



Resolution

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March 2020
FOI_4291

The following information was requested on 7 February 2020:

I have since found the NHS Resolution's claims codes spreadsheet– specifically the Cause spreadsheet. So am aware of the different types of claims such as a fail to warn/informed consent or failure/delay in diagnosis. May I therefore clarify my freedom of Information request. I have attached the spreadsheet in which the causes have been listed.

I would therefore like to have access to the following:

For the longest amount of time (so dating back as far as possible to current day) as far is practicable for you.

What are the top ten causes from the causes spreadsheet in terms of the percentage of claims for each year that you have the data available. I would hopefully like to be able to see how the figures have changed (or not) throughout time.

I can receive this in any form that is most easy for you, however a pdf would be most useful.

Our Response

Please find attached the requested information. We have provided data for the last 10 years as this provides a consistent reporting period.

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 CNST Claims received between financial years 2009/09 to 2018/19](#)

[Table 2: Analysis of top 10 Primary Causes for CNST Claims Closed/Settled between financial years 2008/09 to 2018/19](#)

Table 1: Number of CNST Claims received between financial years 2009/09 to 2018/19

| Notification Year | Count of Claims |
|--------------------|-----------------|
| 2008/09 | 6,092 |
| 2009/10 | 6,657 |
| 2010/11 | 8,643 |
| 2011/12 | 9,113 |
| 2012/13 | 10,119 |
| 2013/14 | 11,932 |
| 2014/15 | 11,500 |
| 2015/16 | 10,978 |
| 2016/17 | 10,695 |
| 2017/18 | 10,683 |
| 2018/19 | 10,678 |
| Grand Total | 107,090 |

Table 2: Analysis of top 10 Primary Causes for CNST Claims Closed/Settled between financial years 2008/09 to 2018/19

| Clinical/Non Clinical | Clinical |
|--|--------------|
| Year of Closure (Settlement Year for PPOs) | No of Claims |
| Primary Causes | |
| 2008/09 | 439 |
| Fail / Delay Treatment | 132 |
| Failure/Delay Diagnosis | 106 |
| Intra-Op Problems | 58 |
| Inadequate Nursing Care | 32 |
| Fail To Recog. Complication Of | 27 |
| Inappropriate Treatment | 25 |
| Fail To Warn-Informed Consent | 17 |
| Medication Errors | 16 |
| Failed Infection Control Policy/Hospital Hygiene | 14 |
| Lack Of Assistance/Care | 12 |
| 2009/10 | 2,090 |
| Failure/Delay Diagnosis | 570 |
| Fail / Delay Treatment | 559 |
| Intra-Op Problems | 278 |
| Fail To Recog. Complication Of | 136 |
| Inadequate Nursing Care | 136 |
| Inappropriate Treatment | 114 |
| Fail To Warn-Informed Consent | 83 |
| Lack Of Assistance/Care | 80 |
| Medication Errors | 75 |
| Err With Agnt/Dose/Route/Selec | 59 |
| 2010/11 | 3,763 |
| Fail / Delay Treatment | 1,051 |
| Failure/Delay Diagnosis | 995 |
| Intra-Op Problems | 456 |
| Inappropriate Treatment | 277 |
| Inadequate Nursing Care | 252 |
| Fail To Recog. Complication Of | 237 |
| Fail To Warn-Informed Consent | 157 |
| Unknown | 134 |
| Foreign Body Left In Situ | 104 |
| Lack Of Assistance/Care | 100 |
| 2011/12 | 4,785 |
| Fail / Delay Treatment | 1,514 |
| Failure/Delay Diagnosis | 1,041 |
| Intra-Op Problems | 577 |
| Inadequate Nursing Care | 417 |
| Inappropriate Treatment | 414 |
| Fail To Recog. Complication Of | 247 |
| Fail To Warn-Informed Consent | 174 |
| Operator Error | 142 |
| Medication Errors | 133 |
| Foreign Body Left In Situ | 126 |
| 2012/13 | 5,167 |
| Fail / Delay Treatment | 1,544 |
| Failure/Delay Diagnosis | 1,232 |
| Intra-Op Problems | 545 |
| Inappropriate Treatment | 490 |
| Inadequate Nursing Care | 352 |
| Fail To Recog. Complication Of | 275 |
| Fail To Warn-Informed Consent | 232 |
| Medication Errors | 170 |
| Assault, Etc By Hospital Staff | 166 |
| Operator Error | 161 |
| 2013/14 | 5,710 |
| Fail / Delay Treatment | 1,585 |
| Failure/Delay Diagnosis | 1,354 |
| Intra-Op Problems | 637 |
| Inappropriate Treatment | 634 |
| Inadequate Nursing Care | 428 |
| Fail To Recog. Complication Of | 263 |
| Operator Error | 249 |
| Fail To Warn-Informed Consent | 218 |
| Wrong Diagnosis | 175 |
| Failure To Interpret X-Ray | 167 |
| 2014/15 | 6,652 |
| Fail / Delay Treatment | 1,905 |
| Failure/Delay Diagnosis | 1,510 |
| Inappropriate Treatment | 741 |
| Intra-Op Problems | 684 |
| Inadequate Nursing Care | 455 |

Table 2: Analysis of top 10 Primary Causes for CNST Claims Closed/Settled between financial years 2008/09 to 2018/19

| Clinical/Non Clinical | Clinical |
|---|---------------------|
| Year of Closure (Settlement Year for PPOs) | |
| ----- Primary Causes | No of Claims |
| Operator Error | 323 |
| Fail To Recog. Complication Of | 310 |
| Fail To Warn-Informed Consent | 285 |
| Medication Errors | 228 |
| Wrong Diagnosis | 211 |
| 2015/16 | 6,749 |
| Fail / Delay Treatment | 1,992 |
| Failure/Delay Diagnosis | 1,515 |
| Inappropriate Treatment | 792 |
| Intra-Op Problems | 600 |
| Inadequate Nursing Care | 553 |
| Operator Error | 334 |
| Fail To Warn-Informed Consent | 264 |
| Fail To Recog. Complication Of | 256 |
| Failure To Interpret X-Ray | 232 |
| Medication Errors | 211 |
| 2016/17 | 7,671 |
| Fail / Delay Treatment | 2,361 |
| Failure/Delay Diagnosis | 1,791 |
| Inappropriate Treatment | 792 |
| Intra-Op Problems | 633 |
| Inadequate Nursing Care | 575 |
| Operator Error | 398 |
| Fail To Warn-Informed Consent | 312 |
| Fail To Recog. Complication Of | 285 |
| Medication Errors | 278 |
| Failure To Interpret X-Ray | 246 |
| 2017/18 | 8,054 |
| Fail / Delay Treatment | 2,320 |
| Failure/Delay Diagnosis | 1,706 |
| Inappropriate Treatment | 1,217 |
| Intra-Op Problems | 651 |
| Inadequate Nursing Care | 626 |
| Operator Error | 378 |
| Fail To Warn-Informed Consent | 360 |
| Fail To Recog. Complication Of | 289 |
| Medication Errors | 257 |
| Failure To Interpret X-Ray | 250 |
| 2018/19 | 8,314 |
| Fail / Delay Treatment | 2,639 |
| Failure/Delay Diagnosis | 1,840 |
| Inappropriate Treatment | 898 |
| Inadequate Nursing Care | 706 |
| Intra-Op Problems | 522 |
| Operator Error | 423 |
| Fail To Warn-Informed Consent | 405 |
| Fail To Recog. Complication Of | 318 |
| Failure To Interpret X-Ray | 292 |
| Medication Errors | 271 |
| Grand Total | 59,394 |