



Resolution

2nd Floor
151 Buckingham Palace Road
London
SW1W 9SZ
Telephone: 020 7811 2700

June 2020
FOI_4563

The following information was requested on 1 May 2020:

I would like to find out how much has been paid out for perineal/genital trauma associated with vaginal childbirth over the last ten years. I would like as much detail as possible to include the level of trauma, the nature of the claim, whether there was associated infection and or wound dehiscence.

Our Response

Please find attached our response to your request in respect of perineal tear. Please note our coding does not enable us to distinguish whether the claims related to purely genital trauma.

It is possible there are other cases which have been coded under less specific codes that relate to incidents under the more general umbrella of 'genital trauma'. Therefore, on the issue of data quality, it should be noted that the database was designed primarily as a claims management tool rather than for research purposes, that it records only a limited amount of information, and that a claim may be multi-factorial and/or settled on a number of bases. It is our view, therefore, that the figures provided should be treated with caution and that they should not be relied on as a basis for audit or research.

We are unable to provide specific details around individual claims as we believe that disclosure of information with this level of granularity is exempt under Section 40(2) by virtue of section 40(3)(a)(i) of the FOI Act, where disclosure to a member of the public would contravene one or more of the data protection principles. The data protection principles are set out in Article 5 of the General Data Protection Regulation. We take the view that it would not be fair or lawful (given the sensitive and confidential nature of the information held) to disclose such information, and any disclosure would therefore contravene the first data protection principle.

The likelihood exists that individuals who are the subject of this information may be identified either from this information alone, or in combination with other available information. In addition to this, as this information is considered to be sensitive personal data (the data subjects' medical condition); NHS Resolution believes it has a greater responsibility to protect those individuals identities', as disclosure could potentially cause damage and/or distress to those involved. You should still be able to see aggregate/total details for higher level fields containing this data.

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](#), Head of Corporate and Information Governance 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/Settled were Primary Cause is Perineal Tear-1st,2nd,3rd Deg with damages paid between financial years 2008/09 - 2018/19](#)

Table 1: Number and Cost of Claims Closed/Settled where Primary Cause is Perineal Tear-1st,2nd,3rd Deg with damages paid between financial years 2008/09 - 2018/19

Year of Closure (Settlement Year for PPOs)	No. of Claims	Total Damages Paid
2008/09	13	1,036,380
2009/10	15	1,057,500
2010/11	19	1,022,995
2011/12	17	1,820,206
2012/13	12	552,625
2013/14	15	1,499,274
2014/15	32	2,790,700
2015/16	13	833,030
2016/17	22	3,054,649
2017/18	25	3,464,751
2018/19	30	7,035,921
Grand Total	213	24,168,031