

FOI Request Response information

FOI request reference:	2016/215
Date request received:	12/07/2016
Date request responded to:	24/08/2016
Category:	Policies
Tags:	Personal injury claim, clinical, negligence

Request Detail:

Info re reporting potential personal injury claims to the NHS Litigation Authority

- 1. What policies does the Trust have in place to identify, investigate and report potential cases of clinical negligence?**
- 2. In the financial year 2015/16, how much did the Trust spend in-house on managing clinical negligence claims?**

To clarify what I mean by “managing clinical negligence claims”, can you please include spend on any of the following:

- Identification of clinical negligence claims*
- Investigation and assessment of clinical negligence claims (including, for example, an assessment of the Trust’s legal liability, the probability of the claim succeeding, estimated claim value)*
- Communication with claimants and their legal representatives*
- Reporting clinical negligence claims to the NHS LA*
- Any legal advice relating to clinical negligence claims*
- Supporting the NHS LA, including their panel solicitors, to investigate and defend clinical negligence claims (including liaising with the NHS LA throughout the claims process)*

Response Detail:

The Trust response to your recent FOI request is as follows:

1. The Trust has in place an Incident Policy which sets out the process for the reporting, management and investigation of incidents. A separate procedure exists for the management of liability claims.
- 2 and 3. The only costs are those of in-house staff (See question 4) and their associated overheads (which we cannot quantify in the detail requested).

4 and 5. The Trust employs a Trust Solicitor who spends approximately 20% of their time dealing with liability claims and a Claims and Inquest Coordinator who spends approximately 50% of their time dealing with liability claims; a pro rata cost is therefore approximately £27,597. We are unable to break this down by specific work/time on personal injury and clinical negligence claims but as an estimation one third of claims activity is clinical negligence and the remaining two thirds is personal injury.

6. The Trust spent no money on external solicitors to handle liability claims outside of the NHSLA scheme. All claims are handled under the NHSLA scheme.