



Resolution

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May 2020
FOI 4383

The following information was requested on 22 February 2020:

Number of cases settled / outcomed cases by respective year for Kettering general hospital practitioners in years 2012-2019

Breakdown of these cases by cost per case including cost of settlement and specialty area patient treated within and type of litigation for respective period and years 2012-2019

By respective year 2012-2019 how many settled cases were there out of total cases which were settled or outcomed by year

Of this settled cases how many had a confidentiality agreement within

Our Response

Thank you for your request. We have provided below the information you requested based on the data we record within our case management system. There a couple of points to bring to your attention:

We have supressed 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.

In relation to your query 'Of this settled cases how many had a confidentiality agreement within' NHS Resolution does not hold this information.

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

<https://ico.org.uk/>

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 : Closed cases per financial year for Kettering General Hospital NHS Foundation Trust](#)

[Table 2 : Closed cases per financial year by Speciality for Kettering General Hospital NHS Foundation Trust](#)

Table 1 : Closed cases per financial year for Kettering General Hospital NHS Foundation Trust

| | |
|----------------------|--------------|
| Closed_Settled | Y |
| Clinical_NonClinical | (All) |
| Claim_Outcome_FOI | Damages Paid |
| Scheme | CNST |

| PPOs) | No_of_Claims |
|--------------------|---------------------|
| 2012/13 | 22 |
| 2013/14 | 25 |
| 2014/15 | 26 |
| 2015/16 | 25 |
| 2016/17 | 33 |
| 2017/18 | 33 |
| 2018/19 | 28 |
| Grand Total | 192 |

Table 2 : Closed cases per financial year by Speciality for Kettering General Hospital NHS Foundation Trust

| | |
|----------------------|--------------|
| Closed_Settled | Y |
| Clinical_NonClinical | (All) |
| Claim_Outcome_FOI | Damages Paid |
| Scheme | CNST |

| Year of Closure (Settlement Year for PPOs) -- Specialities | No_of_Claims | Damages Paid |
|---|--------------|------------------|
| 2012/13 | 22 | 7,157,746 |
| Anaesthesia | # | # |
| Dermatology | # | # |
| Gastroenterology | # | # |
| General Medicine | # | # |
| General Surgery | 5 | 218,750 |
| Obstetrics | 5 | 6,684,996 |
| Orthopaedic Surgery | # | # |
| Urology | # | # |
| Emergency Medicine | # | # |
| 2013/14 | 25 | 1,651,661 |
| Anaesthesia | # | # |
| Cardiology | # | # |
| General Medicine | # | # |
| General Surgery | # | # |
| Geriatric Medicine | # | # |
| Gynaecology | # | # |
| Obstetrics | # | # |
| Orthopaedic Surgery | # | # |
| Paediatric Surgery | # | # |
| Radiology | # | # |
| Surgical Speciality - Other | # | # |
| Emergency Medicine | 7 | 165,500 |
| 2014/15 | 26 | 2,842,317 |
| Anaesthesia | # | # |
| Dermatology | # | # |
| Gastroenterology | # | # |
| General Medicine | # | # |
| General Surgery | # | # |
| Gynaecology | # | # |
| Ophthalmology | # | # |
| Oral & Maxillo Facial Surgery | # | # |
| Orthopaedic Surgery | # | # |
| Paediatrics | # | # |
| Radiology | # | # |
| Emergency Medicine | 7 | 569,676 |
| 2015/16 | 25 | 2,928,119 |
| Cardiology | # | # |
| General Medicine | # | # |
| General Surgery | # | # |
| Gynaecology | # | # |
| Haematology | # | # |
| Obstetrics | # | # |

Table 2 : Closed cases per financial year by Speciality for Kettering General Hospital NHS Foundation Trust

| | |
|----------------------|--------------|
| Closed_Settled | Y |
| Clinical_NonClinical | (All) |
| Claim_Outcome_FOI | Damages Paid |
| Scheme | CNST |

| Year of Closure (Settlement Year for PPOs) -- Specialities | No_of_Claims | Damages Paid |
|---|--------------|------------------|
| Orthopaedic Surgery | # | # |
| Radiology | # | # |
| Emergency Medicine | 8 | 97,638 |
| 2016/17 | 33 | 4,837,725 |
| Cardiology | # | # |
| Dentistry | # | # |
| General Medicine | # | # |
| General Surgery | # | # |
| Geriatric Medicine | # | # |
| Gynaecology | # | # |
| Obstetrics | # | # |
| Oncology | # | # |
| Orthopaedic Surgery | 10 | 296,831 |
| Otorhinolaryngology/ ENT | # | # |
| Vascular Surgery | # | # |
| Emergency Medicine | 10 | 3,896,258 |
| 2017/18 | 33 | 4,046,562 |
| Anaesthesia | # | # |
| Cardiology | # | # |
| Gastroenterology | # | # |
| General Medicine | # | # |
| General Surgery | # | # |
| Geriatric Medicine | # | # |
| Gynaecology | # | # |
| Obstetrics | # | # |
| Oncology | # | # |
| Orthopaedic Surgery | 6 | 656,194 |
| Other | # | # |
| Otorhinolaryngology/ ENT | # | # |
| Psychiatry/ Mental Health | # | # |
| Radiology | # | # |
| Urology | # | # |
| Emergency Medicine | 5 | 2,025,117 |
| 2018/19 | 28 | 9,607,098 |
| Cardiology | # | # |
| General Medicine | # | # |
| General Surgery | # | # |
| Gynaecology | # | # |
| Obstetrics | # | # |
| Ophthalmology | # | # |
| Orthopaedic Surgery | # | # |
| Radiology | # | # |
| Renal Medicine | # | # |

Table 2 : Closed cases per financial year by Speciality for Kettering General Hospital NHS Foundation Trust

| | |
|----------------------|--------------|
| Closed_Settled | Y |
| Clinical_NonClinical | (All) |
| Claim_Outcome_FOI | Damages Paid |
| Scheme | CNST |

| Year of Closure (Settlement Year for PPOs) | | |
|--|--------------|-------------------|
| -- Specialties | No_of_Claims | Damages Paid |
| Urology | # | # |
| Emergency Medicine | 5 | 83,240 |
| Grand Total | 192 | 33,071,228 |