



Resolution

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September 2022

FOI_5536

The following information was requested on 18 August 2022:

- 1. Could you please let me know the total number of successful clinical negligence claims related to bladder injuries, which were recorded in the last ten years (2011 – 2021). Please provide this information broken down by year and by NHS Trust.*
- 2. What was the total sum paid out by the NHS related to these bladder injury claims in the last ten years (2011 – 2021). Please provide this information broken down by year and by NHS Trust.*
- 3. Could you please let me know the total number of successful clinical negligence claims related to bladder injuries, which arose from childbirth, which were recorded in the last ten years (2011 – 2021). Please provide this information broken down by year and by NHS Trust.*
- 4. What was the total sum paid out by the NHS related to these bladder injuries which arose from childbirth claims in the last ten years (2011 – 2021). Please provide this information broken down by year and by NHS Trust.*

Our Response

Thank you for your request for information. We are able to provide information in financial years. Please find attached the requested information.

We have provided data on claims closed / settled within the relevant years. Please note claims notified/received 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.

The data shows variation in numbers of cases closed per year. This is a reflection of the nature of individual claims received and resolved 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.

Table 1 shows:- Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is **Bladder Damage** (includes the damages paid to date for any claims settled on a periodical payment order basis).

The information disclosed includes damages paid out in the relevant period under Periodical payment orders (PPO) previously agreed on cases, which may have been resolved several years ago. It does not include sums, which have been committed on settlements in the relevant period under a PPO, which may not be paid out until future years. PPOs are an agreement between the parties, to pay an initial lump sum and regular future payments covering the injured party's ongoing care needs, usually for life i.e. a percentage of the full value of the claim is paid at the point of settlement with the balance paid at regular intervals over subsequent years.

Please also note that the data shows variation in damages and costs paid in the relevant financial years. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. As such, year on year fluctuations cannot necessarily be interpreted as trends.

Table 2 shows:- Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is **Bladder Damage**, broken down by Trusts with 5 or more claims (includes the damages paid to date for any claims settled on a periodical payment order basis).

Table 3 shows:- Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is **Bladder Damage** within the specialty of **Obstetrics**.

Please also note that the data shows variation in damages and costs paid in the relevant financial year. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. As such, year on year fluctuations cannot necessarily be interpreted as trends.

Table 4 shows:- Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is **Bladder Damage** within the specialty of **Obstetrics**, broken down by Trusts with 5 or more claims.

Low Numbers

We have suppressed low figures (and we have **not** provided 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(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/>

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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 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage, broken down by trust \(includes the damages paid to date for any claims settled on a periodical payment order basis\)](#)

[Table 3: Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage within the specialty of Obstetrics](#)

[Table 4: Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage within the specialty of Obstetrics, broken down by trust](#)

Table 1: Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
Scheme	(All)
Claim_Outcome_FOI	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid
2011/12	55	5,152,570	996,357	4,053,827
2012/13	73	6,536,592	826,868	3,857,465
2013/14	95	4,310,327	639,956	3,347,197
2014/15	137	11,621,481	1,139,815	5,835,683
2015/16	100	4,474,452	787,716	3,681,060
2016/17	101	9,033,322	1,484,872	6,620,623
2017/18	133	8,653,124	1,681,323	7,415,109
2018/19	111	7,755,479	1,383,332	5,659,229
2019/20	105	11,362,598	1,618,798	6,169,228
2020/21	81	7,158,969	1,259,222	5,153,643
2021/22	101	24,557,993	1,894,262	7,646,599
Grand Total	1,092	100,616,908	13,712,522	59,439,663

Table 2: Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage, broken down by trust (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
Scheme	(All)
Claim_Outcome_FOI	Damages Paid

Member Trust	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid
Trusts with less than 5 claims (77 Trusts)	181	15,442,884	2,579,653	11,428,930
Liverpool Women's Hospital NHS Foundation Trust	212	11,366,203	955,390	3,768,013
University Hospitals Birmingham NHS Foundation Trust	38	2,968,684	367,954	1,043,056
Royal Cornwall Hospitals NHS Trust	34	1,097,410	285,175	997,833
Frimley Health NHS Foundation Trust	29	2,937,266	326,019	1,519,949
Nottingham University Hospitals NHS Trust	21	8,343,105	542,251	2,039,183
The Leeds Teaching Hospitals NHS Trust	19	1,983,414	303,520	1,429,435
Mid and South Essex NHS Foundation Trust	19	1,399,677	297,353	1,546,087
Manchester University NHS Foundation Trust	15	6,243,547	322,296	1,258,435
Barts Health NHS Trust	15	1,025,346	166,035	941,179
Bolton NHS Foundation Trust	15	1,392,587	183,111	618,241
Oxford University Hospitals NHS Foundation Trust	14	1,203,052	189,911	973,380
Dartford and Gravesham NHS Trust	14	609,401	93,867	420,288
Northern Care Alliance NHS Foundation Trust	13	3,551,609	302,528	1,094,766
Department of Health	13	2,256,618	293,458	1,352,700
Portsmouth Hospitals NHS Trust	12	4,458,312	257,806	1,161,473
Norfolk & Norwich University Hospitals NHS Foundation Trust	12	3,199,156	663,022	2,323,354
London North West University Healthcare NHS Trust	12	1,355,105	182,273	818,913
East Kent Hospitals University NHS Foundation Trust	11	336,000	81,100	485,125
East Suffolk and North Essex NHS Foundation Trust	11	452,038	172,459	841,591
South Tyneside and Sunderland NHS Foundation Trust	11	839,393	253,199	909,400
Worcestershire Acute Hospitals NHS Trust	11	460,000	136,492	409,470
Blackpool Teaching Hospitals NHS Foundation Trust	10	1,055,733	110,466	609,250
University Hospitals Sussex NHS Foundation Trust	10	476,000	85,867	381,507
United Lincolnshire Hospitals NHS Trust	10	1,021,039	80,587	478,121
Hull University Teaching Hospitals NHS Trust	10	713,387	134,952	453,600
Barking, Havering and Redbridge University Hospitals NHS Trust	10	770,891	93,380	548,005
University Hospitals of Derby and Burton NHS Foundation Trust	9	948,263	175,307	560,800
Lewisham & Greenwich NHS Trust	9	713,422	155,910	766,591
North West Anglia NHS Foundation Trust	9	560,620	75,912	520,607
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	9	1,574,524	253,565	943,300
Chelsea & Westminster Hospital NHS Foundation Trust	8	936,685	183,725	662,700
University Hospitals of Leicester NHS Trust	8	1,008,699	115,893	646,520
King's College Hospital NHS Foundation Trust	8	1,139,750	154,540	1,016,850
Barnsley Hospital NHS Foundation Trust	8	499,870	97,663	467,250
South Tees Hospitals NHS Foundation Trust	8	377,500	92,777	382,750
Wirral University Teaching Hospital NHS Foundation Trust	8	633,909	127,464	427,100
Medway NHS Foundation Trust	8	565,500	85,811	390,685
County Durham and Darlington NHS Foundation Trust	8	365,750	68,149	415,757
University Hospital Southampton NHS Foundation Trust	8	401,018	206,797	458,929
Bradford Teaching Hospitals NHS Foundation Trust	7	406,000	46,680	266,250
Gateshead Health NHS Foundation Trust	7	217,902	16,331	202,000
West Hertfordshire Hospitals NHS Trust	7	554,799	38,965	294,400
Sheffield Teaching Hospitals NHS Foundation Trust	7	425,351	36,424	227,640
East and North Hertfordshire NHS Trust	7	913,165	118,950	613,259
Walsall Healthcare NHS Trust	7	209,000	91,617	222,450
Gloucestershire Hospitals NHS Foundation Trust	7	407,547	66,871	347,377
Royal Surrey County Hospital NHS Foundation Trust (The)	6	430,188	88,921	484,699
North Middlesex University Hospital NHS Trust	6	337,615	82,226	568,392
Imperial College Healthcare NHS Trust	6	434,691	74,069	436,762
Bedfordshire Hospitals NHS Foundation Trust	6	1,071,281	106,384	730,000
University Hospitals of North Midlands NHS Trust	6	1,482,833	280,577	959,000
Royal Free London NHS Foundation Trust	6	529,370	43,303	347,836
Sandwell & West Birmingham Hospitals NHS Trust	6	501,520	88,041	200,875
East Sussex Healthcare NHS Trust	6	327,240	31,797	149,200
Guy's and St Thomas' NHS Foundation Trust	6	253,897	145,147	452,500
Royal United Hospitals Bath NHS Foundation Trust	6	505,560	105,170	409,900
Ashford & St Peter's Hospitals NHS Foundation Trust	6	258,000	38,593	314,500

Table 2: Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage, broken down by trust (includes the damages paid to date for any claims settled on a periodical payment order basis)

Closed_Settled	Y
Scheme	(All)
Claim_Outcome_FOI	Damages Paid

	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid
Member Trust				
Milton Keynes Hospital NHS Foundation Trust	6	342,500	43,683	345,814
St Helens and Knowsley Teaching Hospitals NHS Trust	6	193,917	69,536	183,908
Birmingham Women's and Children's NHS Foundation Trust	5	654,730	79,618	352,300
South London Healthcare NHS Trust	5	167,505	19,636	151,950
Royal Devon University Healthcare NHS Foundation Trust	5	154,750	33,827	236,000
Princess Alexandra Hospital NHS Trust (The)	5	118,080	25,856	163,155
Maidstone and Tunbridge Wells NHS Trust	5	250,266	30,469	192,309
University College London Hospitals NHS Foundation Trust	5	411,500	92,123	382,708
University Hospitals Dorset NHS Foundation Trust	5	103,580	55,020	273,998
Surrey and Sussex Healthcare NHS Trust	5	242,000	21,509	84,750
Wrightington, Wigan and Leigh NHS Foundation Trust	5	232,359	54,175	336,500
Buckinghamshire Healthcare NHS Trust	5	173,137	55,866	291,000
The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust	5	161,350	67,568	208,250
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	5	592,500	110,348	427,066
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	5	293,872	59,454	333,000
NHS Commissioning Board	5	140,547	46,394	347,790
Whittington Health NHS Trust	5	434,991	93,740	391,000
Grand Total	1,092	100,616,908	13,712,522	59,439,663

Table 3: Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage within the specialty of Obstetrics

Closed_Settled	Y
Scheme	(All)
Claim_Outcome_FOI	Damages Paid
FOI_Specialty	Obstetrics

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid
2011/12	13	2,690,699	631,970	2,269,054
2012/13	24	1,084,340	193,763	1,201,302
2013/14	19	402,510	71,935	518,475
2014/15	22	1,427,653	170,290	1,328,731
2015/16	17	432,596	170,153	859,005
2016/17	20	1,621,600	251,299	1,635,446
2017/18	18	1,495,667	228,089	946,758
2018/19	18	863,694	159,175	795,440
2019/20	21	1,836,000	249,498	1,079,715
2020/21	23	1,581,123	300,581	1,455,826
2021/22	21	1,870,517	158,228	783,649
Grand Total	216	15,306,399	2,584,981	12,873,402

Table 4: Number and cost of Claims Closed between financial years 2011/12 to 2021/22 with damages paid, where the primary injury is Bladder Damage within the specialty of Obstetrics, broken down by trust

Closed_Settled	Y
Scheme	(All)
Claim_Outcome_FOI	Damages Paid
FOI_Specialty	Obstetrics

Member Trust	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid
Trusts with less than 5 claims (83 Trusts)	152	8,898,614	1,503,790	8,256,385
Mid and South Essex NHS Foundation Trust	8	526,450	84,971	432,400
The Leeds Teaching Hospitals NHS Trust	6	1,079,000	108,826	503,585
University Hospitals Sussex NHS Foundation Trust	5	88,500	12,943	71,876
Norfolk & Norwich University Hospitals NHS Foundation Trust	5	2,189,406	564,378	1,920,675
Nottingham University Hospitals NHS Trust	5	991,561	40,630	254,750
East Suffolk and North Essex NHS Foundation Trust	5	103,085	26,649	225,000
Worcestershire Acute Hospitals NHS Trust	5	160,000	66,595	226,220
North West Anglia NHS Foundation Trust	5	280,000	39,383	292,387
Barking, Havering and Redbridge University Hospitals NHS Trust	5	192,500	19,523	156,005
West Hertfordshire Hospitals NHS Trust	5	295,350	17,979	173,400
Frimley Health NHS Foundation Trust	5	122,929	26,908	109,000
Barts Health NHS Trust	5	379,005	72,405	251,720
Grand Total	216	15,306,399	2,584,981	12,873,402