



Resolution

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March 2022

FOI_5313

The following information was requested on 24 January 2022, and clarified on 29 January 2022:

[Clarified on 29 January 2022]

Yes please provide whatever information you have regarding Mid Yorkshire Trust.

Yes please provide the average data.

[Requested on 24 January 2022]

Under the FOI Act 2000 I would like to know:

How many of the maternity/obstetrics complaint cases that Pinderfields Hospital received in the last 5 years went to court?

- How many of the maternity/obstetrics complaint cases in the last 5 years were settled out of court?

- What was the largest monetary figure that was settled out of court regarding a maternity/obstetrics complaint/case?

- What was the lowest monetary figure that was settled out of court regarding a maternity/obstetrics complaint/case?

- What was the largest monetary figure that was settled in court regarding a maternity/obstetrics complaint/case?

- What was the lowest monetary figure that was settled in court regarding a maternity/obstetrics complaint/case?

- Has Pinderfields Hospital been found to be clinically negligent in the past 5 years in regards to a maternity/obstetrics case?

Our Response

Thank you for your request for information. 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.

We have suppressed low figures and we are unable to provide information about individual 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: Number of Claims received by Mid Yorkshire Hospitals NHS Foundation Trust between financial years 2016/17 to 2020/21 ,where the specialty is Obstetrics.

Table 2: Number of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 that did not go to trial, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics.

Table 3: Median damages paid for claims closed/settled as a PPO between financial years 2016/17 to 2020/21 with damages paid, that did not go to trial, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics.

Table 4: Median total damages value of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 that went to trial, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics.

Table 5: Number of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 with damages paid, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics. (includes the damages paid to date for any claims settled on a periodical payment order basis)

Table 6: Number of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 with NIL damages, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics. (includes the damages paid to date for any claims settled on a periodical payment order basis)

Table 1: Number of Claims received by Mid Yorkshire Hospitals NHS Foundation Trust between financial years 2016/17 to 2020/21 ,where the specialty is Obstetrics.

Notifications Scheme	Y (All)
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Year of Notification	No. of Claims
2016/17	17
2017/18	20
2018/19	18
2019/20	13
2020/21	11
Grand Total	79

Table 2: Number of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 that did not go to trial, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics.

FOI_Specialty	Obstetrics
Closed_Settled	Y
Trial Flag	Did not go to trial

Year of Closure (Settlement Year for PPOs)	No. of Claims
2016/17	10
2017/18	17
2018/19	14
2019/20	16
2020/21	12
Grand Total	69

Table 3: Median damages paid for claims closed/settled as a PPO between financial years 2016/17 to 2020/21 with damages paid, that did not go to trial, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics.

FOI_Specialty	Obstetrics
Closed_Settled	Y
Trial Flag	Did not go to trial

Number of Claims	Median Damages paid
52	25500

Table 4: Median total damages value of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 that went to trial, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics.

FOI_Specialty	Obstetrics
Closed_Settled	Y
Trial Flag	Went to Trial

Number of Claims	Median Damages Paid
0	n/a

Table 5: Number of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 with damages paid, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics. (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
FOI_Specialty	Obstetrics
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid
2016/17	7	6,400,905
2017/18	14	13,145,450
2018/19	10	3,077,768
2019/20	13	424,114
2020/21	8	6,174,163
Grand Total	52	29,222,400

Table 6: Number of claims closed/settled as a PPO between financial years 2016/17 to 2020/21 with NIL damages, for Mid Yorkshire Hospitals NHS Foundation Trust, where the primary specialty is Obstetrics. (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
FOI_Specialty	Obstetrics
Claim_Outcome_FOI	NIL Damages

Year of Closure (Settlement Year for PPOs)	
	No. of Claims
2016/17	#
2017/18	#
2018/19	#
2019/20	#
2020/21	#
Grand Total	17