



## Resolution

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April 2021

FOI\_5009

The following information was requested on 31 March 2021:

*Could you please provide me with what you have (the dental claims in secondary care settings)?*

*As I mentioned in my original request, this is the information I am looking for:*

*1- The numbers of clinical negligence claims per year for the period 2010-2020*

*2- The estimated cost per year for the period 2010-2020*

*3- The number of cases and the mean cost by injury for the following:*

*Nerve damage*

*Pain*

*Psychological damage*

*Burn*

*Dental damage*

*Additional surgery*

*The number of cases and the mean cost by causation for the following:*

*Delayed or failed diagnosis*

*Lack of care*

*Consent*

*Delayed treatment*

*Foreign body in situ*

*Wrong-site surgery*

*Inappropriate treatment*

*Also, could you please guide me on where to look for the details of the primary settings?*

### **Our Response**

Please note that [Clinical Negligence Scheme for Trusts](#) (CNST) only covers dentistry practice where it takes place within a member organisation (e.g. Bristol dental hospital at University Hospitals Bristol Foundation Trust) and **not** the majority of NHS dental service that is provided in dental practices.

We do not indemnify primary care dental work and never have.

Primary Care Dentists would be covered by commercial indemnifiers. You may wish to contact the [British Dental Association](#) for further information.

Please find attached the requested information. This information only covers England and not the rest of the UK.

Please note claims notified and open are not guaranteed to be settled in the same year and can take many years to be concluded. Claims notified in any given year will often relate to incidents that have occurred many years prior. Claims closed and settled in one year will often relate to claims notified in different years. Many of the claims notified will have been repudiated and settled without damages paid.

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.

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 Clinical Negligence Claims where the Specialty is Dentistry, Notified between Financial Years 2010/11 and 2019/20, broken down by Primary Injury**

Notifications Clinical_NonClinical Scheme	Y Clinical CNST
<b>Year of Notification----- Primary Injury Types</b>	
<b>2010/11</b>	<b>87</b>
Psychiatric/Psychological Dmge	#
Adtn/unnecessary Operation(s)	8
Fracture	#
Burn(s)	#
Other	#
Bruising/ Extravasation	#
Unnecessary Pain	23
Cosmetic Disfigurement	#
Poor Outcome - Fractures Etc.	#
Dental Damage	35
Nerve Damage	#
Cancer	#
Anaphylact Shock/Allergic Shock/allergy	#
<b>2011/12</b>	<b>94</b>
Psychiatric/Psychological Dmge	#
Adtn/unnecessary Operation(s)	12
Fracture	5
Burn(s)	5
Other	#
Unnecessary Pain	20
Poor Outcome - Fractures Etc.	#
Dental Damage	35
Nerve Damage	9
Scarring	#
Perforation	#
Tissue Damage	#
<b>2012/13</b>	<b>97</b>
Psychiatric/Psychological Dmge	#
Adtn/unnecessary Operation(s)	7
Fracture	#
Other Infection	#
Burn(s)	#
Other	#
Unnecessary Pain	24
Other Visual Problems	#
Joint Damage	#
Dental Damage	40
Nerve Damage	8
Scarring	#
Cancer	#
Tendon Damage	#
Tissue Damage	#
<b>2013/14</b>	<b>111</b>
Fatality	#
Psychiatric/Psychological Dmge	#
Adtn/unnecessary Operation(s)	10
Fracture	5
Other Infection	#
Burn(s)	7
Other	#
Unnecessary Pain	23
Cosmetic Disfigurement	#
Cardiac Arrest	#
Joint Damage	#
Dental Damage	45
Multiple Injuries	#
Nerve Damage	5
Scarring	#
Cancer	#
Tissue Damage	#
Anaphylact Shock/Allergic Shock/allergy	#
<b>2014/15</b>	<b>114</b>
Fatality	#
Psychiatric/Psychological Dmge	#
Adtn/unnecessary Operation(s)	15
Fracture	#
Other Infection	#
Burn(s)	6
Other	#
Brain Damage	#

**Table 1: Number of Clinical Negligence Claims where the Specialty is Dentistry, Notified between Financial Years 2010/11 and 2019/20, broken down by Primary Injury**

Notifications Clinical_NonClinical Scheme	Y Clinical CNST
<b>Year of Notification----- Primary Injury Types</b>	
Unnecessary Pain	24
Cosmetic Disfigurement	#
Joint Damage	#
Dental Damage	40
Nerve Damage	8
Scarring	#
H.I.V.	#
Bodily Harm/Murder	#
Anaphylact Shock/Allergic Shock/allergy	#
<b>2015/16</b>	<b>120</b>
Fatality	#
Psychiatric/Psychological Dmge	#
Adtn/unnecessary Operation(s)	10
Fracture	#
Other Infection	#
Burn(s)	#
Unnecessary Pain	31
Meningitis	#
Cosmetic Disfigurement	#
Advanced Stage Cancer	#
Dental Damage	53
Nerve Damage	9
Scarring	#
Cancer	#
Benign Tumour	#
<b>2016/17</b>	<b>125</b>
Adtn/unnecessary Operation(s)	11
Fracture	#
Other Infection	#
Burn(s)	#
Other	#
Unnecessary Pain	38
Dislocation	#
Cosmetic Disfigurement	#
Poor Outcome - Fractures Etc.	#
Dental Damage	46
Nerve Damage	13
Scarring	#
Fistula	#
<b>2017/18</b>	<b>87</b>
Adtn/unnecessary Operation(s)	8
Burn(s)	#
Other	#
Bruising/ Extravasation	#
Unnecessary Pain	27
Dental Damage	34
Nerve Damage	10
Scarring	#
Infectious Diseases	#
<b>2018/19</b>	<b>76</b>
Fatality	#
Adtn/unnecessary Operation(s)	10
Other Infection	#
Burn(s)	#
Other	#
Unnecessary Pain	16
Cosmetic Disfigurement	#
Dental Damage	31
Nerve Damage	9
Cancer	#
Tissue Damage	#
<b>2019/20</b>	<b>78</b>
Fatality	#
Psychiatric/Psychological Dmge	#
Adtn/unnecessary Operation(s)	12
Fracture	#
Other Infection	#
Burn(s)	#
Unnecessary Pain	12
Dental Damage	28
Nerve Damage	12

Table 1: Number of Clinical Negligence Claims where the Specialty is Dentistry, Notified between Financial Years 2010/11 and 2019/20, broken down by Primary Injury

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Notifications		Y
Clinical_NonClinical	Scheme	Clinical CNST
Year of Notification----- Primary Injury Types		No. of Claims
Scarring		#
<b>Grand Total</b>		<b>989</b>

**Table 2: Number of Clinical Negligence Claims where the Specialty is Dentistry, Notified between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

Notifications	Y
Clinical_NonClinical	Clinical
Scheme	CNST

Year of Notification----- Primary Cause Types	No. of Claims
<b>2010/11</b>	<b>87</b>
Application Of Excess Force	#
Bacterial Infection	#
Delay In Performing Operation	#
Equipment Malfunction	#
Fail / Delay Treatment	14
Fail To Recog. Complication Of	#
Fail To Warn-Informed Consent	6
Failure To Perform Tests	#
Failure To X-Ray	#
Failure/Delay Diagnosis	#
Foreign Body Left In Situ	#
Inadequate Monitoring Intra-Op	#
Inappropriate Treatment	18
Intra-Op Problems	12
Lack Of Facilities/Equipment	#
Lack Of Pre-Op Evaluation	#
Medication Errors	#
Operator Error	5
Other	#
Tooth Inj & Patient Posit Prob	6
Wrong Diagnosis	#
Wrong Site Surgery	6
<b>2011/12</b>	<b>94</b>
Application Of Excess Force	#
Bacterial Infection	#
Equipment Malfunction	#
Fail / Delay Treatment	19
Fail To Follow-Up Arrangements	#
Fail To Recog. Complication Of	#
Fail To Supervise	#
Fail To Warn-Informed Consent	6
Failure To Perform Operation	#
Failure To X-Ray	#
Failure/Delay Diagnosis	6
Foreign Body Left In Situ	#
Inadequate Monitoring Intra-Op	#
Inappropriate Treatment	15
Intra-Op Problems	13
Lack Of Pre-Op Evaluation	#
Operator Error	7
Other	#
Tooth Inj & Patient Posit Prob	#
Wrong Site Surgery	#
<b>2012/13</b>	<b>97</b>
Application Of Excess Force	#
Delay In Performing Operation	#
Equipment Malfunction	#
Err With Agnt/Dose/Route/Selec	#
Fail / Delay Treatment	21
Fail To Follow-Up Arrangements	#
Fail To Recog. Complication Of	#
Fail To Supervise	#
Fail To Warn-Informed Consent	10
Fail/Delay Referring To Hosp.	#
Failure To Perform Operation	#
Failure/Delay Diagnosis	#
Improp. Delegation To Junior	#
Inappropriate Treatment	15
Intra-Op Problems	9
Lack Of Assistance/Care	#

**Table 2: Number of Clinical Negligence Claims where the Specialty is Dentistry, Notified between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

Notifications Clinical_NonClinical Scheme	Y Clinical CNST
<b>Year of Notification----- Primary Cause Types</b>	
Lack Of Pre-Op Evaluation	#
Operator Error	12
Other	#
Perform. Of Op. Not Indicated	#
Tooth Inj & Patient Posit Prob	5
Wrong Diagnosis	#
Wrong Site Surgery	#
<b>2013/14</b>	<b>111</b>
Application Of Excess Force	#
Equipment Malfunction	#
Fail / Delay Treatment	23
Fail To Act On Abnorm Test Res	#
Fail To Follow-Up Arrangements	#
Fail To Supervise	#
Fail To Warn-Informed Consent	8
Fail/Delay Referring To Hosp.	#
Failure To Perform Operation	#
Failure To Perform Tests	#
Failure/Delay Diagnosis	8
Foreign Body Left In Situ	#
Inadequate Monitoring Intra-Op	#
Inadequate Nursing Care	#
Inappropriate Treatment	22
Incorrect Injection Site	#
Intra-Op Problems	11
Lack Of Assistance/Care	#
Medication Errors	#
Operator Error	13
Other	#
Perform. Of Op. Not Indicated	#
Tooth Inj & Patient Posit Prob	5
<b>2014/15</b>	<b>114</b>
Bacterial Infection	#
Equipment Malfunction	5
Err With Agnt/Dose/Route/Selec	#
Fail / Delay Treatment	25
Fail To Follow-Up Arrangements	#
Fail To Recog. Complication Of	#
Fail To Supervise	#
Fail To Warn-Informed Consent	5
Failure To Interpret X-Ray	#
Failure To X-Ray	#
Failure/Delay Diagnosis	#
Foreign Body Left In Situ	#
Inappropriate Treatment	16
Intra-Op Problems	14
Lack Of Assistance/Care	#
Lack Of Pre-Op Evaluation	#
Operator Error	10
Other	#
Perform. Of Op. Not Indicated	#
Tooth Inj & Patient Posit Prob	7
Wrong Diagnosis	#
Wrong Site Surgery	11
<b>2015/16</b>	<b>120</b>
Application Of Excess Force	#
Equipment Malfunction	#
Err With Agnt/Dose/Route/Selec	#
Fail / Delay Treatment	50
Fail To Carry Out PO Observs.	#
Fail To Recog. Complication Of	#



**Table 2: Number of Clinical Negligence Claims where the Specialty is Dentistry, Notified between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

Notifications Clinical_NonClinical Scheme	Y Clinical CNST
<b>Year of Notification----- Primary Cause Types</b>	
	<b>No. of Claims</b>
Fail To Warn-Informed Consent	8
Fail/Delay Referring To Hosp.	#
Failure To Perform Tests	#
Failure/Delay Diagnosis	7
Foreign Body Left In Situ	#
Inappropriate Treatment	15
Intra-Op Problems	8
Lack Of Assistance/Care	#
Operator Error	#
Other	#
Perform. Of Op. Not Indicated	#
Tooth Inj & Patient Posit Prob	6
Wrong Site Surgery	8
<b>2016/17</b>	<b>125</b>
Delay In Performing Operation	#
Equipment Malfunction	#
Fail / Delay Treatment	43
Fail To Follow-Up Arrangements	#
Fail To Recog. Complication Of	#
Fail To Supervise	#
Fail To Warn-Informed Consent	7
Fail/Delay Admitting To Hosp.	#
Fail/Delay Referring To Hosp.	#
Failure To Interpret X-Ray	#
Failure To Perform Operation	#
Failure/Delay Diagnosis	6
Inadequate Monitoring Intra-Op	#
Inappropriate Treatment	15
Intra-Op Problems	7
Operator Error	14
Perform. Of Op. Not Indicated	#
Probs With Medical Records	#
Tooth Inj & Patient Posit Prob	8
Wrong Site Surgery	5
<b>2017/18</b>	<b>87</b>
Equipment Malfunction	#
Fail / Delay Treatment	28
Fail To Follow-Up Arrangements	#
Fail To Infrm Test Rslts	#
Fail To Warn-Informed Consent	9
Fail/Delay Referring To Hosp.	#
Failure To Interpret X-Ray	#
Failure To Perform Operation	#
Failure To X-Ray	#
Failure/Delay Diagnosis	#
Improp. Delegation To Junior	#
Inappropriate Treatment	11
Intra-Op Problems	9
Intubation Problems	#
Lack Of Assistance/Care	#
Operator Error	#
Perform. Of Op. Not Indicated	#
Tooth Inj & Patient Posit Prob	#
Wrong Site Surgery	7
<b>2018/19</b>	<b>76</b>
Delay In Performing Operation	#
Equipment Malfunction	5
Fail / Delay Treatment	18
Fail To Act On Abnorm Test Res	#
Fail To Recog. Complication Of	#
Fail To Warn-Informed Consent	#

**Table 2: Number of Clinical Negligence Claims where the Specialty is Dentistry, Notified between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

Notifications	Y
Clinical_NonClinical	Clinical
Scheme	CNST

Year of Notification----- Primary Cause Types	No. of Claims
Fail/Delay Referring To Hosp.	#
Failure To Interpret X-Ray	#
Failure/Delay Diagnosis	#
Inappropriate Treatment	10
Intra-Op Problems	6
Lack Of Assistance/Care	#
Medication Errors	#
Operator Error	5
Perform. Of Op. Not Indicated	#
Tooth Inj & Patient Posit Prob	7
Wrong Site Surgery	9
<b>2019/20</b>	<b>78</b>
Cross Infection	#
Delay In Performing Operation	#
Equipment Malfunction	#
Fail / Delay Treatment	30
Fail To Infrm Test Rslts	#
Fail To Recog. Complication Of	#
Fail To Warn-Informed Consent	9
Failure To Interpret X-Ray	#
Failure/Delay Diagnosis	#
Foreign Body Left In Situ	#
Inappropriate Treatment	#
Intra-Op Problems	6
Lack Of Pre-Op Evaluation	#
Operator Error	8
Perform. Of Op. Not Indicated	#
Tooth Inj & Patient Posit Prob	#
Wrong Diagnosis	#
Wrong Site Surgery	#
<b>Grand Total</b>	<b>989</b>

**Table 3: Number and Cost of Clinical Negligence Claims where the Specialty is Dentistry, Closed or Settled with Damages Paid between Financial Years 2010/11 and 2019/20, broken down by Primary Injury**

Closed_Settled	Y
Clinical_NonClinical	Clinical
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>2010/11</b>	<b>44</b>	<b>403,828</b>	<b>103,306</b>	<b>491,306</b>	<b>998,440</b>
Psychiatric/Psychological Dmge	#	#	#	#	#
Adtnl/unnecessary Operation(s)	5	22,500	1,502	33,015	57,017
Other Infection	#	#	#	#	#
Burn(s)	#	#	#	#	#
Unnecessary Pain	8	27,600	15,479	24,107	67,186
Cosmetic Disfigurement	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Dental Damage	16	170,388	40,933	161,961	373,282
Nerve Damage	#	#	#	#	#
Scarring	#	#	#	#	#
Tissue Damage	#	#	#	#	#
<b>2011/12</b>	<b>57</b>	<b>431,876</b>	<b>84,909</b>	<b>479,699</b>	<b>996,484</b>
Adtnl/unnecessary Operation(s)	7	45,460	5,632	61,583	112,675
Fracture	#	#	#	#	#
Other Infection	#	#	#	#	#
Burn(s)	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Unnecessary Pain	10	75,050	8,916	43,725	127,691
Dental Damage	29	177,669	52,900	262,441	493,010
Nerve Damage	5	99,125	6,461	59,950	165,536
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
<b>2012/13</b>	<b>72</b>	<b>475,097</b>	<b>146,321</b>	<b>799,921</b>	<b>1,421,338</b>
Adtnl/unnecessary Operation(s)	6	49,547	5,395	63,140	118,082
Fracture	#	#	#	#	#
Burn(s)	6	37,279	7,726	78,050	123,055
Other	#	#	#	#	#
Unnecessary Pain	17	48,239	59,187	174,600	282,026
Other Visual Problems	#	#	#	#	#
Dental Damage	33	201,388	48,375	311,169	560,933
Nerve Damage	#	#	#	#	#
Scarring	#	#	#	#	#
<b>2013/14</b>	<b>51</b>	<b>407,565</b>	<b>61,720</b>	<b>587,995</b>	<b>1,057,280</b>
Psychiatric/Psychological Dmge	#	#	#	#	#
Adtnl/unnecessary Operation(s)	8	68,047	6,248	108,472	182,767
Fracture	#	#	#	#	#
Burn(s)	#	#	#	#	#
Other	#	#	#	#	#
Unnecessary Pain	10	46,218	6,121	55,855	108,194
Poor Outcome - Fractures Etc.	#	#	#	#	#
Dental Damage	18	106,650	27,119	206,520	340,289
Nerve Damage	6	91,000	11,718	91,218	193,936
Scarring	#	#	#	#	#
<b>2014/15</b>	<b>54</b>	<b>487,744</b>	<b>96,896</b>	<b>811,698</b>	<b>1,396,338</b>
Adtnl/unnecessary Operation(s)	6	53,500	11,529	81,507	146,536
Fracture	#	#	#	#	#
Other Infection	#	#	#	#	#

**Table 3: Number and Cost of Clinical Negligence Claims where the Specialty is Dentistry, Closed or Settled with Damages Paid between Financial Years 2010/11 and 2019/20, broken down by Primary Injury**

Closed_Settled	Y
Clinical_NonClinical	Clinical
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
Burn(s)	#	#	#	#	#
Other	#	#	#	#	#
Unnecessary Pain	7	46,750	11,691	93,451	151,892
Poor Outcome - Fractures Etc.	#	#	#	#	#
Dental Damage	29	208,525	57,154	463,542	729,220
Nerve Damage	#	#	#	#	#
Scarring	#	#	#	#	#
Tissue Damage	#	#	#	#	#
<b>2015/16</b>	<b>60</b>	<b>490,929</b>	<b>102,568</b>	<b>807,643</b>	<b>1,401,139</b>
Psychiatric/Psychological Dmge	#	#	#	#	#
Adtnl/unnecessary Operation(s)	9	74,448	12,065	114,237	200,750
Other Infection	#	#	#	#	#
Burn(s)	6	51,715	6,271	84,671	142,657
Other	#	#	#	#	#
Unnecessary Pain	8	71,796	15,070	96,375	183,242
Cosmetic Disfigurement	#	#	#	#	#
Dental Damage	24	181,385	49,177	389,743	620,305
Nerve Damage	#	#	#	#	#
Scarring	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Bodily Harm/Murder	#	#	#	#	#
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
<b>2016/17</b>	<b>60</b>	<b>588,039</b>	<b>188,501</b>	<b>1,063,516</b>	<b>1,840,055</b>
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Adtnl/unnecessary Operation(s)	10	76,585	20,082	131,326	227,993
Fracture	#	#	#	#	#
Other Infection	#	#	#	#	#
Burn(s)	7	57,500	15,943	88,125	161,568
Unnecessary Pain	8	44,700	16,951	144,756	206,407
Cosmetic Disfigurement	#	#	#	#	#
Dental Damage	22	172,407	64,898	363,044	600,348
Nerve Damage	#	#	#	#	#
Scarring	#	#	#	#	#
<b>2017/18</b>	<b>60</b>	<b>871,749</b>	<b>285,703</b>	<b>1,507,479</b>	<b>2,664,931</b>
Fatality	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Adtnl/unnecessary Operation(s)	11	104,065	23,629	118,769	246,463
Other Infection	#	#	#	#	#
Burn(s)	#	#	#	#	#
Unnecessary Pain	10	42,250	17,277	136,250	195,777
Dental Damage	22	200,857	87,993	388,627	677,477
Nerve Damage	5	250,435	66,644	213,325	530,404
Scarring	#	#	#	#	#
Cancer	#	#	#	#	#
<b>2018/19</b>	<b>55</b>	<b>903,984</b>	<b>208,768</b>	<b>977,258</b>	<b>2,090,010</b>
Adtnl/unnecessary Operation(s)	#	#	#	#	#

**Table 3: Number and Cost of Clinical Negligence Claims where the Specialty is Dentistry, Closed or Settled with Damages Paid between Financial Years 2010/11 and 2019/20, broken down by Primary Injury**

Closed_Settled	Y
Clinical_NonClinical	Clinical
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
Fracture	#	#	#	#	#
Burn(s)	#	#	#	#	#
Other	#	#	#	#	#
Unnecessary Pain	9	142,164	30,676	178,629	351,469
Poor Outcome - Fractures Etc.	#	#	#	#	#
Dental Damage	21	295,107	76,960	401,297	773,364
Nerve Damage	13	280,602	56,128	198,129	534,859
Tissue Damage	#	#	#	#	#
Benign Tumour	#	#	#	#	#
<b>2019/20</b>	<b>64</b>	<b>784,403</b>	<b>245,962</b>	<b>1,076,616</b>	<b>2,106,981</b>
Adtnl/unnecessary Operation(s)	#	#	#	#	#
Fracture	#	#	#	#	#
Other Infection	#	#	#	#	#
Burn(s)	#	#	#	#	#
Unnecessary Pain	13	140,308	84,287	299,900	524,495
Cosmetic Disfigurement	#	#	#	#	#
Dental Damage	34	316,977	79,780	469,132	865,889
Nerve Damage	7	225,044	52,954	166,734	444,732
<b>Grand Total</b>	<b>577</b>	<b>5,845,213</b>	<b>1,524,654</b>	<b>8,603,129</b>	<b>15,972,996</b>

**Table 4: Number and Cost of Clinical Negligence Claims where the Specialty is Dentistry, Closed or Settled with Damages Paid between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

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>2010/11</b>	<b>44</b>	<b>403,828</b>	<b>103,306</b>	<b>491,306</b>	<b>998,440</b>
Fail / Delay Treatment	7	121,900	70,872	190,845	383,617
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	8	61,353	3,695	51,192	116,240
Operator Error	10	62,340	7,128	70,644	140,113
Foreign Body Left In Situ	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Unknown	#	#	#	#	#
Tooth Inj & Patient Posit Prob	#	#	#	#	#
<b>2011/12</b>	<b>57</b>	<b>431,876</b>	<b>84,909</b>	<b>479,699</b>	<b>996,484</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	8	73,072	13,700	88,298	175,070
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	7	102,505	13,787	70,700	186,992
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	10	44,619	7,420	26,815	78,854
Intra-Op Problems	8	47,604	17,215	71,887	136,706
Other	#	#	#	#	#
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Application Of Excess Force	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Medication Errors	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Tooth Inj & Patient Posit Prob	#	#	#	#	#
<b>2012/13</b>	<b>72</b>	<b>475,097</b>	<b>146,321</b>	<b>799,921</b>	<b>1,421,338</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	28	90,309	72,381	263,334	426,024
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	7	58,797	26,617	109,950	195,364
Intra-Op Problems	6	39,847	6,938	86,800	133,585
Lack Of Facilities/Equipment	#	#	#	#	#
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Application Of Excess Force	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Tooth Inj & Patient Posit Prob	#	#	#	#	#
<b>2013/14</b>	<b>51</b>	<b>407,565</b>	<b>61,720</b>	<b>587,995</b>	<b>1,057,280</b>

**Table 4: Number and Cost of Clinical Negligence Claims where the Specialty is Dentistry, Closed or Settled with Damages Paid between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

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
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	6	17,797	4,397	28,600	50,794
Fail To Warn-Informed Consent	5	87,250	10,709	68,018	165,977
Failure To Perform Operation	#	#	#	#	#
Inappropriate Treatment	11	69,800	20,649	152,975	243,424
Intra-Op Problems	9	56,950	5,732	77,872	140,554
Lack Of Assistance/Care	#	#	#	#	#
Other	#	#	#	#	#
Operator Error	6	62,068	4,993	57,575	124,636
Foreign Body Left In Situ	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Tooth Inj & Patient Posit Prob	#	#	#	#	#
<b>2014/15</b>	<b>54</b>	<b>487,744</b>	<b>96,896</b>	<b>811,698</b>	<b>1,396,338</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	5	16,250	5,942	53,722	75,914
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	7	144,219	14,571	145,259	304,049
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	10	82,350	13,204	134,207	229,761
Intra-Op Problems	7	53,500	10,016	116,534	180,050
Operator Error	6	54,500	11,449	82,505	148,454
Fail/Delay Referring To Hosp.	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Tooth Inj & Patient Posit Prob	5	44,500	7,064	79,183	130,747
<b>2015/16</b>	<b>60</b>	<b>490,929</b>	<b>102,568</b>	<b>807,643</b>	<b>1,401,139</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	7	90,719	10,107	83,982	184,808
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	6	40,025	13,513	55,500	109,038
Intra-Op Problems	5	57,585	20,977	148,000	226,562
Operator Error	9	50,250	11,902	96,564	158,716
Fail/Delay Referring To Hosp.	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Wrong Site Surgery	10	35,350	3,178	30,442	68,971
Incorrect Injection Site	#	#	#	#	#
Tooth Inj & Patient Posit Prob	#	#	#	#	#
<b>2016/17</b>	<b>60</b>	<b>588,039</b>	<b>188,501</b>	<b>1,063,516</b>	<b>1,840,055</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	11	78,654	28,758	134,060	241,471
Fail To Warn-Informed Consent	#	#	#	#	#
Failure/Delay Diagnosis	5	28,600	11,216	93,167	132,983

**Table 4: Number and Cost of Clinical Negligence Claims where the Specialty is Dentistry, Closed or Settled with Damages Paid between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

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
Inappropriate Treatment	7	83,000	24,187	104,656	211,843
Intra-Op Problems	9	84,965	51,173	282,393	418,531
Lack Of Assistance/Care	#	#	#	#	#
Other	#	#	#	#	#
Operator Error	6	34,000	12,384	80,350	126,734
Application Of Excess Force	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Wrong Site Surgery	5	30,000	11,104	77,700	118,804
Tooth Inj & Patient Posit Prob	5	41,438	5,984	98,524	145,946
<b>2017/18</b>	<b>60</b>	<b>871,749</b>	<b>285,703</b>	<b>1,507,479</b>	<b>2,664,931</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	16	167,494	82,372	664,865	914,731
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Warn-Informed Consent	6	96,649	28,297	94,325	219,271
Failure/Delay Diagnosis	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	8	119,599	47,178	238,527	405,304
Intra-Op Problems	7	203,052	58,967	205,415	467,434
Other	#	#	#	#	#
Operator Error	6	42,068	9,991	41,542	93,601
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Probs With Medical Records	#	#	#	#	#
Tooth Inj & Patient Posit Prob	#	#	#	#	#
<b>2018/19</b>	<b>55</b>	<b>903,984</b>	<b>208,768</b>	<b>977,258</b>	<b>2,090,010</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	15	102,677	50,914	209,872	363,462
Fail To Warn-Informed Consent	5	64,500	16,521	82,250	163,271
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	9	115,937	30,206	192,579	338,721
Intra-Op Problems	8	194,754	37,417	135,247	367,418
Operator Error	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Intubation Problems	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Wrong Site Surgery	5	93,000	6,561	89,260	188,821
Tooth Inj & Patient Posit Prob	5	113,840	22,286	107,797	243,923
<b>2019/20</b>	<b>64</b>	<b>784,403</b>	<b>245,962</b>	<b>1,076,616</b>	<b>2,106,981</b>
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	16	221,881	57,663	308,555	588,099
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	#	#	#	#	#
Inappropriate Treatment	6	99,147	35,029	90,200	224,376
Intra-Op Problems	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	5	60,702	13,299	64,634	138,635
Fail/Delay Referring To Hosp.	#	#	#	#	#



**Table 4: Number and Cost of Clinical Negligence Claims where the Specialty is Dentistry, Closed or Settled with Damages Paid between Financial Years 2010/11 and 2019/20, broken down by Primary Cause**

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
----- Primary Causes					
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Wrong Site Surgery	8	43,050	9,493	49,509	102,051
Tooth Inj & Patient Posit Prob	7	51,425	6,238	80,475	138,138
<b>Grand Total</b>	<b>577</b>	<b>5,845,213</b>	<b>1,524,654</b>	<b>8,603,129</b>	<b>15,972,996</b>