



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 020 7811 2700

March 2021
FOI_4957

The following information was requested on 4 February 2021:

Thank you for the response to FOI 4924.

*As mentioned in the response, I would be grateful if you could supply the high level data relating to "Foreign Body Left In Situ", covering:
number of claims received in the relevant financial years; a breakdown by specialty; a breakdown by primary injury; numbers settled; numbers with no damages paid and numbers currently open.*

Our Response

Please find attached the requested information. Please note claims notified and open are not guaranteed to be settled and can take many years to be concluded. Claims notified in any given year will often relate to incidents that have occurred many years previous.

The data attached only relates to cases where the primary main cause is Foreign Body Left In Situ. There may be other cases that also involved Foreign Body Left In Situ but as it was not the primary cause will not be captured in the attached data.

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 FOI 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/>

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: Number of clinical claims \(excluding GP schemes\) where the main cause is Foreign Body Left In Situ by Specialty notified between financial years 2016/17 to 2019/20](#)

[Table 2: Number of clinical claims \(excluding GP schemes\) where the main cause is Foreign Body Left In Situ by Injury notified between financial years 2016/17 to 2019/20](#)

[Table 3: Number of clinical claims \(excluding GP schemes\) where the main cause is Foreign Body Left In Situ closed or settled with damages paid between financial years 2016/17 to 2019/20](#)

[Table 4: Number of clinical claims \(excluding GP schemes\) where the main cause is Foreign Body Left In Situ closed or settled with NIL damages paid between financial years 2016/17 to 2019/20](#)

[Table 5: Number of Open clinical claims \(excluding GP schemes\) where the main cause is Foreign Body Left In Situ notified between 2016/17 and 2019/20](#)

Table 1: Number of clinical claims (excluding GP schemes) where the main cause is Foreign Body Left In Situ by Specialty notified between financial years 2016/17 to 2019/20

Notifications	Y
Clinical_NonClinical	Clinical
Year of Notification	No. of Claims
2016/17	148
Anaesthesia	#
Cardio Surgery	#
Cardiology	#
District Nursing	#
Emergency Medicine	6
General Surgery	28
Gynaecology	17
Neurology	#
Neurosurgery	#
Obstetrics	22
Oncology	#
Ophthalmology	#
Oral & Maxillo Facial Surgery	#
Orthopaedic Surgery	14
Other	#
Otorhinolaryngology/ ENT	#
Plastic Surgery	7
Podiatry	#
Radiology	#
Rehabilitation	#
Renal Medicine	#
Respiratory Medicine/ Thoracic Medic	#
Surgical Speciality - Other	5
Urology	11
Vascular Surgery	#
2017/18	144
Anaesthesia	#
Cardio Surgery	#
Cardiology	#
Community Medicine/ Public Health	#
District Nursing	#
Emergency Medicine	9
Forensic Pathology	#
Gastroenterology	#
General Medicine	#
General Practice	#
General Surgery	28
Gynaecology	13
Intensive Care Medicine	#
Neurosurgery	#
Obstetrics	24
Oncology	#
Ophthalmology	#
Oral & Maxillo Facial Surgery	#
Orthopaedic Surgery	19
Other	#
Otorhinolaryngology/ ENT	#
Paediatric Surgery	#
Paediatrics	#
Plastic Surgery	5
Renal Medicine	#
Surgical Speciality - Other	5
Urology	5
Vascular Surgery	#
2018/19	144
Anaesthesia	#

Table 1: Number of clinical claims (excluding GP schemes) where the main cause is Foreign Body Left In Situ by Specialty notified between financial years 2016/17 to 2019/20

Notifications	Y
Clinical_NonClinical	Clinical
Year of Notification	No. of Claims
Cardio Surgery	#
Cardiology	#
District Nursing	5
Emergency Medicine	17
Gastroenterology	#
General Medicine	#
General Surgery	33
Gynaecology	12
Intensive Care Medicine	#
Obstetrics	19
Ophthalmology	#
Oral & Maxillo Facial Surgery	#
Orthopaedic Surgery	10
Otorhinolaryngology/ ENT	#
Plastic Surgery	5
Podiatry	#
Radiology	#
Renal Medicine	#
Respiratory Medicine/ Thoracic Medic	#
Surgical Speciality - Other	#
Urology	8
Vascular Surgery	#
2019/20	125
Anaesthesia	#
Audiological Medicine	#
Cardio Surgery	#
Cardiology	#
Dentistry	#
District Nursing	#
Emergency Medicine	6
Endocrinology	#
Gastroenterology	6
General Medicine	#
General Surgery	24
Genito-Urinary Medicine	#
Gynaecology	11
Neurosurgery	#
NHS Direct Services	#
Obstetrics	18
Ophthalmology	#
Oral & Maxillo Facial Surgery	#
Orthopaedic Surgery	11
Other	#
Otorhinolaryngology/ ENT	#
Paediatric Surgery	#
Paediatrics	#
Plastic Surgery	6
Radiology	#
Renal Medicine	#
Surgical Speciality - Other	6
Urology	5
Vascular Surgery	#
Grand Total	561

Table 2: Number of clinical claims (excluding GP schemes) where the main cause is Foreign Body Left In Situ by Injury notified between financial years 2016/17 to 2019/20

Notifications	Y
Clinical_NonClinical	Clinical
Year of Notification	No. of Claims
2016/17	148
Adtnl/unnecessary Operation(s)	62
Bowel Damage/ Dysfunction	#
Fatality	#
Fistula	#
Impotence	#
Infectious Diseases	#
Liver Damage	#
Loss Of Sexual Function	#
Other	#
Other Infection	15
Other Visual Problems	#
Psychiatric/Psychological Dmge	5
Scarring	#
Tissue Damage	#
Unnecessary Pain	46
2017/18	144
Adtnl/unnecessary Operation(s)	53
Bowel Damage/ Dysfunction	#
Fatality	#
Fistula	#
Not Specified	#
Other	#
Other Infection	17
Psychiatric/Psychological Dmge	#
Scarring	#
Tissue Damage	#
Unnecessary Pain	60
2018/19	144
Adtnl/unnecessary Operation(s)	47
Amputation - Upper	#
Bile Duct Damage	#
Cardiovascular Condition	#
Fatality	#
Nerve Damage	#
Not Specified	#
Other	#
Other Infection	12
Other Visual Problems	#
Poor Outcome - Fractures Etc.	#
Pressure Sores	#
Psychiatric/Psychological Dmge	#
Scarring	#
Tissue Damage	#
Unnecessary Pain	65
2019/20	125
Adtnl/unnecessary Operation(s)	41
Amputation - Upper	#
Bladder Damage	#
Brain Damage	#
Bruising/ Extravasation	#
Deafness	#
Fatality	#
Fracture	#
Infertility	#
Joint Damage	#
Multiple Injuries	#

Table 2: Number of clinical claims (excluding GP schemes) where the main cause is Foreign Body Left In Situ by Injury notified between financial years 2016/17 to 2019/20

Notifications	Y
Clinical_NonClinical	Clinical

Year of Notification	No. of Claims
Not Specified	#
Other	#
Other Infection	15
Paraplegia	#
Perforation	#
Peritonitis	#
Pressure Sores	#
Psychiatric/Psychological Dmge	#
Scarring	#
Stroke	#
Unnecessary Pain	41
Grand Total	561

Table 3: Number of clinical claims (excluding GP schemes) where the main cause is Foreign Body Left In Situ closed or settled with damages paid between financial years 2016/17 to 2019/20

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims
2016/17	119
2017/18	102
2018/19	115
2019/20	115
Grand Total	451

Table 4: Number of clinical claims (excluding GP schemes) where the main cause is Foreign Body Left In Situ closed or settled with NIL damages paid between financial years 2016/17 to 2019/20

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome_FOI	NIL Damages

Year of Closure (Settlement Year for PPOs)	No. of Claims
2016/17	47
2017/18	46
2018/19	34
2019/20	39
Grand Total	166

Table 5: Number of Open clinical claims (excluding GP schemes) where the main cause is Foreign Body Left In Situ notified between 2016/17 and 2019/20

Clinical_NonClinical	Clinical
Claim_Outcome_FOI	Open
Notifications	Y
No. of Claims	
108	