



Resolution

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October 2019
FOI_4007

The following information was requested on 20 September 2019:

- 1. Please provide me with a table showing how many successful claims were lodged against each individual NHS hospital trust for the total of the last ten financial years (2007/08 to 2018/19 inclusive) where one of the injury codes was a hospital acquired infection. Only include trusts where there were ten successful claims or more.*
- 2. For the ten hospital trusts with the most claims please state what the total amount of damages was that were awarded to the patients for those ten years from each of those trusts.*
- 3. Please could you provide me with a breakdown of payments made under the CNST scheme where injury 1, 2 or 3 is for Hospital Acquired Infection (HAI) for 2018/19. This should include the number of successful claims, the damages paid and the costs for both defendant and claimant.*
- 4. Please provide details of the 3 largest compensation payouts in the last financial year where a payment was made under the CNST scheme where injury 1, 2 or 3 is for Hospital Acquired Infection (HAI).*

NOTE: In this question the answers should be provided on the basis of when the claims were settled rather than when the claims were lodged or when the incident took place.

Our Response

Please find attached the requested information for Qs 1-3.

In respect of Q4 we are unable to provide this information 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 2000, 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.

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

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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: Total number of claims settled with damages paid where one of the injury code is "Hospital Acquired Infection" between financial years 2007/08 to 2018/19 - against trusts with 10 or more claims.](#)

[Table 2: Number and Cost of Claims Closed/Settled with damages paid in 2018/19 where one of the Injury codes is "Hospital Acquired Infection".](#)

Table 1: Total number of claims settled with damages paid where one of the injury code is "Hospital Acquired Infection" between financial years 2007/08 to 2018/19 - against trusts with 10 or more claims.

1. Please provide me with a table showing how many successful claims were lodged against each individual NHS hospital trust for the total of the last ten financial years (2007/08 to 2018/19 inclusive) where one of the injury codes was a hospital acquired infection. Only include trusts where there were ten successful claims or more.
2. For the ten hospital trusts with the most claims please state what the total amount of damages was that were awarded to the patients for those ten years from each of those trusts.

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid
Closure_Year_or_PPOs_Settlement_Year	(All)

Year of Closure (Settlement Year for PPOs)----- Member Name	No_of_Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
Maidstone and Tunbridge Wells NHS Trust	34	646,087	242,720	590,300	1,479,107
University Hospitals Birmingham NHS Foundation Trust	18	1,187,582	262,948	684,827	2,135,357
Mid Staffordshire NHS Foundation Trust	16	984,184	80,446	312,543	1,377,173
The Leeds Teaching Hospitals NHS Trust	15	1,220,356	190,339	653,296	2,063,991
East Sussex Healthcare NHS Trust	13	238,069	117,119	147,350	502,538
Pennine Acute Hospitals NHS Trust (The)	11	423,247	136,061	339,572	898,880
East Lancashire Hospitals NHS Trust	11	1,365,850	111,862	416,390	1,894,102
University Plymouth Hospitals NHS Trust	11	1,314,105	231,607	894,544	2,440,256
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	10	570,350	123,496	323,110	1,016,956
Hull University Teaching Hospitals NHS Trust	10	658,588	123,517	340,650	1,122,756
East Kent Hospitals University NHS Foundation Trust	10	854,500	105,501	273,256	1,233,258
Grand Total	159	9,462,918	1,725,618	4,975,838	16,164,373

Table 2: Number and Cost of Claims Closed/Settled with damages paid in 2018/19 where one of the Injury codes is "Hospital Acquired Infection".

3. Please could you provide me with a breakdown of payments made under the CNST scheme where injury 1, 2 or 3 is for Hospital Acquired Infection (HAI) for 2018/19. This should include the number of successful claims, the damages paid and the costs for both defendant and claimant.

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
2018/19	28	3,702,125	418,512	1,715,480	5,836,117
Grand Total	28	3,702,125	418,512	1,715,480	5,836,117