



## Resolution

2<sup>nd</sup> Floor  
151 Buckingham Palace Road  
London  
SW1W 9SZ  
**Telephone:** 020 7811 2700

May 2020  
FOI\_4162

The following information was requested on 23 December 2019:

*[Follow up to FOI\_3851] We have been asked if we can add one further piece of data to our study:*

*All litigation for under 16 year old in the same data period, but this time under the speciality of general surgery. For cause data and injury data breakdown per year as previously given to us.*

### **Our Response**

Please find attached the requested information.

We have suppressed low figures 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

## TABLE OF CONTENTS

**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 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.](#)

[Table 2: Number and Cost of Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.](#)

[Table 3: Number of Claims Closed without damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.](#)

[Table 4: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.](#)

[Table 5: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.](#)

**Table 1: Number of Claims received between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

---

Notifications	Y
Clinical_NonClinical	(All)

Notification Year	No. of Claims
2003/04	51
2004/05	35
2005/06	26
2006/07	26
2007/08	29
2008/09	28
2009/10	20
2010/11	23
2011/12	37
2012/13	29
2013/14	35
2014/15	32
2015/16	23
2016/17	19
2017/18	23
<b>Grand Total</b>	<b>436</b>

**Table 2: Number and Cost of Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs	Total Paid
2003/04	14	337,033	90,986	126,548	554,566
2004/05	20	285,390	87,661	213,520	586,571
2005/06	13	264,495	153,947	266,155	684,597
2006/07	21	1,359,250	189,632	425,685	1,974,568
2007/08	21	4,194,432	225,453	560,863	4,980,748
2008/09	18	596,346	92,681	432,059	1,121,087
2009/10	22	4,257,245	253,692	788,083	5,299,021
2010/11	15	713,174	116,166	382,419	1,211,758
2011/12	22	3,776,531	198,994	866,373	4,841,897
2012/13	19	4,986,577	192,104	846,014	6,024,695
2013/14	23	3,639,237	283,646	1,267,258	5,190,141
2014/15	12	119,208	51,986	327,067	498,260
2015/16	15	637,724	108,092	653,506	1,399,322
2016/17	22	1,008,958	192,204	1,081,940	2,283,102
2017/18	22	592,281	193,597	838,466	1,624,345
<b>Grand Total</b>	<b>279</b>	<b>26,767,881</b>	<b>2,430,842</b>	<b>9,075,957</b>	<b>38,274,679</b>

**Table 3: Number of Claims Closed without damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	NIL Damages

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2003/04	23	0	44,594	3,377	47,971
2004/05	23	0	49,991	0	49,991
2005/06	12	0	11,939	0	11,939
2006/07	10	0	27,839	0	27,839
2007/08	14	0	37,406	0	37,406
2008/09	9	0	12,743	0	12,743
2009/10	10	0	31,904	0	31,904
2010/11	5	0	2,141	50	2,191
2011/12	5	0	8,462	0	8,462
2012/13	8	0	4,750	0	4,750
2013/14	9	0	27,088	0	27,088
2014/15	11	0	15,214	13,500	28,714
2015/16	10	0	50,958	0	50,958
2016/17	6	0	15,396	0	15,396
2017/18	11	0	23,735	0	23,735
<b>Grand Total</b>	<b>166</b>	<b>0</b>	<b>364,160</b>	<b>16,927</b>	<b>381,087</b>

**Table 4: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>----- Primary Injury Types</b>					
<b>2003/04</b>	<b>14</b>	<b>337,033</b>	<b>90,986</b>	<b>126,548</b>	<b>554,566</b>
Unnecessary Pain	5	26,906	29,558	31,500	87,964
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Renal Damage/ Failure	#	#	#	#	#
Scarring	#	#	#	#	#
Perforation	#	#	#	#	#
Other Infection	#	#	#	#	#
<b>2004/05</b>	<b>20</b>	<b>285,390</b>	<b>87,661</b>	<b>213,520</b>	<b>586,571</b>
Fatality	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	6	46,665	4,320	46,248	97,233
Burn(s)	#	#	#	#	#
Scarring	#	#	#	#	#
Perforation	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Tendon Damage	#	#	#	#	#
Fistula	#	#	#	#	#
<b>2005/06</b>	<b>13</b>	<b>264,495</b>	<b>153,947</b>	<b>266,155</b>	<b>684,597</b>
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Scarring	#	#	#	#	#
Infertility	#	#	#	#	#
Peritonitis	#	#	#	#	#
Arterial Damage	#	#	#	#	#
<b>2006/07</b>	<b>21</b>	<b>1,359,250</b>	<b>189,632</b>	<b>425,685</b>	<b>1,974,568</b>
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	5	52,000	9,629	52,100	113,729
Burn(s)	#	#	#	#	#
Scarring	#	#	#	#	#
Brain Damage	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Deafness	#	#	#	#	#
Nerve Damage	#	#	#	#	#
<b>2007/08</b>	<b>21</b>	<b>4,194,432</b>	<b>225,453</b>	<b>560,863</b>	<b>4,980,748</b>
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	6	64,243	10,895	48,050	123,188

**Table 4: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>----- Primary Injury Types</b>					
Renal Damage/ Failure	#	#	#	#	#
Scarring	#	#	#	#	#
Infertility	#	#	#	#	#
Brain Damage	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Cosmetic Disfigurement	#	#	#	#	#
Perforation	#	#	#	#	#
Peritonitis	#	#	#	#	#
Loss Of/Damage To Breast	#	#	#	#	#
Dental Damage	#	#	#	#	#
<b>2008/09</b>	<b>18</b>	<b>596,346</b>	<b>92,681</b>	<b>432,059</b>	<b>1,121,087</b>
Fatality	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Unnecessary Pain	7	421,500	55,533	242,065	719,098
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Vocal Cord Damage	#	#	#	#	#
Scarring	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Peritonitis	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Thyroid Condition	#	#	#	#	#
<b>2009/10</b>	<b>22</b>	<b>4,257,245</b>	<b>253,692</b>	<b>788,083</b>	<b>5,299,021</b>
Fatality	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	7	162,752	37,676	139,615	340,042
Burn(s)	#	#	#	#	#
Scarring	#	#	#	#	#
Infertility	#	#	#	#	#
Cerebral Palsy	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Cosmetic Disfigurement	#	#	#	#	#
<b>2010/11</b>	<b>15</b>	<b>713,174</b>	<b>116,166</b>	<b>382,419</b>	<b>1,211,758</b>
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Infertility	#	#	#	#	#
Perforation	#	#	#	#	#
Liver Damage	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Other	#	#	#	#	#
Unknown	#	#	#	#	#
<b>2011/12</b>	<b>22</b>	<b>3,776,531</b>	<b>198,994</b>	<b>866,373</b>	<b>4,841,897</b>
Poor Outcome - Fractures Etc.	#	#	#	#	#



**Table 4: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>----- Primary Injury Types</b>					
Unnecessary Pain	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	7	103,500	18,267	85,058	206,825
Burn(s)	#	#	#	#	#
Scarring	#	#	#	#	#
Brain Damage	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Other Infection	#	#	#	#	#
Joint Damage	#	#	#	#	#
Pressure Sores	#	#	#	#	#
Fistula	#	#	#	#	#
Cancer	#	#	#	#	#
<b>2012/13</b>	<b>19</b>	<b>4,986,577</b>	<b>192,104</b>	<b>846,014</b>	<b>6,024,695</b>
Fatality	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Adtnl/unnecessary Operation(s)	6	214,996	17,007	124,000	356,004
Burn(s)	#	#	#	#	#
Scarring	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Cosmetic Disfigurement	#	#	#	#	#
Paraplegia	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Nerve Damage	#	#	#	#	#
<b>2013/14</b>	<b>23</b>	<b>3,639,237</b>	<b>283,646</b>	<b>1,267,258</b>	<b>5,190,141</b>
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	5	23,500	2,288	54,900	80,688
Adtnl/unnecessary Operation(s)	8	2,235,056	143,915	497,900	2,876,871
Scarring	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Other Infection	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Compartment Syndrome	#	#	#	#	#
Other	#	#	#	#	#
Cancer	#	#	#	#	#
<b>2014/15</b>	<b>12</b>	<b>119,208</b>	<b>51,986</b>	<b>327,067</b>	<b>498,260</b>
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Burn(s)	#	#	#	#	#
Infertility	#	#	#	#	#
Bladder Damage	#	#	#	#	#
<b>2015/16</b>	<b>15</b>	<b>637,724</b>	<b>108,092</b>	<b>653,506</b>	<b>1,399,322</b>
Fatality	#	#	#	#	#

**Table 4: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>----- Primary Injury Types</b>					
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Burn(s)	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Peritonitis	#	#	#	#	#
Dental Damage	#	#	#	#	#
<b>2016/17</b>	<b>22</b>	<b>1,008,958</b>	<b>192,204</b>	<b>1,081,940</b>	<b>2,283,102</b>
Poor Outcome - Fractures Etc.	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Removal Of Testicle	#	#	#	#	#
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Scarring	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Cosmetic Disfigurement	#	#	#	#	#
Perforation	#	#	#	#	#
Peritonitis	#	#	#	#	#
Other Infection	#	#	#	#	#
Other	#	#	#	#	#
<b>2017/18</b>	<b>22</b>	<b>592,281</b>	<b>193,597</b>	<b>838,466</b>	<b>1,624,345</b>
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	5	110,450	42,014	144,020	296,484
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Burn(s)	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Cosmetic Disfigurement	#	#	#	#	#
Perforation	#	#	#	#	#
Infectious Diseases	#	#	#	#	#
Liver Damage	#	#	#	#	#
Compartment Syndrome	#	#	#	#	#
<b>Grand Total</b>	<b>279</b>	<b>26,767,881</b>	<b>2,430,842</b>	<b>9,075,957</b>	<b>38,274,679</b>

**Table 5: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Causes	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>2003/04</b>	<b>14</b>	<b>337,033</b>	<b>90,986</b>	<b>126,548</b>	<b>554,566</b>
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Poor Application Of Plstr Cast	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Retained Instrument Post-Operation	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
<b>2004/05</b>	<b>20</b>	<b>285,390</b>	<b>87,661</b>	<b>213,520</b>	<b>586,571</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Intra-Op Problems	7	78,078	24,940	73,100	176,118
Delay In Performing Operation	#	#	#	#	#
Retained Instrument Post-Operation	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
<b>2005/06</b>	<b>13</b>	<b>264,495</b>	<b>153,947</b>	<b>266,155</b>	<b>684,597</b>
Fail / Delay Treatment	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Unexpected Death	#	#	#	#	#
<b>2006/07</b>	<b>21</b>	<b>1,359,250</b>	<b>189,632</b>	<b>425,685</b>	<b>1,974,568</b>
Fail / Delay Treatment	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Other	#	#	#	#	#
Operator Error	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Retained Instrument Post-Operation	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Assault, Etc By Hospital Staff	#	#	#	#	#
<b>2007/08</b>	<b>21</b>	<b>4,194,432</b>	<b>225,453</b>	<b>560,863</b>	<b>4,980,748</b>
Fail / Delay Treatment	#	#	#	#	#
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	6	51,792	8,696	59,525	120,012
Err With Agnt/Dose/Route/Selec	#	#	#	#	#

**Table 5: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>----- Primary Causes</b>					
Failure To Perform Tests	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
<b>2008/09</b>	<b>18</b>	<b>596,346</b>	<b>92,681</b>	<b>432,059</b>	<b>1,121,087</b>
Fail / Delay Treatment	#	#	#	#	#
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
<b>2009/10</b>	<b>22</b>	<b>4,257,245</b>	<b>253,692</b>	<b>788,083</b>	<b>5,299,021</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	6	151,430	60,887	138,215	350,532
Inadequate Nursing Care	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
<b>2010/11</b>	<b>15</b>	<b>713,174</b>	<b>116,166</b>	<b>382,419</b>	<b>1,211,758</b>
Fail / Delay Treatment	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Failed Infection Control Policy/Hospital Hygiene	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
<b>2011/12</b>	<b>22</b>	<b>3,776,531</b>	<b>198,994</b>	<b>866,373</b>	<b>4,841,897</b>
Fail / Delay Treatment	6	90,787	19,230	64,690	174,706
Fail To Recog. Complication Of	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
<b>2012/13</b>	<b>19</b>	<b>4,986,577</b>	<b>192,104</b>	<b>846,014</b>	<b>6,024,695</b>
Fail To Recog. Complication Of	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inadqte Monitor In Recov Room	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#

**Table 5: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Causes	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Application Of Excess Force	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
<b>2013/14</b>	<b>23</b>	<b>3,639,237</b>	<b>283,646</b>	<b>1,267,258</b>	<b>5,190,141</b>
Fail / Delay Treatment	5	217,250	68,291	299,733	585,274
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	5	2,840,737	158,353	699,375	3,698,466
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
<b>2014/15</b>	<b>12</b>	<b>119,208</b>	<b>51,986</b>	<b>327,067</b>	<b>498,260</b>
Fail / Delay Treatment	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
<b>2015/16</b>	<b>15</b>	<b>637,724</b>	<b>108,092</b>	<b>653,506</b>	<b>1,399,322</b>
Fail / Delay Treatment	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Operator Error	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
<b>2016/17</b>	<b>22</b>	<b>1,008,958</b>	<b>192,204</b>	<b>1,081,940</b>	<b>2,283,102</b>
Fail / Delay Treatment	9	797,500	123,337	686,500	1,607,337
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	5	142,170	30,386	213,625	386,181
Intra-Op Problems	#	#	#	#	#
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
<b>2017/18</b>	<b>22</b>	<b>592,281</b>	<b>193,597</b>	<b>838,466</b>	<b>1,624,345</b>
Fail / Delay Treatment	5	261,562	105,820	377,900	745,282
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Retained Instrument Post-Operation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Failed Infection Control Policy/Hospital Hygiene	#	#	#	#	#

**Table 5: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2003/04 and 2017/18 under the specialty General Surgery where the age at incident is 16 and under.**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
----- Primary Causes					
<b>Grand Total</b>	<b>279</b>	<b>26,767,881</b>	<b>2,430,842</b>	<b>9,075,957</b>	<b>38,274,679</b>