



Resolution

2nd Floor
151 Buckingham Palace Road
London
SW1W 9SZ
Telephone: 020 7811 2700

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FOI_4715

The following information was requested on 30 July 2020:

Negligence cases that involve urology-

In November 2019 you kindly sent me information about the numbers, causes and costs of the urological claims that had been made from 2010. I find I am missing the data for the year 2015-2016. Can you please send this to me? I am keen to complete a paper that I will be submitting for publication that draws attention to the increasing numbers of urological claims.

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

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

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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.

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[Table 2: Number of Urology Claims Closed without damages paid during the financial year 2015/16](#)

[Table 3: Analysis of Primary Causes for Urology Claims Closed/Settled with damages paid during the financial year 2015/16](#)

Table 1: Number of Urology Claims Closed/Settled with damages paid during the financial year 2015/16

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid
Year of Closure (Settlement Year for PPOs)	
	No. of Claims
2015/16	133
Grand Total	133

Table 2: Number of Urology Claims Closed without damages paid during the financial year 2015/16

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	NIL Damages

Year of Closure (Settlement Year for PPOs)	No. of Claims
2015/16	96
Grand Total	96

Table 3: Analysis of Primary Causes for Urology Claims Closed/Settled with damages paid during the financial year 2015/16

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	
----- Primary Causes	No. of Claims
Fail / Delay Treatment	32
Fail To Follow-Up Arrangements	#
Fail To Recog. Complication Of	#
Fail To Warn-Informed Consent	9
Failure To Perform Operation	#
Failure/Delay Diagnosis	19
Inadequate Monitoring Intra-Op	#
Inadequate Nursing Care	8
Inappropriate Treatment	14
Intra-Op Problems	11
Lack Of Assistance/Care	#
Operator Error	8
Fail To Monitor 1st Stg Labour	#
Foreign Body Left In Situ	7
Failed Sterilisation	#
Application Of Excess Force	#
Lack Of Pre-Op Evaluation	#
Fail To Act On Abnorm Test Res	5
Wrong Diagnosis	#
Perform. Of Op. Not Indicated	#
Bacterial Infection	#
Grand Total	133