



Resolution

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April 2021
FOI_5007

The following information was requested on 30 March 2021:

Thank you for the information you provided [FOI_5000], it is greatly appreciated and will really assist our clinicians. Could you kindly send me the exact same but for Acute/General Medicine?

[FOI_5000]

It would need to be just ED claims please as that is the audience that we are giving the talk to. Ideally we want to compare against Trusts who have a similar volume of patients through their ED but I don't know if you have that sort of data so failing that it would help to have a comparison against Trust's in our region (Birmingham, Nottingham, Leicester, Oxford).

Your suggestion of a top 15 number of claims received for Emergency Medicine covering both volume of claims and including damages paid would help the clinicians understand where we find ourselves in comparison.

Our Response

Please find attached the requested information. The data provided reflects the number of claims settled and paid in each financial year and not the number of claims received in that year by NHS Resolution. Due to the nature of clinical negligence claims and the level of investigation needed to bring them to a resolution, claims received and notified in a specific year may take years to settle.

We have suppressed low numbers and the names of Trusts with fewer than 5 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 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/>

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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: Top 15 trusts in the Midlands region by number of Claims relating to the Specialty General Medicine that were notified between financial years 2018/19 and 2019/20](#)

[Table 2: Top 15 trusts in the Midlands region by Claims relating to the Specialty General Medicine Closed/Settled with damages paid between financial years 2018/19 and 2019/20](#)

Table 1: Top 15 trusts in the Midlands region by number of Claims relating to the Specialty General Medicine that were notified between financial years 2018/19 and 2019/20

Notifications Scheme	Y
FOI_Specialty	CNST
Region	General Medicine Midlands (Y60)

Year of Notification	No. of Claims
2018/19	
Chesterfield Royal Hospital NHS Foundation Trust	10
United Lincolnshire Hospitals NHS Trust	9
University Hospitals of Derby and Burton NHS Foundation Trust	8
Northampton General Hospital NHS Trust	8
University Hospitals of Leicester NHS Trust	8
University Hospitals Birmingham NHS Foundation Trust	6
Walsall Healthcare NHS Trust	6
Nottingham University Hospitals NHS Trust	5
Shrewsbury and Telford Hospital NHS Trust	5
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2019/20	
United Lincolnshire Hospitals NHS Trust	12
University Hospitals Birmingham NHS Foundation Trust	11
University Hospitals of Derby and Burton NHS Foundation Trust	10
Chesterfield Royal Hospital NHS Foundation Trust	9
Shrewsbury and Telford Hospital NHS Trust	8
Worcestershire Acute Hospitals NHS Trust	7
Kettering General Hospital NHS Foundation Trust	6
Walsall Healthcare NHS Trust	6
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Table 2: Top 15 trusts in the Midlands region by Claims relating to the Specialty General Medicine Closed/Settled with damages paid between financial years 2018/19 and 2019/20

Closed_Settled Scheme	Y
FOI_Specialty	CNST
Claim_Outcome_FOI	General Medicine
Region	Damages Paid Midlands (Y60)

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid	Total Paid
2018/19					
Worcestershire Acute Hospitals NHS Trust	7	1,037,281	77,234	366,352	1,480,867
Shrewsbury and Telford Hospital NHS Trust	7	287,386	74,781	464,276	826,442
University Hospitals of Derby and Burton NHS Foundation Trust	6	79,750	4,868	32,760	117,378
Chesterfield Royal Hospital NHS Foundation Trust	6	257,285	168,159	270,140	695,584
Dudley Group NHS Foundation Trust (The)	6	273,411	32,918	159,766	466,094
United Lincolnshire Hospitals NHS Trust	6	69,500	16,985	96,125	182,610
Sandwell & West Birmingham Hospitals NHS Trust	5	349,488	83,418	341,800	774,706
University Hospitals Birmingham NHS Foundation Trust	5	138,500	22,346	102,793	263,639
Nottingham University Hospitals NHS Trust	5	102,500	21,315	85,800	209,615
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2019/20					
Worcestershire Acute Hospitals NHS Trust	8	312,000	51,937	205,532	569,469
University Hospitals of Derby and Burton NHS Foundation Trust	7	52,178	31,259	153,331	236,768
Chesterfield Royal Hospital NHS Foundation Trust	6	54,500	14,507	74,400	143,407
Walsall Healthcare NHS Trust	6	315,136	51,933	121,201	488,269
Northampton General Hospital NHS Trust	6	1,123,979	53,012	268,900	1,445,890
Nottingham University Hospitals NHS Trust	5	216,360	77,236	272,500	566,096
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