



Resolution

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September 2019
FOI_3966

The following information was requested on 16 August 2019:

I would like to know how many Medical Negligence cases were brought against the Royal Free, NHS Foundation Trust, NW3 2QG between 2012 and 2019? Even more specifically I would like to know how many Medical Negligence cases were brought against PITU (Planned Investigation Treatment Unit) at the Royal Free NHS Foundation Trust, Pond St, NW3, 2QG between 2012 and 2019 and the Rheumatology Department (same address) during that same time 2012 - 2019.

My questions are specified below

a. How many cases brought by a claimant between 2005 & 2016

b. How many cases won by the claimant between 2012 & 2019

c. How many claims that were settled out of court between 2012 & 2019

d. How many cases unsuccessful by a claimant between 2012 & 2019

e. How many complaints/action cases resulted in disciplinary action against staff at The Royal Free between 2012 & 2019

f. How many staff were exonerated after disciplinary hearings generated by complaints/actions at The Royal Free between 2012 & 2019

g. How many complaints against staff and medical procedures at The Royal Free were generated and received between 2012 & 2019?

Our Response

We are not able to provide the number of claims against Planned Investigation Unit (PITU) at the Royal Free NHS Trust as the data is not organised in this way.

Please find attached the information held in respect of Qs a - d. We cannot show if they are against the Rheumatology department specifically. However, table 5 in the attached is by selecting Rheumatology as the specialty where we received less than 5 notified claims.

We do not hold the information in respect of Qs e – g. This will be held by the Trust. Please contact the Trust directly to obtain this information.

We have suppressed low figures involved 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 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 refer to [Understanding NHS Resolution data](#) guidance for further details on how our Claims database is categorised.

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.

[Table 1: How many cases brought by a claimant between 2005 & 2016 against the Royal Free, NHS Foundation Trust](#)

[Table 2: How many cases were settled between 2012 & 2019 against the Royal Free, NHS Foundation Trust](#)

[Table 3: How many claims that were settled out of court between 2012 & 2019 against the Royal Free, NHS Foundation Trust](#)

[Table 4: How many cases unsuccessful by a claimant between 2012 & 2019 against the Royal Free, NHS Foundation Trust](#)

[Table 5: How many Medical Negligence cases were brought the Rheumatology Specialty \(same address\) during that same time 2012 - 2019.](#)

Table 1: How many cases brought by a claimant between 2005 & 2016 against the Royal Free, NHS Foundation Trust

Notifications	Y
Clinical_NonClinical	Clinical
NHSLA_Notification_Year	(Multiple Items)

No_of_Claims
639

Table 2: How many cases were settled between 2012 & 2019 against the Royal Free, NHS Foundation Trust

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid
Closure_Year_or_PPOs_Settlement_Year	(Multiple Items)

	No_of_Claims	Damages Paid
	330	65,879,263

Table 3: How many claims that were settled out of court between 2012 & 2019 against the Royal Free, NHS Foundation Trust

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid
Closure_Year_or_PPOs_Settlement_Year	(Multiple Items)

Year of Closure (Settlement Year for PPOs)	No_of_Claims	Damages Paid
Litigated		
No Trial	167	59,158,167
Not Litigated	160	4,803,224
Grand Total	327	63,961,391

Table 4: How many cases unsuccessful by a claimant between 2012 & 2019 against the Royal Free, NHS Foundation Trust

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	NIL Damages
Closure_Year_or_PPOs_Settlement_Year	(Multiple Items)

	No_of_Claims	Damages Paid
	229	0

Table 5: How many Medical Negligence cases were brought the Rheumatology Specialty (same address) during that same time 2012 - 2019.

Notifications	Y
Closed_Settled	(All)
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	(All)
Closure_Year_or_PPOs_Settlement_Year	(Multiple Items)

Year of Closure (Settlement Year for PPOs)-- Specialties	No_of_Claims
Grand Total	#

Search based on specialty = Rheumatology (We cannot search by department)