

## Freedom of Information request 20-19

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### Request

Please send me information on the number and nature of compensation claims brought against your organisation by members of staff who have sustained an injury or contracted a disease while employed your organisation since January 2016 to the present time (last 3 years).

I would like a year by year breakdown, preferably on an excel document via email, detailing:

- Details of the injury (i.e. moving and handling injury, slips/trips/falls and so on)
- Staff role if known (i.e. staff nurse, doctor)
- Whether compensation was paid
- The total amount of compensation paid
- If information available, any action taking following the incident (i.e. additional training, non-slip flooring and so on)

### Response

Over the last 3 years there has been 8 compensation claims brought against the organisation by members of staff who have sustained an injury or contracted a disease whilst employed within NHS Borders. Of these claims <5 resulted in a compensation settlement.

Years	No. of Claims	Staff Role	Injury Themes	Total Compensation Paid
2016-2018	8	<ul style="list-style-type: none"><li>• Health Care Support Workers</li><li>• Support Services</li><li>• Midwifery</li></ul>	<ul style="list-style-type: none"><li>• Slip/Trip/Falls</li><li>• Aggressive Behaviours</li><li>• Sharps/Needlestick</li></ul>	£9,500

Please note that as NHS Borders is such a small Board the number of compensation claims is very small, and to provide further details broken down as requested could allow individuals to be identified and we would be in breach of the Data Protection Act 1998. We are therefore withholding all other data under Section 38(2)(ii) of the Freedom of Information (Scotland) Act 2002.

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](mailto: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 **20-19** 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.