



# Resolution

8th Floor,  
10 South Colonnade  
Canary Wharf  
London  
E14 4PU

Telephone: 020 7811 2700

May 2022

FOI\_5401

The following information was requested on 7<sup>th</sup> April 2022:

- *The total number of claims NHS Resolution was notified of where the cause of injury was a failure to diagnose pre-eclampsia in each of the following financial years: 2017-18, 2018-19, 2019-20, 2020-21, 2021-22*
- *The total value of claims NHS Resolution was notified of where the cause of injury was a failure to diagnose pre-eclampsia in each of the following financial years: 2017-18, 2018-19, 2019-20, 2020-21, 2021-22*
- *The total number of claims NHS Resolution settled where the cause of injury was a failure to diagnose pre-eclampsia in each of the following financial years: 2017-18, 2018-19, 2019-20, 2020-21, 2021-22*
- *The total value of claims NHS Resolution settled where the cause of injury was a failure to diagnose pre-eclampsia in each of the following financial years: 2017-18, 2018-19, 2019-20, 2020-21, 2021-22*
- *The total number of claims NHS Resolution was notified of where the cause of injury was group B streptococcus in each of the following financial years: 2020-21, 2021-22*
- *The total value of claims NHS Resolution was notified of where the cause of injury was group B streptococcus in each of the following financial years: 2020-21, 2021-22*
- *The total number of claims NHS Resolution settled where the cause of injury was group B streptococcus in each of the following financial years: 2020-21, 2021-22*
- *The total value of claims NHS Resolution settled where the cause of injury was group B streptococcus in each of the following financial years: 2020-21, 2021-22*

## Our Response

Thank you for your request for information. We are able to provide information in financial years. Please note the information for 2021/22 is not yet available and is subject to an external audit. The information for 2021/22 will be available from July 2022. Please contact us at that time to obtain this information.

Please find attached the rest of the requested information. We have provided information for the financial year 2020/21. This information is correct as of 31 March 2022.

It might be helpful to explain that when claims are notified to NHS Resolution they are categorised against pre-defined cause, injury and speciality [codes](#), unfortunately prior to April 2020 the code for Infection (Group B Strep), did not exist. The code was added to our Claims Management System in April 2020. Please see the following link for details:- [New claims management coding to drive improvements in maternal and neonatal care - NHS Resolution](#)

Therefore, while there may be some historic information held in our records, we are not readily able to identify the relevant files by searching the database. To do so would involve a manual review of all cases to identify which ones relate to claims involving Infection (Group B Strep). NHS Resolution receives thousands of claims each year.

In terms of *group B streptococcus* we have therefore provided you with the information that is readily available, namely information for the financial year 2020/21.

Please note claims notified/received and open 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.

Many of the claims notified will have been repudiated and settled without damages paid.

In terms of your request for the value of claim received, you will appreciate that these will be broad estimates. Actual experience may differ quite considerably from estimates, but it will be several years before we are likely to be able to confirm that, due to the time lag between incidents occurring, claims being received, and then being settled, particularly for clinical negligence claims.

We have instead provided you with the details of the damages paid during the specified years for the cases closed or settled during that time period. The information disclosed includes Periodical payment order (PPO) payments made during this period. 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.

In terms of table 2, please also note that the data shows an increase in damages and costs paid in relation to claims closed in the financial year 2019/20. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. As such, these fluctuations cannot be interpreted as trends.

For the year, 2020/21 there were no damages payment for the code: Infection (Group B Strep).

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/>

## TABLE OF CONTENTS

**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 of Claims or Incidents received between the financial years 2017/18 - 2020/21 where the cause is: Failure to Diag Pre-Eclampsia

Table 2: Number of Claims Closed (or settled with a PPO) between the financial years 2017/18 - 2020/21 with damages paid where the cause is: Failure to Diag Pre-Eclampsia

Table 3: Number of notifications received by NHS Resolution where the injury code is noted as Infection (Group B Strep), this includes any incidents or claims reported to NHS Resolution, and is reported from the notified date, not the date of closure as some cases may still be open

Table 4: Number of Claims Closed (or settled with a PPO) during the financial years 2020/21 where the injury was noted as Infection (Group B Strep). The information within this table has been collated utilising closure or settlement

**Table 1: Number of Claims or Incidents received between the financial years 2017/18 - 2020/21 where the cause is: Failure to Diag Pre-Eclampsia**

Notifications	Y
Scheme	(All)
Cause1L1	Fail To Diag Pre-Eclampsia
Clinical_NonClinical	Clinical

Year of Notification	No. of Claims
2017/18	6
2018/19	13
2019/20	10
2020/21	11
<b>Grand Total</b>	<b>40</b>

**Table 2: Number of Claims Closed (or settled with a PPO) between the financial years 2017/18 - 2020/21 with damages paid where the cause is: Failure to Diag Pre-Eclampsia**

Closed_Settled	Y
Scheme	(All)
Claim_Outcome_FOI	Damages Paid
Cause1L1	Fail To Diag Pre-Eclampsia
Clinical_NonClinical	Clinical

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2017/18	8	129,061	29,259	180,447	338,767
2018/19	6	5,794,453	209,580	760,717	6,764,749
2019/20	9	12,561,952	548,631	2,169,963	15,280,545
2020/21	5	4,606,576	304,070	802,700	5,713,345
<b>Grand Total</b>	<b>28</b>	<b>23,092,040</b>	<b>1,091,540</b>	<b>3,913,826</b>	<b>28,097,407</b>

**Table 3: Number of notifications received by NHS Resolution where the injury code is noted as Infection (Group B Strep), this includes any incidents or claims reported to NHS Resolution, and is reported from the notified date, not the date of closure as some cases may still be open**

---

Notifications Scheme	Y (All)
Injury1L1	Infection (group B strep)
Clinical_NonClinical	Clinical

Notification Year	No. of Claims
2020/21	6
<b>Grand Total</b>	<b>6</b>

**Table 4: Number of Claims Closed (or settled with a PPO) during the financial years 2020/21 where the injury was noted as Infection (Group B Strep). The information within this table has been collated utilising closure or settlement dates, this differs from the criteria used in Table 3**

Closed_Settled	Y
Scheme	(All)
Claim_Outcome_FOI	Damages Paid
Injury1L1	Infection (group B strep)

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
<b>Grand Total</b>	<b>#</b>	<b>0</b>	<b>0</b>		<b>0</b>