



## Resolution

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**Telephone:** 020 7811 2700

January 2020  
FOI\_4130

The following information was requested on 26 November 2019:

*I would like to know how many claims have been received with regards to nerve injury / damage following peripheral nerve blocks. And also the cost implications for the trust.*

*This is to analyse the need for further investment on equipment (injection pressure monitors) to minimise the risk of nerve injury.*

### **Our Response**

Please find attached the requested information.

We are unable to provide a breakdown for individual trusts 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.**

[Table 1: Number of Claims received between financial years 2013/14 and 2018/19 where one of the injuries sustained is "Nerve Damage"](#)

[Table 2: Number and Cost of Claims Closed/Settled with damages paid between financial years 2013/14 and 2018/19 where one of the injuries sustained is "Nerve Damage"](#)

**Table 1: Number of Claims received between financial years 2013/14 and 2018/19 where one of the injuries sustained is "Nerve Damage"**

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Notifications	Y
Clinical_NonClinical	(All)

Notification Year	No. of Claims
2013/14	301
2014/15	278
2015/16	213
2016/17	245
2017/18	189
2018/19	184
<b>Grand Total</b>	<b>1,410</b>

**Table 2: Number and Cost of Claims Closed/Settled with damages paid between financial years 2013/14 and 2018/19 where one of the injuries sustained is "Nerve Damage"**

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Year of Closure (Settlement Year for PPOs)	No. of Claims	Total Paid
2013/14	139	24,682,632
2014/15	148	34,015,382
2015/16	134	29,833,063
2016/17	151	39,668,366
2017/18	159	49,068,471
2018/19	149	47,543,132
<b>Grand Total</b>	<b>880</b>	<b>224,811,046</b>