



Resolution

2nd Floor
151 Buckingham Palace Road
London
SW1W 9SZ
Telephone: 020 7811 2700

January 2019
FOI_3586

The following information was requested on 9 January 2019:

How much money has the NHS paid in litigation claims from people who have fallen, tripped, slipped or injuring themselves because the hospital environment was unsafe, unsuitable or not free from hazards- in non-clinical areas. The information needs to be broken down into individual trusts in England, ranging from 2017-2018.

Our Response

Please find attached information relevant to your request. However, and by way of advice and assistance (and further to our obligations under s. 16 FOIA) we do not capture (1) whether the area was 'clinical' or 'non-clinical', or (2) whether the issue was because the environment was 'unsafe, unsuitable or not free from hazards'. Please bear those caveats in mind in terms of any use you may wish to make of the data.

We have suppressed low figures and have not provided the names of the Trusts with fewer than 5 claims 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. 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.

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

TABLE OF CONTENTS

[Table 1: Number and Cost of Claims Closed/Settled with damages paid in 2017/18, relating to non-clinical Claims involving slips, trips, falls or other injuries in NHS Trusts.](#)

[Table 2: Analysis of Hospitals for Claims Closed/Settled with damages in 2017/18, relating to non-clinical Claims involving slips, trips, falls or other injuries in NHS Trusts.](#)

Freedom of Information Request# 3586

Data correct as at: 2018-12-31

Table 1: Number and Cost of Claims Closed/Settled with damages paid in 2017/18, relating to non-clinical Claims involving slips, trips, falls or other injuries in NHS Trusts.

Closed_Settled	Y
Clinical_NonClinical	Non Clinical
Claim_Outcome	Settled with Damages

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2017/18	511	£4,103,748	£669,577	£3,628,030	£8,401,355
Grand Total	511	£4,103,748	£669,577	£3,628,030	£8,401,355

Freedom of Information Request# 3586

Data correct as at: 2018-12-31

Table 2: Analysis of Hospitals for Claims Closed/Settled with damages in 2017/18, relating to non-clinical Claims involving slips, trips, falls or other injuries in NHS Trusts.

- no of claims is less than 5 and/or amount paid less than £5,000.

Closed_Settled	Y
Clinical_NonClinical	Non Clinical
Claim_Outcome	Settled with Damages

Year of Closure (Settlement Year for PPOs)					
----- Member Name	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2017/18					
Trusts with highest number of claims					
University Hospitals Birmingham NHS Foundation Trust	13	£70,945	£3,758	£79,783	154,486
Manchester University NHS Foundation Trust	10	£56,338	£12,946	£56,088	125,372
Pennine Acute Hospitals NHS Trust (The)	10	£69,197	£10,438	£58,158	137,793
Yorkshire Ambulance Service NHS Trust	9	£56,869	£1,866	£36,963	95,698
United Lincolnshire Hospitals NHS Trust	8	£68,443	£4,445	£45,890	118,778
Hull & East Yorkshire Hospitals NHS Trust	8	£46,359	£3,777	£36,781	86,917
East Lancashire Hospitals NHS Trust	8	£47,387	£4,028	£29,303	80,718
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	8	£53,101	£16,559	£34,678	104,339
Wirral University Teaching Hospital NHS Foundation Trust	8	£47,110	£7,139	£48,550	102,799
Epsom and St Helier University Hospitals NHS Trust	7	£43,885	£12,641	£54,757	111,283
University Plymouth Hospitals NHS Trust	7	£98,189	£33,543	£122,964	254,696
London Ambulance Service NHS Trust	7	£51,344	£24,900	£58,759	135,002
Pennine Care NHS Foundation Trust	7	£33,480	£5,558	£29,129	68,167
South Tees Hospitals NHS Foundation Trust	7	£43,013	£10,595	£43,462	97,070
Royal Liverpool And Broadgreen University Hospitals NHS Trust (The)	7	£46,442	£5,037	£45,032	96,511
Sandwell & West Birmingham Hospitals NHS Trust	7	£70,148	£6,529	£50,570	127,247
East of England Ambulance NHS Trust	6	£82,526	£21,905	£82,032	186,463
Royal Wolverhampton NHS Trust (The)	6	£29,150	£9,603	£52,448	91,201
East Midlands Ambulance Service NHS Trust	6	£18,693	£2,629	£27,222	48,544
Barts Health NHS Trust	6	£148,070	£14,744	£96,994	259,808
Lancashire Teaching Hospitals NHS Foundation Trust	6	£110,697	£19,719	£145,366	275,782
East Sussex Healthcare NHS Trust	6	£43,920	£582	£25,239	69,741
Frimley Health NHS Foundation Trust	5	£23,175	£1,673	£21,993	46,841
South East Coast Ambulance NHS Foundation Trust	5	£37,949	£4,382	£39,060	81,391
The Leeds Teaching Hospitals NHS Trust	5	£36,390	£3,274	£29,757	69,421
University Hospitals of North Midlands NHS Trust	5	£20,052	£3,172	£14,475	37,699
Basildon and Thurrock University Hospitals NHS Foundation Trust	5	£46,127	£17,373	£55,034	118,534
Stockport NHS Foundation Trust	5	£44,830	£6,872	£34,474	86,175
Mersey Care NHS Foundation Trust	5	£44,114	£12,821	£71,448	128,383
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	5	£26,637	£2,708	£12,391	41,736
East Suffolk North Essex NHS Foundation Trust	5	£47,794	£12,304	£73,737	133,836
Shrewsbury and Telford Hospital NHS Trust	5	£30,410	£3,291	£22,839	56,540
London North West University Healthcare NHS Trust	5	£32,972	£3,100	£25,402	61,474
Alder Hey Children's NHS Foundation Trust	5	£12,752	£4,945	£35,507	53,204
Sheffield Teaching Hospitals NHS Foundation Trust	5	£26,206	£1,688	£17,937	45,832
All remaining Trusts with fewer than 5 claims	279	£2,339,032	£359,034	£1,913,809	4,611,875
Grand Total	511	£4,103,748	£669,577	£3,628,030	8,401,355