

Freedom of Information Request

Ref: UHB 20-006

31 January 2020

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

For each of 2016, 2017, 2018 and 2019 separately:

1. How many cases of clinical negligence/misdiagnosis were there across the Trust?

Please see below the number of clinical negligence/misdiagnosis claims made against University Hospitals Bristol NHS Foundation Trust in each year.

2016	16
2017	18
2018	34
2019	53

- a. Of these, how many patients died as a direct result of negligence or misdiagnosis?

To identify this it would involve reviewing all the clinical negligence claims and it would take the Trust more than 18 hours and it is therefore exempt of disclosure under section 12 of the FOI Act 2000.

- b. How much did the Trust pay out for clinical negligence/misdiagnosis claims in total?

The University Hospitals Bristol NHS Foundation Trust reports all clinical negligence claims received by the Trust to the NHS Resolution (NHSR) to deal with on our behalf. There is no direct cost to the Trust in respect of individual claims. The Trust pays an annual contribution to the NHSR who then pays all damages and costs. Detailed information regarding the number of claims and payments made is contained within annual factsheets on the NHSLA's website:

<http://www.nhsla.com/Pages/Publications.aspx?library=currentactivity%7cfactsheets%7cfactsheet5trustandhealthauthorityclaimsdata>

For all other request relating to claims data, please contact the FOI team at NHSR at

foi@nhsla.com

- c. What was the largest sum paid out to a claimant? – N/A.
2. How many claims has the Trust handled in relation to delayed sepsis diagnosis/misdiagnosis/negligence?
 - a. Of these, under whose care/which discipline was the patient, i.e. A&E/ICU/urology etc (if this exceeds the scope of the FOI request please omit)
 - b. What was the patient outcome for each of the sepsis-related claims, including patient death as a result of misdiagnosis/negligence/delay in diagnosis?
 - c. What was the settlement figure for each claim, broken down by compensation paid to the claimant and compensation paid for defence costs?

To complete this it would require a manual search of each case's documents to identify whether it was about delayed sepsis diagnosis/misdiagnosis/negligence. This would take the Trust more than 18 hours and it is therefore exempt of disclosure under section 12 of the FOI Act 2000.

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Director of Corporate Governance
University Hospitals Bristol NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information (such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

FOI Team
UH Bristol NHS Foundation Trust