

Reference:	FOI.2322.20
Subject:	Clinical negligence claims
Date of Request:	14 January 2020

Requested:

The period I am seeking information about is from 2009/10 to 2019/20 (per financial year and to date)

1. The number of clinical negligence claims received since 2009/10, including 2019/20 to date. Please break down your response by financial year.
2. The number of clinical negligence claims settled since 2009/10, including 2019/20 to date. Please break down your response by financial year.
3. Total payments made in respect of clinical negligence claims since 2009/10, including 2019/20 to date. Please break down your response by financial year.
4. The three highest individual clinical negligence cash payments for your Health Board in 2019-20 to date
5. The clinical/medical/administrative reason each of those top three payments was made
6. The three highest individual clinical negligence cash payments for your Health Board in 2018-19
7. The clinical/medical/administrative reason each of those top three payments was made

Response:

1. & 2. The information provided within the table below provides the number of new claims and settles claims within each financial year. Due to the length of time claims take to be investigated, no correlation can be drawn between the new claims and settled claims each year. Additionally, a number of claims are successfully defended, with no damages paid by the NHS.

Financial Year	New claims received	Number of claims settled
2010/11	95	27
2011/12	93	21
2012/13	96	26
2013/14	119	27
2014/15	114	30
2015/16	97	47
2016/17	114	29
2017/18	120	39
2018/19	56	37

3. The table below provides the total amounts paid out as settlements for clinical negligence claims during the

Financial Year	New claims received
2009/10	£1,141,171.35
2010/11	£2,784,649.75
2011/12	£4,504,969.26
2012/13	£5,131,541.60
2013/14	£5,842,949.79
2014/15	£9,565,085.77
2015/16	£4,361,818.10
2016/17	£5,315,513.45
2017/18	£3,376,985.23
2018/19	£11,007,703.90

The UHB is unable to provide you with the information requested in parts 4, 5, 6 & 7 as there is a potential risk of identifying individuals if this was disclosed. The UHB is therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This information is protected by the Data Protection Act (DPA) 2018 / General Data Protection Regulations (GDPR) 2016, as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles 6 and 9 of the GDPR. This exemption is absolute and therefore there is no requirement to apply the public interest test.

In reaching this decision, the Data Protection Act 2018 / General Data Protection Regulations 2016 defines personal data as data which relates to a living individual who can be identified solely from that data or from that data and other information which is in the possession of the data controller.