

Freedom of Information request 213-17

Request

I would be grateful if you could provide me with the following information:

1. How many claims for medical negligence (excluding vaginal mesh claims) have been intimated to the Health Board in each of the last 3 years?
2. How many of those claims have resulted in a payment of compensation being made without court proceedings being raised?
3. How many medical negligence cases have progressed to litigation in each of the last 3 years?
4. How many of the cases that have been litigated have settled at figures:
 - i. Up to £20k
 - ii. Between £20k and £100k
 - iii. Over £100k

Response

1. Please find below data as per request:

Year	Number of new medical negligence claims intimated
2014/15	11
2015/16	7
2016/17	13

2. There were <5 claims resulting in a payment of compensation made without court proceedings being raised.
3. No cases have progressed to court.
4. Not applicable.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **213-17** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both

the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.