



Resolution

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March 2021
FOI_4937

The following information was requested on 24 January 2021 and 8 February 2021:

[Follow up to FOI_4864]

1) Breakdown of claims by year - yes we can supply this, in terms of primary causes and primary injuries against the oral and maxillofacial surgery speciality. We apologise for the delay in providing the additional information requested following your FOI_4864.

2) How many claims were settled out of court vs how many proceeded to court? - We do have status codes that can provide it settled with damages paid/damages settled out of Court and damages set by court, but we do not believe this will answer your request.

We will code cases that may have litigated and damages agreed in the litigation process but will only use set by court where the court has made the decision in terms of settlement level. This data may not be reliable in terms of your request.

Could you please provide the information requested in Q1 and Q2?

Our Response

Please find attached the requested information. Please note the data in tables 2a, 4 and table 4a will not match table 2 of FOI_4864 as table 2 of FOI_4864 unfortunately included the cases which were settled with nil damages paid. We apologise for the error and any confusion caused.

In terms of Beat 36 offer at Trial mentioned in table 4 – this relates to claims settled below the claimant's P36 offer.

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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Table 1: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Cause

Notifications Scheme	Y CNST
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Notification Year----- Primary Cause	No. of Claims
2009/10	47
Failure/Delay Diagnosis	5
Fail To Warn-Informed Consent	9
Intra-Op Problems	10
Inadequate Monitoring Intra-Op	#
Inappropriate Treatment	#
Fail / Delay Treatment	#
Equipment Malfunction	#
Medication Errors	#
Foreign Body Left In Situ	#
Operator Error	#
Inadequate Nursing Care	#
Perform. Of Op. Not Indicated	#
Err With Agnt/Dose/Route/Selec	#
Tooth Inj & Patient Posit Prob	#
Fail To Recog. Complication Of	#
Wrong Diagnosis	#
Delay In Performing Operation	#
Wrong Site Surgery	#
2010/11	40
Intra-Op Problems	5
Inappropriate Treatment	6
Fail / Delay Treatment	12
Failure To Interpret X-Ray	#
Diathermy Burns/react. To Prep	#
Fail To Recog. Complication Of	#
Fail To Warn-Informed Consent	#
Lack Of Facilities/Equipment	#
Failure/Delay Diagnosis	#
Operator Error	#
Bacterial Infection	#
Retained Instrument Post-Operation	#
Fail To Supervise	#
Wrong Site Surgery	#
2011/12	79
Operator Error	7
Inappropriate Treatment	8
Fail To Warn-Informed Consent	9
Intra-Op Problems	10
Fail / Delay Treatment	12
Foreign Body Left In Situ	#
Inappropriate Discharge	#
Fail To Supervise	#
Fail To Carry Out PO Observs.	#
Failure To Interpret X-Ray	#
Fail To Follow-Up Arrangements	#
Failure To Perform Tests	#

Table 1: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Cause

Notifications Scheme	Y CNST
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Notification Year----- Primary Cause	No. of Claims
Lack Of Assistance/Care	#
Failure/Delay Diagnosis	#
Lack Of Pre-Op Evaluation	#
Inadequate Nursing Care	#
Fail To Recog. Complication Of	#
Equipment Malfunction	#
Perform. Of Op. Not Indicated	#
Failure To X-Ray	#
Sexual Abuse	#
Inapprop. Case Selection	#
Tooth Inj & Patient Posit Prob	#
Bacterial Infection	#
Wrong Diagnosis	#
Failure To Perform Operation	#
Wrong Site Surgery	#
2012/13	82
Failure/Delay Diagnosis	8
Operator Error	8
Fail / Delay Treatment	9
Intra-Op Problems	10
Inappropriate Treatment	10
Fail To Warn-Informed Consent	12
Foreign Body Left In Situ	#
Fail To Follow-Up Arrangements	#
Equipment Malfunction	#
Intubation Problems	#
Failure To X-Ray	#
Lack Of Pre-Op Evaluation	#
Delay In Performing Operation	#
Medication Errors	#
Diathermy Burns/react. To Prep	#
Fail To Recog. Complication Of	#
Cross Infection	#
Other	#
Failure To Perform Operation	#
Perform. Of Op. Not Indicated	#
Inadequate Nursing Care	#
Wrong Site Surgery	#
2013/14	104
Fail To Warn-Informed Consent	12
Inappropriate Treatment	15
Operator Error	16
Fail / Delay Treatment	17
Intra-Op Problems	17
Inadequate Monitoring Intra-Op	#
Fail To Carry Out PO Observs.	#
Fail To Follow-Up Arrangements	#

Table 1: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Cause

Notifications Scheme	Y CNST
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Notification Year----- Primary Cause	No. of Claims
Failure To Perform Operation	#
Medication Errors	#
Diathermy Burns/react. To Prep	#
Fail To Recog. Complication Of	#
Inappropriate Discharge	#
Other	#
Failure/Delay Diagnosis	#
Perform. Of Op. Not Indicated	#
Equipment Malfunction	#
Tooth Inj & Patient Posit Prob	#
Inadequate Nursing Care	#
Wrong Diagnosis	#
2014/15	218
Intra-Op Problems	6
Failure/Delay Diagnosis	7
Operator Error	7
Fail / Delay Treatment	16
Fail To Warn-Informed Consent	19
Inappropriate Treatment	131
Foreign Body Left In Situ	#
Lack Of Assistance/Care	#
Failure To Interpret X-Ray	#
Lack Of Facilities/Equipment	#
Failure To X-Ray	#
Lack Of Pre-Op Evaluation	#
Application Of Excess Force	#
Medication Errors	#
Fail To Recog. Complication Of	#
Delay In Performing Operation	#
Failure To Perform Tests	#
Other	#
Inadequate Nursing Care	#
Perform. Of Op. Not Indicated	#
Fail To Follow-Up Arrangements	#
Tooth Inj & Patient Posit Prob	#
Fail To Supervise	#
Wrong Site Surgery	#
2015/16	112
Perform. Of Op. Not Indicated	5
Fail To Recog. Complication Of	5
Failure/Delay Diagnosis	5
Intra-Op Problems	6
Operator Error	8
Fail To Warn-Informed Consent	18
Fail / Delay Treatment	19
Inappropriate Treatment	19
Foreign Body Left In Situ	#

Table 1: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Cause

Notifications Scheme	Y CNST
----------------------	-----------

Notification Year----- Primary Cause	No. of Claims
Fail To Act On Abnorm Test Res	#
Fail To Follow-Up Arrangements	#
Failure To X-Ray	#
Lack Of Assistance/Care	#
Application Of Excess Force	#
Lack Of Pre-Op Evaluation	#
Inadequate Monitoring Intra-Op	#
Diathermy Burns/react. To Prep	#
Failure To Perform Tests	#
Other	#
Improp. Delegation To Junior	#
Equipment Malfunction	#
Delay In Performing Operation	#
Tooth Inj & Patient Posit Prob	#
Inadequate Nursing Care	#
Wrong Site Surgery	#
2016/17	104
Failure/Delay Diagnosis	7
Wrong Site Surgery	7
Fail To Warn-Informed Consent	12
Operator Error	12
Fail / Delay Treatment	13
Inappropriate Treatment	16
Intra-Op Problems	17
Failure To Perform Operation	#
Fail To Follow-Up Arrangements	#
Fail To Recog. Complication Of	#
Failure To X-Ray	#
Equipment Malfunction	#
Foreign Body Left In Situ	#
Perform. Of Op. Not Indicated	#
Diathermy Burns/react. To Prep	#
Wrong Diagnosis	#
Delay In Performing Operation	#
Failure To Interpret X-Ray	#
2017/18	120
Fail To Recog. Complication Of	5
Failure/Delay Diagnosis	7
Wrong Site Surgery	8
Intra-Op Problems	10
Fail To Warn-Informed Consent	15
Inappropriate Treatment	15
Operator Error	17
Fail / Delay Treatment	20
Failure To Perform Operation	#
Fail To Follow-Up Arrangements	#
Failure To Interpret X-Ray	#

Table 1: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Cause

Notifications Scheme	Y CNST
----------------------	-----------

Notification Year----- Primary Cause	No. of Claims
Lack Of Pre-Op Evaluation	#
Err With Agnt/Dose/Route/Selec	#
Medication Errors	#
Inadequate Nursing Care	#
Delay In Performing Operation	#
Application Of Excess Force	#
Perform. Of Op. Not Indicated	#
Bacterial Infection	#
Wrong Diagnosis	#
Foreign Body Left In Situ	#
Equipment Malfunction	#
2018/19	106
Intra-Op Problems	7
Operator Error	11
Inappropriate Treatment	12
Fail To Warn-Informed Consent	13
Failure/Delay Diagnosis	13
Fail / Delay Treatment	27
Failure To Perform Tests	#
Fail To Act On Abnorm Test Res	#
Fail To Follow-Up Arrangements	#
Err With Agnt/Dose/Route/Selec	#
Lack Of Assistance/Care	#
Bacterial Infection	#
Lack Of Pre-Op Evaluation	#
Foreign Body Left In Situ	#
Fail To Recog. Complication Of	#
Failure To Interpret X-Ray	#
Tooth Inj & Patient Posit Prob	#
Fail To Supervise	#
Wrong Diagnosis	#
Equipment Malfunction	#
Wrong Site Surgery	#
2019/20	110
Delay In Performing Operation	8
Operator Error	8
Fail To Warn-Informed Consent	9
Failure/Delay Diagnosis	15
Fail / Delay Treatment	23
Inappropriate Treatment	23
Inadequate Nursing Care	#
Equipment Malfunction	#
Failure To Interpret X-Ray	#
Intra-Op Problems	#
Failure To X-Ray	#
Lack Of Pre-Op Evaluation	#
Foreign Body Left In Situ	#

Table 1: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Cause

Notifications Scheme	Y CNST
----------------------	-----------

Notification Year----- Primary Cause	No. of Claims
Fail/Delay Admitting To Hosp.	#
Inappropriate Discharge	#
Perform. Of Op. Not Indicated	#
Bacterial Infection	#
Re-Canalisation	#
Failure To Perform Operation	#
Tooth Inj & Patient Posit Prob	#
Fail To Act On Abnorm Test Res	#
Wrong Site Surgery	#
Grand Total	1,122

Table 2: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Notifications Scheme	Y CNST
Notification Year----- Primary Injury	
2009/10	47
Unnecessary Pain	8
Adtnl/unnecessary Operation(s)	12
Other Visual Problems	#
Cosmetic Disfigurement	#
Fracture	#
Poor Outcome - Fractures Etc.	#
Burn(s)	#
Advanced Stage Cancer	#
Brain Damage	#
Cardiac Arrest	#
Fatality	#
Dental Damage	#
Other Infection	#
Nerve Damage	#
Psychiatric/Psychological Dmge	#
Scarring	#
Other	#
Fistula	#
Renal Damage/ Failure	#
Anaphylact Shock/Allergic Shock/allergy	#
2010/11	40
Adtnl/unnecessary Operation(s)	7
Unnecessary Pain	9
Cosmetic Disfigurement	#
Advanced Stage Cancer	#
Burn(s)	#
Dental Damage	#
Stroke	#
Nerve Damage	#
Poor Outcome - Fractures Etc.	#
Scarring	#
Fatality	#
Addiction/Dependency	#
Fracture	#
Unwanted Pregnancy	#
2011/12	79
Dental Damage	12
Nerve Damage	12
Adtnl/unnecessary Operation(s)	13
Unnecessary Pain	15
Other Visual Problems	#
Advanced Stage Cancer	#
Bruising/ Extravasation	#
Cardiac Arrest	#
Other Infection	#
Burn(s)	#
Psychiatric/Psychological Dmge	#
Other	#
Cardiovascular Condition	#
Scarring	#
Dislocation	#
Cancer	#
Brain Damage	#

Table 2: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Notifications Scheme	Y CNST
Notification Year----- Primary Injury	
Partial Paralysis	#
Cosmetic Disfigurement	#
Pierced Ear Drum	#
2012/13	82
Nerve Damage	10
Dental Damage	11
Unnecessary Pain	12
Adtnl/unnecessary Operation(s)	17
Vocal Cord Damage	#
Poor Outcome - Fractures Etc.	#
Fracture	#
Brain Damage	#
Burn(s)	#
Renal Damage/ Failure	#
Blindness	#
Cosmetic Disfigurement	#
Scarring	#
Psychiatric/Psychological Dmge	#
Cancer	#
Other	#
Tendon Damage	#
Fatality	#
Anaphylact Shock/Allergic Shock/allergy	#
2013/14	104
Burn(s)	6
Scarring	6
Cosmetic Disfigurement	6
Other Infection	7
Unnecessary Pain	13
Adtnl/unnecessary Operation(s)	13
Nerve Damage	16
Dental Damage	18
Advanced Stage Cancer	#
Blindness	#
Other	#
Fatality	#
Cancer	#
Psychiatric/Psychological Dmge	#
Perforation	#
Poor Outcome - Fractures Etc.	#
Fistula	#
Deafness	#
Tissue Damage	#
Bruising/ Extravasation	#
Radiation Exposure	#
2014/15	218
Dental Damage	12
Nerve Damage	14
Unnecessary Pain	16
Adtnl/unnecessary Operation(s)	142
Other Visual Problems	#
Poor Outcome - Fractures Etc.	#
Advanced Stage Cancer	#
Other	#

Table 2: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Notifications Scheme	Y CNST
Notification Year----- Primary Injury	
No. of Claims	
Joint Damage	#
Cerebral Palsy	#
Psychiatric/Psychological Dmge	#
Fatality	#
Other Infection	#
Burn(s)	#
Scarring	#
Brain Damage	#
Cancer	#
Not Specified	#
Malignant Tumour	#
Fracture	#
Fistula	#
2015/16	112
Burn(s)	5
Cosmetic Disfigurement	6
Dental Damage	15
Nerve Damage	17
Adtnl/unnecessary Operation(s)	18
Unnecessary Pain	24
Poor Outcome - Fractures Etc.	#
Blindness	#
Fracture	#
Scarring	#
Other Infection	#
Cancer	#
Psychiatric/Psychological Dmge	#
Respiratory Disorder/ Failure	#
Deafness	#
Fistula	#
Fatality	#
Infectious Diseases	#
Other Visual Problems	#
Partial Paralysis	#
Other	#
Arterial Damage	#
2016/17	104
Burn(s)	6
Scarring	6
Unnecessary Pain	12
Dental Damage	13
Nerve Damage	15
Adtnl/unnecessary Operation(s)	29
Advanced Stage Cancer	#
Deafness	#
Bruising/ Extravasation	#
Blindness	#
Cosmetic Disfigurement	#
Other	#
Fatality	#
Cancer	#
Other Infection	#
Compartment Syndrome	#
Fracture	#

Table 2: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Notifications Scheme	Y CNST
Notification Year----- Primary Injury	
Tissue Damage	#
Cardiac Arrest	#
Partial Hearing Loss	#
Poor Outcome - Fractures Etc.	#
Partial Paralysis	#
Psychiatric/Psychological Dmge	#
Anaphylact Shock/Allergic Shock/allergy	#
2017/18	120
Cosmetic Disfigurement	5
Scarring	7
Unnecessary Pain	11
Dental Damage	14
Nerve Damage	16
Adtnl/unnecessary Operation(s)	31
Cardiovascular Condition	#
Burn(s)	#
Psychiatric/Psychological Dmge	#
Other	#
Stroke	#
Cancer	#
Fatality	#
Thrombosis/Embolism	#
Advanced Stage Cancer	#
Hospital Acquired Infection	#
Other Visual Problems	#
Pressure Sores	#
Poor Outcome - Fractures Etc.	#
Tissue Damage	#
Fracture	#
Partial Hearing Loss	#
Other Infection	#
Anaphylact Shock/Allergic Shock/allergy	#
2018/19	106
Cancer	5
Scarring	11
Dental Damage	12
Nerve Damage	15
Unnecessary Pain	19
Adtnl/unnecessary Operation(s)	20
Other Visual Problems	#
Advanced Stage Cancer	#
Fracture	#
Psychiatric/Psychological Dmge	#
Multiple Injuries	#
Fatality	#
Other Infection	#
Poor Outcome - Fractures Etc.	#
Burn(s)	#
Paraplegia	#
Other	#
Bruising/ Extravasation	#
Tissue Damage	#
Cosmetic Disfigurement	#
Infectious Diseases	#

Table 2: Number of claims under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Notifications Scheme	Y CNST
----------------------	-----------

Notification Year----- Primary Injury	No. of Claims
2019/20	110
Cancer	5
Fracture	5
Cosmetic Disfigurement	6
Advanced Stage Cancer	6
Scarring	6
Adtnl/unnecessary Operation(s)	11
Dental Damage	12
Unnecessary Pain	17
Nerve Damage	18
Cardiac Arrest	#
Burn(s)	#
Other	#
Poor Outcome - Fractures Etc.	#
Psychiatric/Psychological Dmge	#
Tendon Damage	#
Other Visual Problems	#
Hospital Acquired Infection	#
Fatality	#
Pressure Sores	#
Blindness	#
Compartment Syndrome	#
Multiple Injuries	#
Arterial Damage	#
Grand Total	1,122

Table 2a: Number of claims under the CNST scheme Closed/Settled between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Scheme	CNST
Closed/Settled	Y
Claim_Outcome_FOI	Damages Paid

Closed/Settled Year	No. of Claims
----- Primary Injury	
2009/10	7
Renal Damage/ Failure	#
Adtnl/unnecessary Operation(s)	#
Poor Outcome - Fractures Etc.	#
Unnecessary Pain	#
Dental Damage	#
Fracture	#
Scarring	#
2010/11	18
Cosmetic Disfigurement	#
Fatality	#
Advanced Stage Cancer	#
Adtnl/unnecessary Operation(s)	#
Dental Damage	#
Unnecessary Pain	#
Nerve Damage	#
Burn(s)	#
Scarring	#
Psychiatric/Psychological Dmge	#
Anaphylact Shock/Allergic Shock/allergy	#
2011/12	25
Unnecessary Pain	8
Cosmetic Disfigurement	#
Poor Outcome - Fractures Etc.	#
Cardiac Arrest	#
Fracture	#
Dental Damage	#
Adtnl/unnecessary Operation(s)	#
Nerve Damage	#
Other Visual Problems	#
Addiction/Dependency	#
Burn(s)	#
Unwanted Pregnancy	#
2012/13	32
Unnecessary Pain	5
Nerve Damage	5
Adtnl/unnecessary Operation(s)	11
Other	#
Cosmetic Disfigurement	#
Dental Damage	#
Psychiatric/Psychological Dmge	#
Burn(s)	#
Fatality	#
Scarring	#
2013/14	51
Unnecessary Pain	8
Adtnl/unnecessary Operation(s)	10
Dental Damage	13
Cardiovascular Condition	#

Table 2a: Number of claims under the CNST scheme Closed/Settled between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Scheme	CNST
Closed/Settled	Y
Claim_Outcome_FOI	Damages Paid

Closed/Settled Year	No. of Claims
----- Primary Injury	
Cardiac Arrest	#
Brain Damage	#
Bruising/ Extravasation	#
Other Visual Problems	#
Nerve Damage	#
Other	#
Scarring	#
Burn(s)	#
Cancer	#
Poor Outcome - Fractures Etc.	#
Pierced Ear Drum	#
Cosmetic Disfigurement	#
Radiation Exposure	#
2014/15	45
Adtnl/unnecessary Operation(s)	6
Nerve Damage	7
Dental Damage	9
Unnecessary Pain	#
Cosmetic Disfigurement	#
Burn(s)	#
Psychiatric/Psychological Dmge	#
Not Specified	#
Other Infection	#
Dislocation	#
Scarring	#
Fatality	#
Perforation	#
Other	#
Tissue Damage	#
2015/16	59
Unnecessary Pain	7
Nerve Damage	8
Adtnl/unnecessary Operation(s)	9
Dental Damage	12
Cosmetic Disfigurement	#
Other Infection	#
Burn(s)	#
Psychiatric/Psychological Dmge	#
Blindness	#
Fatality	#
Scarring	#
Other	#
Malignant Tumour	#
Poor Outcome - Fractures Etc.	#
Fistula	#
Renal Damage/ Failure	#
Partial Paralysis	#
2016/17	68
Burn(s)	6

Table 2a: Number of claims under the CNST scheme Closed/Settled between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Scheme	CNST
Closed/Settled	Y
Claim_Outcome_FOI	Damages Paid

Closed/Settled Year	No. of Claims
----- Primary Injury	
Nerve Damage	7
Dental Damage	9
Unnecessary Pain	11
Adtnl/unnecessary Operation(s)	23
Vocal Cord Damage	#
Fracture	#
Psychiatric/Psychological Dmge	#
Other Infection	#
Other	#
Blindness	#
Stroke	#
Scarring	#
2017/18	77
Unnecessary Pain	11
Nerve Damage	12
Adtnl/unnecessary Operation(s)	29
Other Visual Problems	#
Poor Outcome - Fractures Etc.	#
Burn(s)	#
Dental Damage	#
Brain Damage	#
Fracture	#
Fatality	#
Deafness	#
Other	#
Scarring	#
Cosmetic Disfigurement	#
Cancer	#
Psychiatric/Psychological Dmge	#
Fistula	#
2018/19	103
Fatality	5
Unnecessary Pain	6
Scarring	7
Nerve Damage	10
Dental Damage	15
Adtnl/unnecessary Operation(s)	44
Other Visual Problems	#
Other	#
Other Infection	#
Blindness	#
Advanced Stage Cancer	#
Fracture	#
Poor Outcome - Fractures Etc.	#
Cancer	#
Burn(s)	#
Partial Hearing Loss	#
2019/20	80
Scarring	5

Table 2a: Number of claims under the CNST scheme Closed/Settled between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Primary Injury

Scheme	CNST
Closed/Settled	Y
Claim_Outcome_FOI	Damages Paid

Closed/Settled Year	No. of Claims
----- Primary Injury	
Dental Damage	7
Unnecessary Pain	8
Nerve Damage	17
Adtnl/unnecessary Operation(s)	24
Cosmetic Disfigurement	#
Burn(s)	#
Other Infection	#
Other	#
Fatality	#
Deafness	#
Advanced Stage Cancer	#
Bruising/ Extravasation	#
Poor Outcome - Fractures Etc.	#
Cancer	#
Other Visual Problems	#
Anaphylact Shock/Allergic Shock/allergy	#
Grand Total	565

Table 3: Claims under the CNST scheme Received between financial years 2009/10 to 2019/20 with Nil Damages Paid where Oral and Maxillofacial Surgery has been the Specialty

Scheme	CNST
Claim_Outcome_FOI	NIL Damages
Closed_Settled	Y

No_of_Claims
281

Table 4: Number of Closed/Settled claim with damages paid under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Outcome

Scheme	CNST
Closed_Settled	Y
Claim_Outcome_FOI	Damages Paid

Outcome	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Beat 36 offer at Trial	#	#	#	#	#
Lost at Trial	#	#	#	#	#
No Trial	164	8,008,691	1,994,118	8,104,138	18,106,946
Not Litigated	399	6,867,528	1,021,438	5,381,893	13,270,859
Grand Total	565	14,944,218	3,183,583	13,911,031	32,038,832

Table 4a: Number of Closed/Settled claim with damages paid under the CNST scheme received between financial years 2009/10 to 2019/20 where Oral and Maxillofacial Surgery has been the Specialty - broken down by Litigation Status

Scheme	CNST
Claim_Outcome_FOI	Damages Paid
Closed_Settled	Y

Litigation Status	No. of Claims	Sum of Damages_Paid
Litigated	166	8,076,691
Not Litigated	399	6,867,528