



# Resolution

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**Telephone:** 020 7811 2700

December 2020  
FOI\_4848

The following information was requested on 12 November 2020:

*I would be grateful if you would send me details of the 500 settlements made in the last five years for 2014/15, 2015/16, 2016/17, 2017/18 and 2018/19 for clinical negligence claims with the largest amounts of total damages and legal costs.*

*I would be grateful if you could provide the date of the settlement; the date of the claim; the speciality in which the claim arose; the NHS trust involved; the damages agreed; the defence costs; and the claimant costs.*

## Our Response

We are unable to provide you with information about individual claims 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. 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.

We would also refer you to a similar [Information Commissioner's Office decision notice](#) in the case concerning Wirral Metropolitan Borough Council where the ICO held:

*The complainant has requested figures for assessments and appeals of special educational needs in Wirral Local Authority. The Council provided exact figures where the numbers exceeded five but aggregated figures less than five on the basis that*

*individuals could be identified and section 40(2) was therefore engaged. The Commissioner's decision is that the Council has correctly applied section 40(2) to withhold figures less than five.*

Individual claims can also be subject to anonymity orders made by the court. By providing the information requested this would enable potential reverse engineering to identify the data subject.

We are not readily able to identify the relevant files subject to anonymity orders made by the court by searching the database. To do so would involve a manual review of 500 cases. With even a conservative 5 minute per file this would take approximately 42 hours. This would place a disproportionate burden on NHS Resolution and we note also exceeds the appropriate limit set at 18 hours.

Section 12(1) of the Freedom of Information Act 2000 is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit (known as the 'appropriate limit'). The 'appropriate limit' for NHS Resolution is £450. This equates to 18 hours of work at the rate of £25 per hour set out in the 'Fees Regulations'.

We can provide you with high level information around the specialty, cause and injury with the highest settlements in the last 5 years. An example of this is attached.

For details of the claims data that we publish please see the following links:

Annual report statistics:- <https://resolution.nhs.uk/resources/annual-report-statistics/>

Factsheet 5:- <https://resolution.nhs.uk/resources/this-factsheet-provides-information-about-trust-and-health-authority-claims-handled-by-nhs-resolution-in-2018-19/>

If you would like to know how data is categorised in our Claims database please see the following link: [Glossary](#)

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.

**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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**Table 1: Analysis of Specialties for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) -- Specialties	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>2014/15</b>	<b>84</b>	<b>108,783,105</b>	<b>5,996,598</b>	<b>21,547,269</b>	<b>136,326,973</b>
Anaesthesia	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
Cardiology	#	#	#	#	#
Emergency Medicine	13	14,459,807	842,779	3,363,848	18,666,434
Gastroenterology	#	#	#	#	#
General Medicine	#	#	#	#	#
General Surgery	6	5,675,693	467,825	1,187,190	7,330,708
Gynaecology	#	#	#	#	#
Haematology	#	#	#	#	#
Microbiology/ Virology	#	#	#	#	#
Neurology	#	#	#	#	#
Neurosurgery	#	#	#	#	#
NHS Direct Services	#	#	#	#	#
Obstetrics	16	29,503,862	1,444,921	4,453,197	35,401,981
Oncology	#	#	#	#	#
Ophthalmology	#	#	#	#	#
Orthopaedic Surgery	10	9,910,376	618,850	1,964,568	12,493,793
Paediatrics	#	#	#	#	#
Psychiatry/ Mental Health	#	#	#	#	#
Radiology	#	#	#	#	#
Renal Medicine	#	#	#	#	#
Respiratory Medicine/ Thoracic Medic	#	#	#	#	#
Rheumatology	#	#	#	#	#
Surgical Speciality - Other	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
<b>2015/16</b>	<b>59</b>	<b>85,522,594</b>	<b>4,681,781</b>	<b>19,989,005</b>	<b>110,193,380</b>
Anaesthesia	#	#	#	#	#
Cardiology	#	#	#	#	#
Emergency Medicine	5	4,877,282	354,674	1,620,332	6,852,288
General Medicine	#	#	#	#	#
General Surgery	#	#	#	#	#
Gynaecology	#	#	#	#	#
Intensive Care Medicine	#	#	#	#	#
Neurology	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Obstetrics	12	29,961,248	1,277,916	4,682,256	35,921,420
Ophthalmology	#	#	#	#	#
Orthopaedic Surgery	14	14,280,619	901,279	4,208,591	19,390,490
Paediatrics	#	#	#	#	#
Radiology	#	#	#	#	#
Renal Medicine	#	#	#	#	#
Respiratory Medicine/ Thoracic Medic	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
<b>2016/17</b>	<b>72</b>	<b>102,195,548</b>	<b>5,552,740</b>	<b>23,457,475</b>	<b>131,205,763</b>
Anaesthesia	#	#	#	#	#
Cardiology	#	#	#	#	#
Dermatology	#	#	#	#	#

**Table 1: Analysis of Specialties for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) -- Specialties	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Emergency Medicine	7	10,514,197	445,095	2,484,896	13,444,188
Gastroenterology	#	#	#	#	#
General Medicine	#	#	#	#	#
General Practice	#	#	#	#	#
General Surgery	7	7,346,043	438,773	1,870,268	9,655,084
Gynaecology	#	#	#	#	#
Haematology	#	#	#	#	#
Microbiology/ Virology	#	#	#	#	#
Neurology	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Obstetrics	16	27,877,136	1,423,822	5,212,578	34,513,537
Ophthalmology	#	#	#	#	#
Orthopaedic Surgery	13	20,078,066	1,046,036	4,665,259	25,789,361
Otorhinolaryngology/ ENT	#	#	#	#	#
Paediatrics	#	#	#	#	#
Plastic Surgery	#	#	#	#	#
Podiatry	#	#	#	#	#
Radiology	#	#	#	#	#
Rheumatology	#	#	#	#	#
Urology	#	#	#	#	#
<b>2017/18</b>	<b>125</b>	<b>179,174,731</b>	<b>10,406,245</b>	<b>41,717,982</b>	<b>231,298,958</b>
Ambulance	#	#	#	#	#
Anaesthesia	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
Cardiology	#	#	#	#	#
Comm Mental Servs	#	#	#	#	#
Emergency Medicine	17	23,688,953	1,399,846	5,605,795	30,694,595
Gastroenterology	#	#	#	#	#
General Medicine	#	#	#	#	#
General Surgery	5	8,353,400	565,247	2,024,000	10,942,646
Gynaecology	#	#	#	#	#
Haematology	#	#	#	#	#
Neurology	#	#	#	#	#
Neurosurgery	9	12,625,830	734,284	3,550,528	16,910,642
Obstetrics	34	59,243,658	2,709,155	9,341,960	71,294,773
Oncology	#	#	#	#	#
Ophthalmology	#	#	#	#	#
Orthopaedic Surgery	23	26,904,773	1,699,569	7,059,016	35,663,358
Otorhinolaryngology/ ENT	#	#	#	#	#
Paediatric Surgery	#	#	#	#	#
Paediatrics	#	#	#	#	#
Radiology	#	#	#	#	#
Radiotherapy	#	#	#	#	#
Renal Medicine	#	#	#	#	#
Respiratory Medicine/ Thoracic Medic	#	#	#	#	#
Urology	#	#	#	#	#
Vascular Surgery	5	5,886,083	502,844	2,415,666	8,804,593
<b>2018/19</b>	<b>160</b>	<b>269,152,216</b>	<b>13,446,502</b>	<b>52,269,253</b>	<b>334,867,972</b>

**Table 1: Analysis of Specialties for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) -- Specialties	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Ambulance	5	6,023,405	381,810	1,235,675	7,640,890
Anaesthesia	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
Cardiology	#	#	#	#	#
Emergency Medicine	23	31,658,253	1,774,047	7,828,544	41,260,844
Gastroenterology	#	#	#	#	#
General Medicine	7	7,480,279	488,541	3,067,012	11,035,832
General Surgery	6	12,770,913	493,269	1,691,036	14,955,218
Genetics	#	#	#	#	#
Gynaecology	#	#	#	#	#
Histopathology	#	#	#	#	#
Intensive Care Medicine	#	#	#	#	#
Microbiology/ Virology	#	#	#	#	#
Neurology	#	#	#	#	#
Neurosurgery	5	7,269,224	564,179	2,348,928	10,182,332
Obstetrics	43	101,970,214	4,251,212	13,123,865	119,345,291
Oncology	#	#	#	#	#
Ophthalmology	#	#	#	#	#
Orthopaedic Surgery	23	26,143,825	1,731,922	7,027,549	34,903,296
Otorhinolaryngology/ ENT	#	#	#	#	#
Paediatrics	#	#	#	#	#
Psychiatry/ Mental Health	#	#	#	#	#
Radiology	#	#	#	#	#
Radiotherapy	#	#	#	#	#
Rheumatology	#	#	#	#	#
Urology	#	#	#	#	#
Vascular Surgery	5	8,919,844	332,231	1,302,750	10,554,824
<b>Grand Total</b>	<b>500</b>	<b>744,828,194</b>	<b>40,083,866</b>	<b>158,980,984</b>	<b>943,893,045</b>

**Table 2: Analysis of Primary Injuries for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injury Types	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>2014/15</b>	<b>84</b>	<b>108,783,105</b>	<b>5,996,598</b>	<b>21,547,269</b>	<b>136,326,973</b>
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Amputation - Lower	13	13,507,087	737,926	2,885,834	17,130,846
Bile Duct Damage	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Blindness	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Brain Damage	12	21,027,927	877,144	2,999,995	24,905,065
Cancer	#	#	#	#	#
Cerebral Palsy	5	8,922,818	711,186	1,518,049	11,152,053
Compartment Syndrome	#	#	#	#	#
Deafness	#	#	#	#	#
Fatality	6	5,225,000	269,420	1,348,750	6,843,170
Fistula	#	#	#	#	#
Fracture	#	#	#	#	#
Impotence	#	#	#	#	#
Liver Damage	#	#	#	#	#
Loss Of Kidney	#	#	#	#	#
Meningitis	#	#	#	#	#
Multiple Disabilities	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Other Infection	#	#	#	#	#
Paraplegia	#	#	#	#	#
Partial Paralysis	#	#	#	#	#
Peritonitis	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Renal Damage/ Failure	#	#	#	#	#
Spinal Damage	#	#	#	#	#
Stroke	#	#	#	#	#
Tetraplegia/ Quadraplegia	#	#	#	#	#
Unnecessary Pain	6	6,245,272	523,680	2,068,792	8,837,744
Wrongful Birth	#	#	#	#	#
<b>2015/16</b>	<b>59</b>	<b>85,522,594</b>	<b>4,681,781</b>	<b>19,989,005</b>	<b>110,193,380</b>
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Amputation - Lower	10	11,638,364	648,229	2,535,220	14,821,814
Blindness	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Brain Damage	5	5,616,286	557,458	2,185,011	8,358,755
Cerebral Palsy	7	16,423,748	659,371	2,184,396	19,267,516
Dislocation	#	#	#	#	#
Fatality	#	#	#	#	#
Fracture	#	#	#	#	#
Hospital Acquired Infection	#	#	#	#	#



**Table 2: Analysis of Primary Injuries for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injury Types	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Joint Damage	#	#	#	#	#
Nerve Damage	5	4,990,307	319,409	1,768,157	7,077,873
Other	#	#	#	#	#
Other Visual Problems	#	#	#	#	#
Paraplegia	#	#	#	#	#
Renal Damage/ Failure	#	#	#	#	#
Spinal Damage	#	#	#	#	#
Stroke	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Unwanted Pregnancy	#	#	#	#	#
Wrongful Birth	#	#	#	#	#
<b>2016/17</b>	<b>72</b>	<b>102,195,548</b>	<b>5,552,740</b>	<b>23,457,475</b>	<b>131,205,763</b>
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Amputation - Lower	#	#	#	#	#
Bile Duct Damage	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Blindness	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Brain Damage	7	11,372,623	463,865	2,155,000	13,991,488
Cancer	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#
Cerebral Palsy	9	15,968,730	1,079,296	3,134,693	20,182,720
Chromosomal Abnormality	#	#	#	#	#
Compartment Syndrome	#	#	#	#	#
Dislocation	#	#	#	#	#
Fatality	#	#	#	#	#
Incontinence	#	#	#	#	#
Infertility	#	#	#	#	#
Joint Damage	#	#	#	#	#
Limb Deformity	#	#	#	#	#
Multiple Disabilities	#	#	#	#	#
Multiple Injuries	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Other	#	#	#	#	#
Paraplegia	5	6,767,020	346,813	1,290,884	8,404,717
Partial Paralysis	#	#	#	#	#
Perforation	#	#	#	#	#
Peritonitis	#	#	#	#	#
Pressure Sores	#	#	#	#	#
Respiratory Disorder/ Failure	#	#	#	#	#
Spinal Damage	#	#	#	#	#
Tetraplegia/ Quadraplegia	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Wrongful Birth	5	10,621,949	291,998	1,275,001	12,188,948

**Table 2: Analysis of Primary Injuries for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injury Types	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>2017/18</b>	<b>125</b>	<b>179,174,731</b>	<b>10,406,245</b>	<b>41,717,982</b>	<b>231,298,958</b>
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Amputation - Lower	9	10,032,395	779,032	3,288,206	14,099,633
Amputation - Upper	#	#	#	#	#
Anal Fissure	#	#	#	#	#
Bile Duct Damage	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Blindness	#	#	#	#	#
Bowel Damage/ Dysfunction	#	#	#	#	#
Brain Damage	15	24,318,189	1,415,737	3,998,127	29,732,053
Cardiovascular Condition	#	#	#	#	#
Cerebral Palsy	12	23,265,016	1,003,543	2,607,000	26,875,559
Compartment Syndrome	#	#	#	#	#
Erb's Palsy	#	#	#	#	#
Fatality	#	#	#	#	#
Foetal Abnormality	#	#	#	#	#
Incontinence	#	#	#	#	#
Joint Damage	#	#	#	#	#
Loss Of Kidney	#	#	#	#	#
Meningitis	#	#	#	#	#
Nerve Damage	16	18,851,193	1,279,962	5,260,281	25,391,436
Other	#	#	#	#	#
Other Visual Problems	#	#	#	#	#
Paraplegia	9	14,192,967	814,318	3,782,258	18,789,543
Partial Paralysis	#	#	#	#	#
Perforation	#	#	#	#	#
Peritonitis	#	#	#	#	#
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Renal Damage/ Failure	#	#	#	#	#
Spinabifida	#	#	#	#	#
Spinal Damage	6	7,917,996	464,919	2,433,500	10,816,414
Stroke	#	#	#	#	#
Tetraplegia/ Quadraplegia	#	#	#	#	#
Thrombosis/Embolism	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Tuberculosis	#	#	#	#	#
Ulcerative Colitis	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Vocal Cord Damage	#	#	#	#	#
Wrongful Birth	6	8,375,000	481,588	1,497,707	10,354,296
<b>2018/19</b>	<b>160</b>	<b>269,152,216</b>	<b>13,446,502</b>	<b>52,269,253</b>	<b>334,867,972</b>
Adtnl/unnecessary Operation(s)	6	5,780,551	500,316	2,334,822	8,615,688
Amputation - Lower	11	18,325,795	820,497	3,611,552	22,757,843

**Table 2: Analysis of Primary Injuries for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injury Types	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Amputation - Upper	#	#	#	#	#
Anal Fissure	#	#	#	#	#
Aneurysm	#	#	#	#	#
Bladder Damage	#	#	#	#	#
Blindness	#	#	#	#	#
Bowel Damage/ Dysfunction	6	9,150,771	482,934	1,664,250	11,297,955
Brain Damage	21	49,289,393	2,435,944	8,289,378	60,014,716
Cancer	#	#	#	#	#
Cardiac Arrest	#	#	#	#	#
Cerebral Palsy	18	42,186,977	1,922,530	4,923,785	49,033,292
Downs Syndrome	#	#	#	#	#
Erb's Palsy	6	5,903,491	363,496	974,827	7,241,814
Fatality	6	6,971,510	225,895	1,713,151	8,910,555
Hospital Acquired Infection	#	#	#	#	#
Limb Deformity	#	#	#	#	#
Loss Of Baby	#	#	#	#	#
Multiple Disabilities	#	#	#	#	#
Multiple Injuries	#	#	#	#	#
Nerve Damage	16	17,283,326	1,383,498	5,306,786	23,973,611
Other Infection	#	#	#	#	#
Other Visual Problems	#	#	#	#	#
Paraplegia	#	#	#	#	#
Partial Paralysis	#	#	#	#	#
Perforation	#	#	#	#	#
Poor Outcome - Fractures Etc.	6	8,107,062	421,619	1,801,900	10,330,581
Pressure Sores	#	#	#	#	#
Spinabifida	#	#	#	#	#
Spinal Damage	10	14,265,080	759,560	2,739,149	17,763,789
Stroke	#	#	#	#	#
Tetraplegia/ Quadraplegia	5	10,657,207	426,288	2,037,500	13,120,995
Unnecessary Pain	7	9,930,730	644,069	2,329,572	12,904,371
Wrongful Birth	#	#	#	#	#
<b>Grand Total</b>	<b>500</b>	<b>744,828,194</b>	<b>40,083,866</b>	<b>158,980,984</b>	<b>943,893,045</b>

Table 3: Analysis of Primary Causes for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19

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>2014/15</b>	<b>84</b>	<b>108,783,105</b>	<b>5,996,598</b>	<b>21,547,269</b>	<b>136,326,973</b>
Delay In Performing Operation	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Fail / Delay Treatment	22	26,027,189	1,341,941	5,392,060	32,761,190
Fail Antenatal Screening	#	#	#	#	#
Fail Mon Dose/rate Syntocinon	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Infrm Test Rslts	#	#	#	#	#
Fail To Make Resp To Abnrm FHR	#	#	#	#	#
Fail To Monitor 2nd Stg Labour	#	#	#	#	#
Fail To Recog. Complication Of	5	6,779,031	334,132	938,049	8,051,212
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Failure/Delay Diagnosis	18	22,997,944	1,406,443	4,912,608	29,316,995
Forceps Delivery	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	7	7,469,062	330,447	1,539,464	9,338,972
Medication Errors	#	#	#	#	#
Operator Error	#	#	#	#	#
Other	#	#	#	#	#
<b>2015/16</b>	<b>59</b>	<b>85,522,594</b>	<b>4,681,781</b>	<b>19,989,005</b>	<b>110,193,380</b>
Bacterial Infection	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Fail / Delay Treatment	10	10,819,491	662,131	3,584,684	15,066,306
Fail Antenatal Screening	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Fail To Make Resp To Abnrm FHR	5	10,952,930	498,212	1,794,901	13,246,043
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Failed Infection Control Policy/Hospital Hygiene	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Failure/Delay Diagnosis	12	19,356,743	1,017,465	4,531,983	24,906,191
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	6	7,749,383	393,417	1,722,268	9,865,068
Medication Errors	#	#	#	#	#
Other	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
<b>2016/17</b>	<b>72</b>	<b>102,195,548</b>	<b>5,552,740</b>	<b>23,457,475</b>	<b>131,205,763</b>
Bacterial Infection	#	#	#	#	#
Birth Defects	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Fail / Delay Treatment	18	23,262,234	1,264,431	6,195,833	30,722,498
Fail Antenatal Screening	#	#	#	#	#
Fail Mon Dose/rate Syntocinon	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Fail To Interpret USS	#	#	#	#	#
Fail To Make Resp To Abnrm FHR	#	#	#	#	#
Fail To Monitor 2nd Stg Labour	#	#	#	#	#

Table 3: Analysis of Primary Causes for Top 500 Claims Closed/Settled with the most damages paid between financial years 2014/15 - 2018/19

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
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Failure/Delay Diagnosis	16	16,620,191	1,151,227	5,182,922	22,954,340
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Infusion Problems	#	#	#	#	#
Intra-Op Problems	5	10,775,012	494,327	2,064,078	13,333,416
Lack Of Pre-Op Evaluation	#	#	#	#	#
Operator Error	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
<b>2017/18</b>	<b>125</b>	<b>179,174,731</b>	<b>10,406,245</b>	<b>41,717,982</b>	<b>231,298,958</b>
Delay In Performing Operation	#	#	#	#	#
Equipment Malfunction	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Fail / Delay Treatment	24	34,576,251	1,880,993	9,742,352	46,199,596
Fail Antenatal Screening	5	9,539,241	329,237	1,401,850	11,270,328
Fail To Act On Abnorm Test Res	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Interpret USS	#	#	#	#	#
Fail To Make Resp To Abnrm FHR	8	15,624,077	812,990	2,145,500	18,582,567
Fail To Monitor 1st Stg Labour	#	#	#	#	#
Fail To Monitor 2nd Stg Labour	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Fail/Delay Avail Op Thtre	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Fail/Delay Resus By Paediatric	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Failure/Delay Diagnosis	28	40,978,245	2,351,983	9,866,060	53,196,287
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inadqte Monitor In Recov Room	#	#	#	#	#
Inapp Use Of Forceps/Ventouse	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	5	5,272,203	290,102	1,365,000	6,927,305
Lack Of Pre-Op Evaluation	#	#	#	#	#
Medication Errors	#	#	#	#	#
Operator Error	#	#	#	#	#
Other	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Perineal Tear-1st,2nd,3rd Deg	#	#	#	#	#
Repeat Attempt Forcep/Ventouse	#	#	#	#	#
Unexpected Death	#	#	#	#	#
<b>2018/19</b>	<b>160</b>	<b>269,152,216</b>	<b>13,446,502</b>	<b>52,269,253</b>	<b>334,867,972</b>
Application Of Excess Force	#	#	#	#	#
Birth Defects	#	#	#	#	#
Delay In Performing Operation	7	9,615,182	457,704	1,780,392	11,853,278
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Fail / Delay Treatment	28	39,748,638	2,428,266	9,144,814	51,321,718

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Year of Closure (Settlement Year for PPOs) ----- Primary Causes	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Fail Antenatal Screening	#	#	#	#	#
Fail To Act On Abnorm Test Res	6	8,661,300	468,750	2,177,000	11,307,049
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Interpret USS	#	#	#	#	#
Fail To Make Resp To Abnrm FHR	6	15,123,898	517,279	1,138,000	16,779,177
Fail To Monitor 1st Stg Labour	#	#	#	#	#
Fail To Monitor 2nd Stg Labour	6	14,822,862	762,655	1,769,756	17,355,273
Fail To Recog. Complication Of	7	7,431,465	546,353	1,780,893	9,758,711
Fail To Warn-Informed Consent	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Failed Infection Control Policy/Hospital Hygiene	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Failure/Delay Diagnosis	31	53,335,698	2,573,628	11,810,078	67,719,405
Forceps Delivery	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inadqte Monitor In Recov Room	#	#	#	#	#
Inapp Use Of Forceps/Ventouse	#	#	#	#	#
Inapprop. Case Selection	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
Inappropriate Treatment	8	10,205,621	762,727	4,013,347	14,981,694
InhospMaternalDeathPostPartumHaemorrCS	#	#	#	#	#
Intra-Op Problems	7	10,465,631	599,265	2,376,250	13,441,146
Lack Of Pre-Op Evaluation	#	#	#	#	#
MisplacedNaso/OrogastricTubeNotDet	#	#	#	#	#
Operator Error	7	8,894,099	434,710	1,406,750	10,735,559
Perineal Tear-1st,2nd,3rd Deg	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
<b>Grand Total</b>	<b>500</b>	<b>744,828,194</b>	<b>40,083,866</b>	<b>158,980,984</b>	<b>943,893,045</b>