



Resolution

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March 2019
FOI_3685

The following information was requested on 5 March 2019:

For research purposes in comparisons between Acute NHS Hospitals Trust's please provide;

- 1. the total values of the total pay-outs for the claims settled for an behalf of the Worcester Royal Hospital each year since 2014 to date*
- 2. the total values of those pay-outs for the claims settled for an behalf of the Worcester Royal Hospital each year since 2014 to date that were as a result of a 'court judgement' i.e. unsuccessful defence.*
- 3. the total values of those pay-outs for the claims settled for an behalf of the Worcester Royal Hospital each year since 2014 to date that were as a result of a negotiated settlement i.e. out of court.*
- 4. the total values of the total pay-outs for the legal costs for an behalf of the Worcester Royal Hospital each year since 2014 to date*
- 5. the values of the pay-outs for the legal costs awarded against the Worcester Royal Hospital each year since 2014 as a result of an unsuccessful defence.*
- 6. the values of the pay-outs for the legal costs of claims settled out of court for an behalf of the Worcester Royal Hospital each year since 2014.*
- 7. Please list the nature (categories) of the claims settled.*

Our Response

Please find attached the requested information.

We have suppressed low numbers 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. 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. 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.

If you would like to know how data is categorised in our Claims database please see the following link: [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

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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.

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Table 1: Number of Claims received between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Notifications	Y
Clinical_NonClinical	Clinical

Notification Year	No_of_Claims
2014/15	88
2015/16	81
2016/17	78
2017/18	83
Grand Total	330

Table 2: Number and Cost of Claims Closed/Settled with damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

NB: There were no Court ordered settlements.

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No_of_Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2014/15	40	8,633,666	790,586	2,696,418	12,120,670
2015/16	75	6,196,756	700,878	2,550,043	9,447,677
2016/17	54	4,321,388	624,369	2,500,390	7,446,148
2017/18	56	4,276,662	471,003	1,832,867	6,580,532
Grand Total	225	23,428,472	2,586,836	9,579,719	35,595,027

Table 3: Number of Claims Closed without damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	NIL Damages

Year of Closure (Settlement Year for PPOs)	No_of_Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2014/15	31	0	121,248	10,205	131,453
2015/16	66	0	181,405	348,974	530,380
2016/17	21	0	82,960	10,205	93,165
2017/18	27	0	246,834	0	246,834
Grand Total	145	0	632,447	369,385	1,001,832

Table 4: Analysis of Specialties for Claims Closed/Settled with damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) -- Specialties	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2014/15	40	8,633,666	790,586	2,696,418	12,120,670
Casualty / A & E	7	412,818	92,369	238,480	743,668
Dermatology	#	#	#	#	#
General Medicine	#	#	#	#	#
General Surgery	5	386,850	87,259	410,004	884,113
Gynaecology	#	#	#	#	#
Microbiology/ Virology	#	#	#	#	#
Obstetrics	5	5,271,946	305,201	853,185	6,430,333
Ophthalmology	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
Orthopaedic Surgery	7	134,206	50,851	261,400	446,458
Other	#	#	#	#	#
Otorhinolaryngology/ ENT	#	#	#	#	#
Paediatrics	#	#	#	#	#
Surgical Speciality - Other	#	#	#	#	#
Urology	#	#	#	#	#
Histopathology	#	#	#	#	#
2015/16	75	6,196,756	700,878	2,550,043	9,447,677
Anaesthesia	#	#	#	#	#
Casualty / A & E	7	971,180	173,116	363,383	1,507,678
Gastroenterology	6	250,600	32,007	92,775	375,382
General Medicine	17	184,000	64,362	303,300	551,662
General Surgery	12	226,500	49,875	127,243	403,618
Geriatric Medicine	#	#	#	#	#
Intensive Care Medicine	#	#	#	#	#
Neurology	#	#	#	#	#
Obstetrics	5	274,000	56,969	313,224	644,193
Oncology	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
Orthopaedic Surgery	10	310,000	84,954	507,359	902,313
Otorhinolaryngology/ ENT	#	#	#	#	#
Radiology	#	#	#	#	#
Surgical Speciality - Other	#	#	#	#	#
Urology	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
Histopathology	#	#	#	#	#
2016/17	54	4,321,388	624,369	2,500,390	7,446,148
Cardiology	#	#	#	#	#
Casualty / A & E	9	223,651	39,099	196,501	459,251
Gastroenterology	5	420,372	62,081	267,500	749,953
General Medicine	#	#	#	#	#
General Surgery	#	#	#	#	#
Geriatric Medicine	#	#	#	#	#
Intensive Care Medicine	#	#	#	#	#
Obstetrics	9	1,690,777	175,178	590,250	2,456,205
Ophthalmology	#	#	#	#	#
Orthopaedic Surgery	8	250,831	84,890	219,713	555,434
Paediatrics	#	#	#	#	#
Radiology	#	#	#	#	#
Renal Medicine	#	#	#	#	#
Surgical Speciality - Other	#	#	#	#	#

Table 4: Analysis of Specialties for Claims Closed/Settled with damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) -- Specialties	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
Urology	#	#	#	#	#
2017/18	56	4,276,662	471,003	1,832,867	6,580,532
Cardiology	#	#	#	#	#
Casualty / A & E	7	153,826	32,904	198,900	385,630
Dermatology	#	#	#	#	#
Gastroenterology	#	#	#	#	#
General Medicine	#	#	#	#	#
General Surgery	12	408,681	80,812	455,627	945,120
Geriatric Medicine	#	#	#	#	#
Gynaecology	#	#	#	#	#
Haematology	#	#	#	#	#
Intensive Care Medicine	#	#	#	#	#
Obstetrics	8	1,837,809	108,486	275,604	2,221,899
Ophthalmology	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
Orthopaedic Surgery	7	190,187	42,129	121,252	353,569
Radiology	#	#	#	#	#
Respiratory Medicine/ Thoracic Medic	#	#	#	#	#
Grand Total	225	23,428,472	2,586,836	9,579,719	35,595,027

Table 5: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No_of_Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
----- Primary Injury Types					
2014/15	40	8,633,666	790,586	2,696,418	12,120,670
Fatality	#	#	#	#	#
Poor Outcome - Fractures Etc.	5	126,585	32,538	169,500	328,623
Unnecessary Pain	5	129,886	19,492	149,730	299,109
Other	#	#	#	#	#
Cerebral Palsy	#	#	#	#	#
Renal Damage/ Failure	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Fracture	#	#	#	#	#
Brain Damage	#	#	#	#	#
Pressure Sores	#	#	#	#	#
Scarring	#	#	#	#	#
Cancer	#	#	#	#	#
Joint Damage	#	#	#	#	#
Burn(s)	#	#	#	#	#
Stillborn	#	#	#	#	#
Peritonitis	#	#	#	#	#
Perforation	#	#	#	#	#
Blindness	#	#	#	#	#
Other Visual Problems	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
2015/16	75	6,196,756	700,878	2,550,043	9,447,677
Fatality	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	26	437,100	93,478	441,398	971,976
Other	#	#	#	#	#
Adtnl/unnecessary Operation(s)	8	378,500	79,335	308,430	766,265
Bowel Damage/ Dysfunction	#	#	#	#	#
Fracture	5	91,463	18,448	116,883	226,794
Brain Damage	#	#	#	#	#
Pressure Sores	#	#	#	#	#
Scarring	#	#	#	#	#
Cancer	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Stillborn	#	#	#	#	#
Perforation	#	#	#	#	#
Blindness	#	#	#	#	#
Other Infection	#	#	#	#	#
Thrombosis/Embolism	#	#	#	#	#
Respiratory Disorder/ Failure	#	#	#	#	#
Bile Duct Damage	#	#	#	#	#
Dental Damage	#	#	#	#	#
Cosmetic Disfigurement	#	#	#	#	#
Incontinence	#	#	#	#	#
Partial Paralysis	#	#	#	#	#
Reduced Life Expectancy	#	#	#	#	#

Table 5: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No_of_Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
----- Primary Injury Types					
2016/17	54	4,321,388	624,369	2,500,390	7,446,148
Fatality	8	162,000	91,594	434,900	688,494
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	10	534,369	112,663	361,248	1,008,280
Other	#	#	#	#	#
Cerebral Palsy	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Fracture	#	#	#	#	#
Brain Damage	#	#	#	#	#
Scarring	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Cancer	#	#	#	#	#
Rupture	#	#	#	#	#
Stillborn	#	#	#	#	#
Tendon Damage	#	#	#	#	#
Blindness	#	#	#	#	#
Other Infection	#	#	#	#	#
Thrombosis/Embolism	#	#	#	#	#
Infertility	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Bile Duct Damage	#	#	#	#	#
Cardiovascular Condition	#	#	#	#	#
Compartment Syndrome	#	#	#	#	#
2017/18	56	4,276,662	471,003	1,832,867	6,580,532
Fatality	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	12	681,600	100,622	268,217	1,050,439
Other	#	#	#	#	#
Cerebral Palsy	#	#	#	#	#
Adtnl/unnecessary Operation(s)	5	97,137	17,634	110,250	225,021
Bowel Damage/ Dysfunction	#	#	#	#	#
Fracture	#	#	#	#	#
Pressure Sores	#	#	#	#	#
Hospital Acquired Infection	#	#	#	#	#
Scarring	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#
Cancer	#	#	#	#	#
Other Infection	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Other Visual Problems	#	#	#	#	#
Bile Duct Damage	#	#	#	#	#
Deafness	#	#	#	#	#
Grand Total	225	23,428,472	2,586,836	9,579,719	35,595,027

Table 6: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No_of_Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2014/15	40	8,633,666	790,586	2,696,418	12,120,670
Fail / Delay Treatment	#	#	#	#	#
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	10	641,184	198,934	561,504	1,401,622
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Poor Application Of Plstr Cast	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Perineal Tear-1st,2nd,3rd Deg	#	#	#	#	#
Fail To Monitor 1st Stg Labour	#	#	#	#	#
Fail To Monitor 2nd Stg Labour	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Medication Errors	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
2015/16	75	6,196,756	700,878	2,550,043	9,447,677
Fail / Delay Treatment	14	361,769	72,367	467,559	901,695
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	5	205,600	20,964	97,250	323,814
Failure/Delay Diagnosis	16	4,808,294	423,289	1,199,530	6,431,113
Inadequate Nursing Care	22	193,221	60,572	214,065	467,859
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Fail To Make Resp To Abnorm FHR	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Intubation Problems	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
2016/17	54	4,321,388	624,369	2,500,390	7,446,148
Fail / Delay Treatment	17	683,137	140,444	619,142	1,442,723
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	13	1,047,995	179,619	706,117	1,933,731
Inadequate Nursing Care	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Perineal Tear-1st,2nd,3rd Deg	#	#	#	#	#
Fail To Make Resp To Abnorm FHR	#	#	#	#	#
Fail To Monitor 1st Stg Labour	#	#	#	#	#
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Fail To Interpret USS	#	#	#	#	#

Table 6: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2014/15 TO 2017/18 for Worcester Royal Hospital

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No_of_Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
----- Primary Causes					
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
2017/18	56	4,276,662	471,003	1,832,867	6,580,532
Fail / Delay Treatment	21	725,877	120,476	728,253	1,574,606
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	7	86,826	26,504	106,000	219,330
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	#	#	#	#	#
Fail To Make Resp To Abnrm FHR	#	#	#	#	#
Fail To Monitor 1st Stg Labour	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Inapprop. Case Selection	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Grand Total	225	23,428,472	2,586,836	9,579,719	35,595,027