



Resolution

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October 2022
FOI_5581

The following information was requested on 20 September 2022:

For the last financial year 2021/2022 please provide a breakdown of:

- 1) *The number of claims where you have paid out damages where one of the reasons stated within the claim was that the patient was inappropriately discharged from hospital?*
- 2) *The amount of money paid out in damages where one of the reasons stated within the claim was that the patient was inappropriately discharged from the hospital?*

Note: Please note this question refers to last year (21/22) as the year the claims were settled regardless of when the incident took place or when the claim was lodged.

Our Response

Please note claims notified/received and open are not guaranteed to be settled and/or closed 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.

Please find attached the requested information.

Table 1 shows:- Number and Cost of Claims Closed in financial year 2021/22 with damages paid (includes the damages paid to date for any claims settled on a periodical payment order basis) where one of the causes is "**Inappropriate Discharge**".

The information disclosed includes damages paid out in the relevant financial 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.

If you would like to know how data is categorised in our Claims database please see the following link: [Glossary](#)

The definition of “inappropriate discharge” classifies those claims received where the main or one of the allegations of negligence concerns the alleged premature discharge of the patient from care.

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.

Table 1: Number and Cost of Claims Closed in financial year 2021/22 with damages paid (includes the damages paid to date for any claims settled on a periodical payment order basis) where one of the causes is "Inappropriate Discharge"

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FOI View	Closed Settled
Clinical	Clinical
Claim_Outcome	Successful

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid
2021/22	141	12,744,936
Grand Total	141	12,744,936