



Resolution

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

September 2022
FOI_5521

The following information was requested on 11th August 2022:

Follow up to [FOI 5397](#):-

Thank you very much for your help on my previous FOI request.

I wonder if it is possible to obtain the finalised data that you mentioned would be available from August.

Our Response

Thank you for your request for information. We are able to provide information in financial years.

Please find attached the requested information for the financial period: - 2010/11 – 2021/22.

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.

The data shows variation in numbers of cases received per year. This is a reflection of the nature of individual claims received by NHS Resolution which can vary significantly. In some cases this can be affected by an adverse issue involving a number of patients. As such these fluctuations cannot be interpreted as trends.

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

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](#), Deputy Director of Corporate and Information Governance, Data Protection Officer 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 and Incidents received between financial years 2010/11 - 2021/22 where the Speciality is Dentistry or Oral and Maxillo Facial Surgery](#)

[Table 2: Broken down by Cause Number of Clinical Claims and Incidents received between financial years 2010/11 - 2021/22 where the Speciality is Dentistry or Oral and Maxillo Facial Surgery](#)

[Table 3: Broken down by Injury Number of Clinical Claims and Incidents received between financial years 2010/11 - 2021/22 where Speciality is Dentistry or Oral and Maxillo Facial Surgery](#)

Table 1: Number of Clinical Claims and Incidents received between financial years 2010/11 - 2021/22 where the Speciality is Dentistry or Oral and Maxillo Facial Surgery

Notifications Scheme	Y (All)
----------------------	------------

Year of Notification	No. of Claims
2010/11	127
Dentistry	87
Oral & Maxillo Facial Surgery	40
2011/12	176
Dentistry	97
Oral & Maxillo Facial Surgery	79
2012/13	183
Dentistry	99
Oral & Maxillo Facial Surgery	84
2013/14	218
Dentistry	114
Oral & Maxillo Facial Surgery	104
2014/15	332
Dentistry	114
Oral & Maxillo Facial Surgery	218
2015/16	235
Dentistry	122
Oral & Maxillo Facial Surgery	113
2016/17	232
Dentistry	128
Oral & Maxillo Facial Surgery	104
2017/18	207
Dentistry	87
Oral & Maxillo Facial Surgery	120
2018/19	183
Dentistry	77
Oral & Maxillo Facial Surgery	106
2019/20	190
Dentistry	76
Oral & Maxillo Facial Surgery	114
2020/21	172
Dentistry	79
Oral & Maxillo Facial Surgery	93
2021/22	133
Dentistry	47
Oral & Maxillo Facial Surgery	86
Grand Total	2,388

Table 2: Broken down by Cause Number of Clinical Claims and Incidents received between financial years 2010/11 - 2021/22 where the Speciality is Dentistry or Oral and Maxillo Facial Surgery

Notifications Scheme	Y (All)
----------------------	------------

Primary Causes	No. of Claims
Fail / Delay Treatment	524
Inappropriate Treatment	431
Fail To Warn-Informed Consent	228
Intra-Op Problems	209
Operator Error	197
Failure/Delay Diagnosis	143
Wrong Site Surgery	95
Tooth Inj & Patient Posit Prob	65
Equipment Malfunction	58
Fail To Recog. Complication Of	44
Delay In Performing Operation	36
Foreign Body Left In Situ	28
Fail To Follow-Up Arrangements	28
Perform. Of Op. Not Indicated	26
Failure To Interpret X-Ray	25
Failure To Perform Operation	21
Other	19
Failure To X-Ray	17
Failure To Perform Tests	15
Bacterial Infection	15
Lack Of Assistance/Care	15
Application Of Excess Force	15
Wrong Diagnosis	13
Lack Of Pre-Op Evaluation	13
Fail/Delay Referring To Hosp.	12
Inadequate Nursing Care	11
Fail To Supervise	11
Medication Errors	9
Inadequate Monitoring Intra-Op	9
Diathermy Burns/react. To Prep	9
Err With Agnt/Dose/Route/Selec	7
Fail To Act On Abnorm Test Res	6
Inappropriate Discharge	5
Improp. Delegation To Junior	#
Fail To Carry Out PO Observs.	#
Fail To Infrm Test Rslts	#
Lack Of Facilities/Equipment	#
Intubation Problems	#
Retained Instrument Post-Operation	#
Fail/Delay Admitting To Hosp.	#
Cross Infection	#
Sexual Abuse	#
Incorrect Injection Site	#
Inapprop. Case Selection	#
Probs With Medical Records	#
Re-Canalisation	#
Grand Total	2,388

Table 3: Broken down by Injury Number of Clinical Claims and Incidents received between financial years 2010/11 - 2021/22 where Speciality is Dentistry or Oral and Maxillo Facial Surgery

Notifications Scheme	Y (All)
----------------------	------------

Primary Injuries	No. of Claims
Dental Damage	587
Adtnl/unnecessary Operation(s)	443
Unnecessary Pain	443
Nerve Damage	247
Scarring	83
Burn(s)	82
Fracture	58
Cancer	44
Cosmetic Disfigurement	42
Other	39
Psychiatric/Psychological Dmge	38
Other Infection	37
Advanced Stage Cancer	36
Fatality	34
Poor Outcome - Fractures Etc.	31
Other Visual Problems	11
Tissue Damage	11
Infection (bacterial)	10
Multiple Injuries	10
Blindness	9
Cardiac Arrest	8
Bruising/ Extravasation	8
Brain Damage	6
Anaphylact Shock/Allergic Shock/allergy	6
Fistula	5
Infectious Diseases	#
Joint Damage	#
Deafness	#
Partial Paralysis	#
Hospital Acquired Infection	#
Stroke	#
Pressure Sores	#
Partial Hearing Loss	#
Perforation	#
Tendon Damage	#
Cardiovascular Condition	#
Compartment Syndrome	#
Arterial Damage	#
Dislocation	#
Benign Tumour	#
Cerebral Palsy	#
Respiratory Disorder/ Failure	#
Reduced Life Expectancy	#
Meningitis	#
H.I.V.	#
Not Specified	#
Radiation Exposure	#
Paraplegia	#

Table 3: Broken down by Injury Number of Clinical Claims and Incidents received between financial years 2010/11 - 2021/22 where Speciality is Dentistry or Oral and Maxillo Facial Surgery

Notifications Scheme	Y (All)
----------------------	------------

Primary Injuries	No. of Claims
Renal Damage/ Failure	#
Pierced Ear Drum	#
Vocal Cord Damage	#
Thrombosis/Embolism	#
Bodily Harm/Murder	#
Malignant Tumour	#
Addiction/Dependency	#
Grand Total	2,388