

Information Governance

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18 March 2019

Reference no. 18190434

Dear

Request for Information: Freedom of Information Act

Thank you for your email of 19th February making a request for information under the Freedom of Information Act. You requested the following information and the Trust is able to provide the information below in response:

Request and Response:

I'm writing to obtain the following information relating specifically to your NHS Trust under the Freedom of Information Act 2000:

1. What is the number of serious incident reviews relating to clinical negligence at your hospitals in 2016, 2017 and 2018?

The Trust publishes the number of SIs on its website. SIs are not tools for establishing clinical negligence and the Trust does not carry out SI reviews for that purpose. SI reviews may cover a wide range of issues, some of which a patient subsequently bases an allegation of negligence on. That is not information that is extrapolated from SI reports themselves. Information relating to SIs is published in the Annual Report accessible via the following link:

<https://www.oxfordhealth.nhs.uk/publication/annual-reports/>

2. What is the monetary value of successful clinical negligence claims made against your hospitals in 2016, 2017 and 2018?

Trust data is recorded by financial years that run from 1st April to 31st March –

2017/18 – 48,987

2016/17 – 50,627

2015/16 – 338,054

2015/15 – 38,750

3. In the last three years (2016, 2017 & 2018), what is the number of settled negligence claims where damages have been paid (number of cases and total monetary value) in relation to:

We have based our response on the cases that closed in the three financial years 01/04/15 to 31/03/2018 (damages payments may have been made earlier than the closed date, there being a time lag between damages being paid and, for example, the claimant's legal costs being paid) -

- Allegations of late diagnosis / misdiagnosis – 3 - £51,403

- Allegations of negligence leading to amputation - 0

- Cases involving stillbirth or neonatal death - 0

- Cases involving delayed diagnosis of cancer - 0

- Cases involving medication errors - 0

- Legal cases alleging clinical negligence which have taken more than 5 years to reach – the Trust are unable to provide information in relation to this element of the request.

If you are concerned with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to me and I will ensure the decision is reviewed. The Trust will consider undertaking a review if requested to do so within 40 working days of the date the response is received by the applicant, and will apply discretion if a longer period of time has passed.

Should you wish to make a complaint as a result of the outcome of such a review, you may apply directly to the Information Commissioner's Office (ICO) for a decision.

Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust for FoI Act matters.

The ICO can be contacted at:

The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Please contact me if there are any further queries.

Kind regards,

Yours sincerely,

Mark Underwood

Head of Information Governance