare NHS Trust	215	137,739,554	5,126,242	22,884,462	165,750,258
RJZ	King's College Hospital NHS Foundation Trust	293	140,582,942	6,297,375	27,831,789	174,712,105
RXN	Lancashire Teaching Hospitals NHS Foundation Trust	258	88,258,229	2,958,895	15,007,608	106,224,732
RTD	Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	240	74,910,660	3,792,366	14,119,158	92,822,185
RVJ	North Bristol NHS Trust	166	66,850,446	2,940,075	13,554,011	83,344,532
RX1	Nottingham University Hospitals NHS Trust	369	99,813,576	5,518,539	21,885,061	127,217,175
RTH	Oxford University Hospitals NHS Foundation Trust	270	109,522,920	4,455,359	21,382,612	135,360,891
RK9	University Plymouth Hospitals NHS Trust	250	22,666,373	4,028,237	16,142,455	42,837,065
RM3	Salford Royal NHS Foundation Trust	190	72,389,593	3,419,709	13,062,934	88,872,235
RHQ	Sheffield Teaching Hospitals NHS Foundation Trust	341	48,355,218	3,940,257	16,841,840	69,137,315
RTR	South Tees Hospitals NHS Foundation Trust	<b>274</b>	<b>74,111,201</b>	<b>3,240,010</b>	<b>13,271,273</b>	<b>90,622,484</b>
RJ7	St George's University Hospitals NHS Foundation Trust	160	95,818,709	4,146,698	17,244,430	117,209,837
RR8	The Leeds Teaching Hospitals NHS Trust	419	157,003,320	5,840,968	25,203,147	188,047,435
RET	Walton Centre NHS Foundation Trust (The)	42	5,453,563	835,756	2,897,383	9,186,702
RRV	University College London Hospitals NHS Foundation Trust	148	48,840,407	3,193,883	16,148,667	68,182,958
RRK	University Hospitals Birmingham NHS Foundation Trust	792	120,429,820	8,416,618	36,316,718	165,163,156
RJE	University Hospitals of North Midlands NHS Trust	368	57,674,792	4,451,140	16,358,809	78,484,741
RHM	University Hospital Southampton NHS Foundation Trust	215	74,098,171	3,012,301	13,925,591	91,036,062
RKB	University Hospitals Coventry & Warwickshire NHS Trust	249	30,266,601	2,916,291	11,460,537	44,643,428
XXX	All Other Trusts	23,972	5,531,051,757	314,750,741	1,370,012,538	7,215,815,036
		<b>30,782</b>	<b>7,477,708,314</b>	<b>414,195,587</b>	<b>1,803,229,522</b>	<b>9,695,133,423</b>