



Resolution

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July 2020
FOI_4648

The following information was requested on 25 June 2020, clarified on 26 June 2020:

Yes, if I could have the number of claims received and settled for ophthalmology in the last 10 years. I presume the format would be similar to the [FOI 3780](#)?

I am also wondering if it is possible to get some more information on;

- for each year, in table 4 (please see attached), there are primary injury types. For blindness, other visual problems and additional/unnecessary operations, can I get subspecialty information (i.e. cataract, VR, oculoplastics, glaucoma, etc.)? So number of cases and total damage per subspecialty.

- can I get more detailed information on the claims of the highest damage per year?

Our Response

Please find attached the requested information. We do not have the sub-specialty categories you have named.

Please note we are unable to provide you with a breakdown of individual claims (e.g. highest damage per claim) and 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 Freedom of Information 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.

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.

Further to our obligations to provide advice and assistance, you may find it helpful to review the work of the [Getting It Right First Time team](#) with whom NHS Resolution has been working with to undertake in-depth analysis of our claims data. They have produced a number of [reports](#)

from analysing our claims data which has been shared following approval of the confidentiality advisory group to the use of confidential patient information for this purpose.

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 where speciality is Ophthalmology received between financial years 2008/09 - 2018/19.

NB: Please note that we are unable to provide data at the level of detail requested as we do not record this level of granularity.

Table 2: Number and Cost of Claims Closed/Settled where speciality is Ophthalmology with damages paid between financial years 2008/09 - 2018/19.

NB: Please note that we are unable to provide data at the level of detail requested as we do not record this level of granularity.

Table 3: Analysis of Primary Injuries for Claims Closed/Settled where speciality is Ophthalmology with damages paid between financial years 2008/09 - 2018/19.

NB: Please note that we are unable to provide data at the level of detail requested as we do not record this level of granularity.

Table 1: Number of Claims where speciality is Ophthalmology received between financial years 2008/09 - 2018/19.

NB: Please note that we are unable to provide data at the level of detail requested as we do not record this level of granularity.

Notifications	Y
Clinical_NonClinical	(All)
Scheme	(All)

Notification Year	No. of Claims
2008/09	110
2009/10	158
2010/11	174
2011/12	158
2012/13	203
2013/14	236
2014/15	228
2015/16	251
2016/17	269
2017/18	253
2018/19	241
Grand Total	2,281

Table 2: Number and Cost of Claims Closed/Settled where speciality is Ophthalmology with damages paid between financial years 2008/09 - 2018/19.

NB: Please note that we are unable to provide data at the level of detail requested as we do not record this level of granularity.

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	Total Paid
2008/09	58	2,421,373	427,940	1,283,562	4,132,876
2009/10	82	3,858,880	716,245	2,013,222	6,588,347
2010/11	110	6,134,463	785,509	2,956,773	9,876,745
2011/12	86	6,142,376	693,049	2,625,481	9,460,905
2012/13	97	8,784,629	761,006	3,448,268	12,993,902
2013/14	101	8,099,080	649,875	3,151,128	11,900,083
2014/15	125	10,732,196	1,222,617	5,772,311	17,727,124
2015/16	118	7,368,126	892,901	5,028,576	13,289,603
2016/17	158	11,757,334	1,609,522	8,007,872	21,374,728
2017/18	151	14,106,233	1,387,772	6,480,999	21,975,005
2018/19	152	14,420,829	1,555,226	5,907,653	21,883,707
Grand Total	1,238	93,825,518	10,701,661	46,675,845	151,203,024

Table 3: Analysis of Primary Injuries for Claims Closed/Settled where speciality is Ophthalmology with damages paid between financial years 2008/09 - 2018/19.

NB: Please note that we are unable to provide data at the level of detail requested as we do not record this level of granularity.

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 Injury Types					
2008/09	58	2,421,373	427,940	1,283,562	4,132,876
Fatality	#	#	#	#	#
Unnecessary Pain	6	65,900	20,947	71,597	158,444
Adtnl/unnecessary Operation(s)	11	198,000	48,265	227,103	473,368
Other Visual Problems	26	1,084,071	190,712	574,532	1,849,314
Cosmetic Disfigurement	#	#	#	#	#
Blindness	10	924,902	143,406	334,981	1,403,288
Fracture	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Cancer	#	#	#	#	#
2009/10	82	3,858,880	716,245	2,013,222	6,588,347
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	8	363,273	67,961	257,450	688,683
Adtnl/unnecessary Operation(s)	11	206,060	34,925	191,894	432,878
Other Visual Problems	31	993,167	227,331	699,722	1,920,220
Blindness	17	1,582,453	226,594	488,140	2,297,186
Fracture	#	#	#	#	#
Other	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Amputation - Lower	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Cancer	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Other Infection	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Unknown	#	#	#	#	#
2010/11	110	6,134,463	785,509	2,956,773	9,876,745
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Adtnl/unnecessary Operation(s)	17	405,787	54,157	313,896	773,840
Other Visual Problems	57	3,780,469	483,786	1,635,491	5,899,745
Cosmetic Disfigurement	#	#	#	#	#
Blindness	20	1,333,654	150,415	535,950	2,020,019
Fracture	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Other	#	#	#	#	#
Scarring	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Other Infection	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#

Table 3: Analysis of Primary Injuries for Claims Closed/Settled where speciality is Ophthalmology with damages paid between financial years 2008/09 - 2018/19.

NB: Please note that we are unable to provide data at the level of detail requested as we do not record this level of granularity.

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 Injury Types					
Bodily Harm/Murder	#	#	#	#	#
2011/12	86	6,142,376	693,049	2,625,481	9,460,905
Brain Damage	#	#	#	#	#
Unnecessary Pain	5	131,106	45,543	249,939	426,588
Adtnl/unnecessary Operation(s)	10	313,842	57,139	231,961	602,942
Other Visual Problems	49	1,153,399	188,485	947,185	2,289,069
Blindness	16	3,136,429	306,388	1,002,646	4,445,463
Other	#	#	#	#	#
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
Scarring	#	#	#	#	#
Head Injuries	#	#	#	#	#
2012/13	97	8,784,629	761,006	3,448,268	12,993,902
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	13	308,822	66,245	193,180	568,247
Adtnl/unnecessary Operation(s)	12	180,695	41,190	229,555	451,440
Other Visual Problems	49	4,232,818	396,890	2,048,329	6,678,038
Blindness	18	3,969,038	231,575	872,272	5,072,885
Other	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Scarring	#	#	#	#	#
2013/14	101	8,099,080	649,875	3,151,128	11,900,083
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	8	38,809	5,569	76,600	120,978
Adtnl/unnecessary Operation(s)	10	117,336	16,430	163,000	296,766
Other Visual Problems	46	1,625,698	308,233	1,479,210	3,413,141
Blindness	26	6,021,527	267,531	1,187,068	7,476,126
Advanced Stage Cancer	#	#	#	#	#
Other	#	#	#	#	#
Burn(s)	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
Stroke	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
2014/15	125	10,732,196	1,222,617	5,772,311	17,727,124
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Brain Damage	#	#	#	#	#
Unnecessary Pain	9	143,750	16,769	155,083	315,602
Adtnl/unnecessary Operation(s)	9	64,620	23,301	218,106	306,028
Other Visual Problems	67	3,351,368	544,169	2,637,126	6,532,663
Blindness	27	5,984,421	541,621	2,268,795	8,794,837

Table 3: Analysis of Primary Injuries for Claims Closed/Settled where speciality is Ophthalmology with damages paid between financial years 2008/09 - 2018/19.

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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 Injury Types					
Fracture	#	#	#	#	#
Other	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
2015/16	118	7,368,126	892,901	5,028,576	13,289,603
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Brain Damage	#	#	#	#	#
Unnecessary Pain	13	239,035	51,666	502,909	793,610
Adtnl/unnecessary Operation(s)	18	329,056	46,147	367,462	742,664
Other Visual Problems	52	3,188,383	427,303	2,439,049	6,054,735
Blindness	23	2,139,675	209,221	993,941	3,342,837
Other	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Burn(s)	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Scarring	#	#	#	#	#
Cancer	#	#	#	#	#
Multiple Injuries	#	#	#	#	#
Perforation	#	#	#	#	#
2016/17	158	11,757,334	1,609,522	8,007,872	21,374,728
Fatality	#	#	#	#	#
Unnecessary Pain	5	58,709	5,112	59,178	122,998
Adtnl/unnecessary Operation(s)	11	820,020	106,367	572,538	1,498,925
Other Visual Problems	94	5,022,462	885,914	4,277,816	10,186,192
Blindness	35	5,337,405	501,468	2,579,423	8,418,296
Other	#	#	#	#	#
Burn(s)	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
Scarring	#	#	#	#	#
Cancer	#	#	#	#	#
Multiple Injuries	#	#	#	#	#
Other Infection	#	#	#	#	#
Partial Paralysis	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#
2017/18	151	14,106,233	1,387,772	6,480,999	21,975,005
Unnecessary Pain	18	364,475	82,440	621,291	1,068,206
Adtnl/unnecessary Operation(s)	13	778,937	110,917	463,483	1,353,337
Other Visual Problems	69	4,420,854	537,359	2,408,489	7,366,702

Table 3: Analysis of Primary Injuries for Claims Closed/Settled where speciality is Ophthalmology with damages paid between financial years 2008/09 - 2018/19.

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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 Injury Types					
Blindness	36	7,997,793	543,957	2,266,120	10,807,869
Fracture	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Other	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
Stroke	#	#	#	#	#
Cystic Growth	#	#	#	#	#
Other Infection	#	#	#	#	#
Perforation	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Decompression Illness	#	#	#	#	#
2018/19	152	14,420,829	1,555,226	5,907,653	21,883,707
Psychiatric/Psychological Dmge	#	#	#	#	#
Brain Damage	#	#	#	#	#
Unnecessary Pain	12	593,823	67,343	388,425	1,049,591
Adtnl/unnecessary Operation(s)	15	551,507	94,129	448,430	1,094,067
Other Visual Problems	61	5,461,057	686,136	2,594,309	8,741,503
Blindness	41	5,502,210	496,449	1,555,381	7,554,040
Fracture	5	58,416	23,162	111,500	193,078
Other	#	#	#	#	#
Dental Damage	#	#	#	#	#
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
Stroke	#	#	#	#	#
Not Specified	#	#	#	#	#
Cancer	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Other Infection	#	#	#	#	#
Perforation	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#
Reduced Life Expectancy	#	#	#	#	#
Grand Total	1,238	93,825,518	10,701,661	46,675,845	151,203,024