



Resolution

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

August 2021
FOI_5140

The following information was requested on 6 August 2021:

[Clarification sought on 4 August 2021]

We have responded to FOI requests about Ophthalmology claims.

Please see the following link:

https://resolution.nhs.uk/wp-content/uploads/2019/07/FOI_3780_ophthalmology.pdf

Is this the type of information you are interested in?

[Clarification received on 6 August 2021]

That couldn't be more helpful -

1) do you have more up to date?

2) Also - can I have a copy of you panel of solicitors NHS-R instruct to deal with negligence claims?

Our Response

In terms of Q1 please find attached the requested information. Please note claims notified/received and open are not guaranteed to be settled in the same year and can take many years to be concluded. Claims notified/received in any given year will often relate to incidents that have occurred many years prior. 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.

Many of the claims notified will have been repudiated and settled without damages paid.

Please note 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(3A) (a) 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.

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.

In terms of Q2 of your request the current clinical panel of solicitors are:

Hill Dickinson
Hempsons
Capsticks
DAC Beachcroft
Weightmans
Kennedys
Clyde & Co
Ward Hadaway
Bevan Brittan
Browne Jacobson

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.

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[Table 2: Number and Cost of Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology. \(includes the damages paid to date for any claims settled on a periodical payment order basis\)](#)

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[Table 4: Analysis of Primary Injuries for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology \(includes the damages paid to date for any claims settled on a periodical payment order\)](#)

[Table 5: Analysis of Primary Causes for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology \(includes the damages paid to date for any claims settled on a periodical payment order\)](#)

Table 1: Number of Claims received between financial years 2008/09 to 2020/21 for the Specialty Ophthalmology. Shown are numbers for closed and open cases.

Notifications	Y
Clinical_NonClinical	Clinical

Year of Notification	No. of Claims
2008/09	
Closed	108
Open	#
2009/10	
Closed	156
Open	#
2010/11	
Closed	178
2011/12	
Closed	156
Open	#
2012/13	
Closed	201
Open	6
2013/14	
Closed	238
Open	#
2014/15	
Closed	220
Open	9
2015/16	
Closed	245
Open	10
2016/17	
Closed	252
Open	19
2017/18	
Closed	219
Open	35
2018/19	
Closed	178
Open	63
2019/20	
Closed	145
Open	126
2020/21	
Closed	49
Open	180
Grand Total	2,805



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Table 2: Number and Cost of Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology. (includes the damages paid to date for any claims settled on a periodical payment order basis)

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
2008/09	61	7,477,765	608,624	1,721,062	9,807,452
2009/10	84	3,901,880	735,116	2,048,972	6,685,968
2010/11	115	8,712,979	1,170,100	3,721,299	13,604,377
2011/12	89	11,260,904	911,935	3,127,481	15,300,320
2012/13	97	8,927,673	761,006	3,448,268	13,136,947
2013/14	107	8,293,524	674,763	3,277,079	12,245,366
2014/15	127	11,096,432	1,233,584	5,820,511	18,150,527
2015/16	120	7,435,555	901,043	5,107,276	13,443,874
2016/17	159	11,866,105	1,612,035	8,082,647	21,560,787
2017/18	150	14,163,248	1,393,845	6,520,199	22,077,291
2018/19	153	16,142,523	1,666,970	6,117,903	23,927,395
2019/20	195	22,278,943	2,229,523	8,156,393	32,664,859
2020/21	164	17,959,834	1,832,196	6,902,680	26,694,710
Grand Total	1,621	149,517,365	15,730,739	64,051,769	229,299,873

Table 3: Number and Cost of Claims Closed between financial years 2008/09 to 2020/21 with NIL damages paid for the Specialty Ophthalmology.

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	NIL Damages

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2008/09	36	0	41,851	0	41,851
2009/10	50	0	136,459	2,300	138,759
2010/11	55	0	112,783	3,115	115,823
2011/12	56	0	80,010	0	80,010
2012/13	51	0	57,298	0	57,298
2013/14	69	0	124,774	1,000	125,774
2014/15	63	0	96,041	106	96,148
2015/16	69	0	154,817	11,635	165,777
2016/17	92	0	274,710	3,950	278,660
2017/18	76	0	244,410	0	244,410
2018/19	89	0	410,570	0	410,570
2019/20	69	0	290,953	0	290,953
2020/21	73	0	351,461	0	351,461
Grand Total	848	0	2,376,138	22,106	2,397,493

Table 4: Analysis of Primary Injuries for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injuries	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2008/09	61	7,477,765	608,624	1,721,062	9,807,452
Adtnl/unnecessary Operation(s)	11	198,000	48,265	227,103	473,368
Cosmetic Disfigurement	#	#	#	#	#
Fatality	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Other Visual Problems	26	1,084,071	190,712	574,532	1,849,314
Unnecessary Pain	6	65,900	20,947	71,597	158,444
Fracture	#	#	#	#	#
Blindness	13	5,981,294	324,089	772,481	7,077,864
Cancer	#	#	#	#	#
2009/10	84	3,901,880	735,116	2,048,972	6,685,968
Adtnl/unnecessary Operation(s)	11	206,060	34,925	191,894	432,878
Amputation - Lower	#	#	#	#	#
Fatality	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	33	1,036,167	246,202	735,472	2,017,841
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	8	363,273	67,961	257,450	688,683
Fracture	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Other Infection	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Unknown	#	#	#	#	#
Blindness	17	1,582,453	226,594	488,140	2,297,186
Cancer	#	#	#	#	#
2010/11	115	8,712,979	1,170,100	3,721,299	13,604,377
Adtnl/unnecessary Operation(s)	18	418,287	54,593	328,896	801,777
Cosmetic Disfigurement	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	58	3,798,469	519,429	1,729,820	6,047,718
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Scarring	#	#	#	#	#
Unnecessary Pain	#	#	#	#	#
Fracture	#	#	#	#	#
Other Infection	#	#	#	#	#
Blindness	23	3,881,671	498,926	1,191,146	5,571,743
Cardiac Arrest	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Bodily Harm/Murder	#	#	#	#	#
2011/12	89	11,260,904	911,935	3,127,481	15,300,320
Adtnl/unnecessary Operation(s)	10	313,842	57,139	231,961	602,942
Other	#	#	#	#	#
Other Visual Problems	49	1,153,399	188,485	947,185	2,289,069
Scarring	#	#	#	#	#
Unnecessary Pain	5	131,106	45,543	249,939	426,588
Brain Damage	#	#	#	#	#
Blindness	18	4,816,005	380,927	1,174,646	6,371,578
Advanced Stage Cancer	#	#	#	#	#
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
Head Injuries	#	#	#	#	#
2012/13	97	8,927,673	761,006	3,448,268	13,136,947
Adtnl/unnecessary Operation(s)	12	180,695	41,190	229,555	451,440
Other	#	#	#	#	#
Other Visual Problems	49	4,348,765	396,890	2,048,329	6,793,984

Table 4: Analysis of Primary Injuries for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injuries	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Psychiatric/Psychological Dmge	#	#	#	#	#
Scarring	#	#	#	#	#
Unnecessary Pain	13	308,822	66,245	193,180	568,247
Bruising/ Extravasation	#	#	#	#	#
Blindness	18	3,996,136	231,575	872,272	5,099,983
2013/14	107	8,293,524	674,763	3,277,079	12,245,366
Adtnl/unnecessary Operation(s)	10	117,336	16,430	163,000	296,766
Fatality	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	49	1,705,698	326,838	1,525,662	3,558,198
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	9	49,409	6,490	97,100	153,000
Bruising/ Extravasation	#	#	#	#	#
Burn(s)	#	#	#	#	#
Stroke	#	#	#	#	#
Blindness	27	6,122,871	272,333	1,233,068	7,628,272
Advanced Stage Cancer	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
2014/15	127	11,096,432	1,233,584	5,820,511	18,150,527
Adtnl/unnecessary Operation(s)	9	64,620	23,301	218,106	306,028
Fatality	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	68	3,365,368	545,029	2,655,326	6,565,723
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	9	143,750	16,769	155,083	315,602
Fracture	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Brain Damage	#	#	#	#	#
Blindness	27	6,034,657	541,621	2,268,795	8,845,073
Benign Tumour	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
2015/16	120	7,435,555	901,043	5,107,276	13,443,874
Adtnl/unnecessary Operation(s)	18	329,056	46,147	367,462	742,664
Fatality	#	#	#	#	#
Nerve Damage	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	54	3,205,433	435,444	2,517,749	6,158,626
Psychiatric/Psychological Dmge	#	#	#	#	#
Scarring	#	#	#	#	#
Unnecessary Pain	13	239,035	51,666	502,909	793,610
Perforation	#	#	#	#	#
Multiple Injuries	#	#	#	#	#
Bruising/ Extravasation	#	#	#	#	#
Burn(s)	#	#	#	#	#
Brain Damage	#	#	#	#	#
Blindness	23	2,190,054	209,221	993,941	3,393,216
Cancer	#	#	#	#	#
2016/17	159	11,866,105	1,612,035	8,082,647	21,560,787
Adtnl/unnecessary Operation(s)	11	820,020	106,367	572,538	1,498,925
Fatality	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	95	5,073,047	888,428	4,352,591	10,314,066
Scarring	#	#	#	#	#
Unnecessary Pain	5	58,709	5,112	59,178	122,998
Multiple Injuries	#	#	#	#	#

Table 4: Analysis of Primary Injuries for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
Clinical_NonClinical	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injuries	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Other Infection	#	#	#	#	#
Burn(s)	#	#	#	#	#
Blindness	35	5,395,591	501,468	2,579,423	8,476,482
Cardiac Arrest	#	#	#	#	#
Cancer	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
Partial Paralysis	#	#	#	#	#
2017/18	150	14,163,248	1,393,845	6,520,199	22,077,291
Adtnl/unnecessary Operation(s)	13	778,937	110,917	463,483	1,353,337
Nerve Damage	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	68	4,421,104	543,431	2,447,689	7,412,224
Unnecessary Pain	18	364,475	82,440	621,291	1,068,206
Fracture	#	#	#	#	#
Perforation	#	#	#	#	#
Tissue Damage	#	#	#	#	#
Other Infection	#	#	#	#	#
Decompression Illness	#	#	#	#	#
Stroke	#	#	#	#	#
Blindness	36	8,054,557	543,957	2,266,120	10,864,634
Cardiac Arrest	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Malignant Tumour	#	#	#	#	#
Cystic Growth	#	#	#	#	#
2018/19	153	16,142,523	1,666,970	6,117,903	23,927,395
Adtnl/unnecessary Operation(s)	15	551,507	94,129	448,430	1,094,067
Dental Damage	#	#	#	#	#
Not Specified	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	62	5,481,057	691,736	2,661,059	8,833,853
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Unnecessary Pain	12	593,823	67,343	388,425	1,049,591
Fracture	5	58,416	23,162	111,500	193,078
Perforation	#	#	#	#	#
Other Infection	#	#	#	#	#
Brain Damage	#	#	#	#	#
Stroke	#	#	#	#	#
Blindness	40	5,452,171	491,561	1,528,881	7,472,613
Cardiac Arrest	#	#	#	#	#
Cancer	#	#	#	#	#
Reduced Life Expectancy	#	#	#	#	#
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
Chromosomal Abnormality	#	#	#	#	#
2019/20	195	22,278,943	2,229,523	8,156,393	32,664,859
Adtnl/unnecessary Operation(s)	20	1,373,000	163,774	600,849	2,137,624
Cosmetic Disfigurement	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	95	5,823,813	842,583	3,184,744	9,851,140
Poor Outcome - Fractures Etc.	#	#	#	#	#
Psychiatric/Psychological Dmge	#	#	#	#	#
Scarring	#	#	#	#	#
Unnecessary Pain	13	299,775	84,342	343,116	727,233
Other Infection	#	#	#	#	#
Thrombosis/Embolism	#	#	#	#	#
Burn(s)	#	#	#	#	#
Brain Damage	#	#	#	#	#

Table 4: Analysis of Primary Injuries for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology (includes the damages paid to date for any claims settled on a periodical payment order basis)

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 Injuries					
Blindness	48	9,323,686	801,999	2,739,168	12,864,854
Cancer	#	#	#	#	#
Advanced Stage Cancer	#	#	#	#	#
Partial Paralysis	#	#	#	#	#
Oedema	#	#	#	#	#
Aneurysm	#	#	#	#	#
2020/21	164	17,959,834	1,832,196	6,902,680	26,694,710
Adtnl/unnecessary Operation(s)	13	447,710	92,431	583,825	1,123,966
Fatality	#	#	#	#	#
Other	#	#	#	#	#
Other Visual Problems	78	4,096,753	636,102	2,486,239	7,219,094
Poor Outcome - Fractures Etc.	#	#	#	#	#
Scarring	#	#	#	#	#
Unnecessary Pain	13	274,387	54,175	346,800	675,362
Fracture	#	#	#	#	#
Tendon Damage	#	#	#	#	#
Infectious Diseases	#	#	#	#	#
Brain Damage	#	#	#	#	#
Stroke	#	#	#	#	#
Blindness	47	12,169,144	946,431	2,955,791	16,071,366
Cancer	#	#	#	#	#
Anaphylact Shock/Allergic Shock/allergy	#	#	#	#	#
(blank)	#	#	#	#	#
Grand Total	1,621	149,517,365	15,730,739	64,051,769	229,299,873

Table 5: Analysis of Primary Causes for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology (includes the damages paid to date for any claims settled on a periodical payment order basis)

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
2008/09	61	7,477,765	608,624	1,721,062	9,807,452
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	10	455,900	67,694	275,333	798,926
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	7	125,500	35,442	88,741	249,682
Failure/Delay Diagnosis	11	2,802,510	228,684	522,903	3,554,097
Inadqte Monitor In Recov Room	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	10	197,500	63,927	174,517	435,944
Lack Of Assistance/Care	#	#	#	#	#
Lack Of Facilities/Equipment	#	#	#	#	#
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Medication Errors	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
2009/10	84	3,901,880	735,116	2,048,972	6,685,968
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	20	808,101	120,375	433,588	1,362,064
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	5	160,000	73,343	208,705	442,048
Fail To Warn-Informed Consent	5	85,350	22,061	90,550	197,961
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	16	1,665,750	300,839	539,692	2,506,280
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	6	110,750	23,635	114,050	248,435
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	#	#	#	#	#
Not Specified	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Medication Errors	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Cross Infection	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
Unknown	#	#	#	#	#
Re-Canalisation	#	#	#	#	#
2010/11	115	8,712,979	1,170,100	3,721,299	13,604,377
Equipment Malfunction	5	84,566	8,230	55,856	148,653
Fail / Delay Treatment	31	1,574,312	217,978	788,665	2,580,955
Fail To Follow-Up Arrangements	6	1,479,984	179,266	572,626	2,231,876
Fail To Recog. Complication Of	6	483,976	21,477	231,600	737,054
Fail To Warn-Informed Consent	5	192,500	69,545	350,300	612,345
Failure/Delay Diagnosis	15	2,178,495	287,898	518,837	2,985,229
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	12	358,141	83,723	292,864	734,728
Lack Of Assistance/Care	#	#	#	#	#

Table 5: Analysis of Primary Causes for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology (includes the damages paid to date for any claims settled on a periodical payment order basis)

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
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	#	#	#	#	#
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Retained Instrument Post-Operation	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Cross Infection	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
Re-Canalisation	#	#	#	#	#
2011/12	89	11,260,904	911,935	3,127,481	15,300,320
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	25	2,953,382	237,413	757,483	3,948,277
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	9	528,795	63,698	261,461	853,954
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	12	4,937,182	347,728	1,125,300	6,410,210
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	9	157,259	26,613	153,456	337,329
Delay In Performing Operation	5	79,752	69,228	195,706	344,686
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Medication Errors	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Incorrect Injection Site	#	#	#	#	#
Fell into From Object	#	#	#	#	#
2012/13	97	8,927,673	761,006	3,448,268	13,136,947
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	28	1,126,903	257,188	1,143,003	2,527,094
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	6	204,195	29,225	144,100	377,520
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Failure/Delay Diagnosis	17	5,830,193	260,046	1,152,796	7,243,035
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	#	#	#	#	#
Intra-Op Problems	10	562,565	53,855	245,891	862,311
Lack Of Assistance/Care	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Application Of Excess Force	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#

Table 5: Analysis of Primary Causes for Claims Closed between financial years 2008/09 to 2020/21 with damages paid for the Specialty Ophthalmology (includes the damages paid to date for any claims settled on a periodical payment order basis)

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/Delay Referring To Hosp.	#	#	#	#	#
Medication Errors	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Incorrect Injection Site	#	#	#	#	#
Fail/Delay Of Avail Emgy Anaes	#	#	#	#	#
2013/14	107	8,293,524	674,763	3,277,079	12,245,366
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	30	2,256,359	245,090	1,027,595	3,529,044
Fail To Follow-Up Arrangements	#	#	#	#	#
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	6	451,000	31,723	172,250	654,973
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	18	4,071,588	199,965	1,004,471	5,276,023
Inappropriate Treatment	6	228,586	16,287	118,250	363,123
Intra-Op Problems	9	383,518	19,150	198,900	601,568
Lack Of Facilities/Equipment	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	9	315,184	72,785	148,322	536,291
Fail Antenatal Screening	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Medication Errors	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Probs With Medical Records	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
2014/15	127	11,096,432	1,233,584	5,820,511	18,150,527
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	31	1,611,123	360,439	1,430,702	3,402,264
Fail To Follow-Up Arrangements	8	2,764,311	157,844	775,212	3,697,367
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	5	376,250	55,056	272,100	703,406
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	25	3,220,370	326,773	1,670,037	5,217,180
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	11	373,049	29,897	221,092	624,038
Intra-Op Problems	8	142,400	62,345	225,833	430,578
Lack Of Assistance/Care	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	10	86,567	9,908	97,025	193,500
Inapprop. Case Selection	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
2015/16	120	7,435,555	901,043	5,107,276	13,443,874
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	29	2,601,304	290,613	1,271,810	4,163,726
Fail To Follow-Up Arrangements	5	159,566	19,190	232,586	411,342
Fail To Recog. Complication Of	#	#	#	#	#

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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 Warn-Informed Consent	5	406,000	99,919	557,611	1,063,530
Failure/Delay Diagnosis	16	908,206	172,807	735,791	1,816,804
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	11	236,600	56,781	439,347	732,728
Intra-Op Problems	12	287,850	54,641	426,465	768,956
Lack Of Assistance/Care	#	#	#	#	#
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	13	271,739	31,043	237,401	540,183
Not Specified	#	#	#	#	#
Inapprop. Case Selection	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Failed Infection Control Policy/Hospital Hygiene	#	#	#	#	#
Medication Errors	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Failure To Perform Tests	8	1,451,406	81,268	522,893	2,055,566
Bacterial Infection	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
2016/17	159	11,866,105	1,612,035	8,082,647	21,560,787
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	42	4,714,269	614,009	2,905,542	8,233,820
Fail To Follow-Up Arrangements	11	611,092	125,663	526,724	1,263,478
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	5	90,000	26,260	162,000	278,260
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	23	2,406,392	299,139	1,582,168	4,287,699
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inadequate Nursing Care	#	#	#	#	#
Inappropriate Treatment	14	334,925	63,854	398,650	797,429
Intra-Op Problems	13	1,219,865	155,210	872,896	2,247,971
Lack Of Assistance/Care	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	15	797,450	122,092	501,903	1,421,444
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Medication Errors	5	44,637	2,242	35,786	82,664
Err With Agnt/Dose/Route/Selec	5	183,316	43,566	184,200	411,082
Failure To Perform Tests	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
2017/18	150	14,163,248	1,393,845	6,520,199	22,077,291
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	38	7,681,541	469,028	2,194,775	10,345,344
Fail To Follow-Up Arrangements	9	138,562	23,423	189,424	351,409
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	26	3,859,258	512,420	2,111,953	6,483,631
Inappropriate Treatment	11	156,040	26,199	167,723	349,962
Intra-Op Problems	17	248,067	44,651	265,726	558,445
Operator Error	14	211,507	56,895	350,610	619,012
Inapprop. Case Selection	#	#	#	#	#

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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 Act On Abnorm Test Res	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Medication Errors	5	112,000	5,591	60,665	178,256
Err With Agnt/Dose/Route/Selec	5	84,065	6,249	44,123	134,437
Perform. Of Op. Not Indicated	#	#	#	#	#
Failure To Perform Tests	6	952,145	92,641	470,500	1,515,287
Wrong Site Surgery	#	#	#	#	#
Incorrect Injection Site	#	#	#	#	#
Cross Infection	#	#	#	#	#
Re-Canalisation	#	#	#	#	#
2018/19	153	16,142,523	1,666,970	6,117,903	23,927,395
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	37	3,803,183	522,344	1,586,578	5,912,105
Fail To Follow-Up Arrangements	17	2,642,872	134,770	785,295	3,562,937
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Fail To Warn-Informed Consent	5	710,430	54,836	246,643	1,011,910
Failure To Interpret X-Ray	#	#	#	#	#
Failure/Delay Diagnosis	24	4,383,261	366,266	1,344,464	6,093,990
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	10	249,823	31,068	188,625	469,516
Intra-Op Problems	10	453,066	60,102	337,265	850,433
Lack Of Assistance/Care	#	#	#	#	#
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	13	228,500	87,451	429,583	745,534
Foreign Body Left In Situ	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Medication Errors	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Inappropriate Discharge	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Cross Infection	#	#	#	#	#
2019/20	195	22,278,943	2,229,523	8,156,393	32,664,859
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	58	5,258,974	718,026	2,817,727	8,794,726
Fail To Carry Out PO Observs.	#	#	#	#	#
Fail To Follow-Up Arrangements	13	733,188	142,135	454,737	1,330,059
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	12	982,148	190,495	521,355	1,693,998
Failure To Interpret X-Ray	#	#	#	#	#
Failure To Perform Operation	#	#	#	#	#
Failure/Delay Diagnosis	29	8,756,701	490,053	1,513,475	10,760,228
Inappropriate Treatment	16	1,044,600	142,868	608,180	1,795,647
Intra-Op Problems	13	481,080	161,570	451,888	1,094,539
Other	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	15	606,900	43,228	213,367	863,495
Retained Instrument Post-Operation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Medication Errors	#	#	#	#	#

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Clinical_NonClinical	(All)
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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
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Failure To Perform Tests	7	380,500	70,179	461,040	911,718
Bacterial Infection	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Cross Infection	#	#	#	#	#
Probs With Medical Records	#	#	#	#	#
2020/21	164	17,959,834	1,832,196	6,902,680	26,694,710
Equipment Malfunction	#	#	#	#	#
Fail / Delay Treatment	51	8,006,874	575,513	2,071,446	10,653,833
Fail To Follow-Up Arrangements	11	673,152	108,528	431,200	1,212,880
Fail To Recog. Complication Of	#	#	#	#	#
Fail To Warn-Informed Consent	5	256,729	57,693	324,975	639,397
Failure/Delay Diagnosis	32	3,383,544	523,851	1,658,034	5,565,429
Inadequate Monitoring Intra-Op	#	#	#	#	#
Inappropriate Treatment	15	633,385	128,258	443,800	1,205,443
Intra-Op Problems	8	550,882	88,991	382,875	1,022,748
Lack Of Assistance/Care	#	#	#	#	#
Delay In Performing Operation	#	#	#	#	#
Operator Error	7	247,000	8,112	184,400	439,512
Fail/Delay Admitting To Hosp.	#	#	#	#	#
Foreign Body Left In Situ	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Fail To Act On Abnorm Test Res	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Fail/Delay Referring To Hosp.	#	#	#	#	#
Medication Errors	#	#	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#	#	#
Failure To Perform Tests	#	#	#	#	#
Wrong Site Surgery	#	#	#	#	#
Incorrect Injection Site	#	#	#	#	#
Cross Infection	#	#	#	#	#
Improp. Delegation To Junior	#	#	#	#	#
Probs With Medical Records	#	#	#	#	#
(blank)	#	#	#	#	#
Grand Total	1,621	149,517,365	15,730,739	64,051,769	229,299,873