

## Freedom of Information request 491-22

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### Request

1. The number of compensation claims lodged by members of the public during the years 2019, 2020, 2021 and up to October 1 2022, listed by year, amount claimed for, reason for claim and outcome/value of settlement.
2. The number of compensation claims lodged by NHS staff within the health board during the years 2019, 2020, 2021 and up to October 1 2022, listed by year, amount claimed for, reason for claim and outcome/value of settlement.

Any names/addresses etc of claimants should be redacted if needed to comply with data protection laws.

### Response

1. Please find attached the number of compensation claims lodged by members of the public against NHS Borders:



FOI 491-22 Response  
Q1 Data.xlsx

Please note, NHS Borders does not hold details of the amount claimed for, therefore, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.

2. Please finds attached the number of compensation claims lodged by NHS staff against NHS Borders:



FOI 491-22 Response  
Q2 Data.xlsx

Please note, NHS Borders does not hold details of the amount claimed for, therefore, this information is not held, as defined in Section 17, Freedom of Information (Scotland) Act 2002.

Please note that as NHS Borders is such a small Board the number of claims is very small, and to provide further details could allow individuals to be identified and the award being in the public domain, and this would be in breach of the Data Protection Act 2018. We are therefore withholding all other data under Section 38(2)(ii) of the Freedom of Information (Scotland) Act 2002. This is also in accordance with the Code of Practice for Official Statistics any number that is less than five, actual numbers and potentially identifiable information is withheld to help maintain confidentiality due to potential risk of disclosure. Further information is available in the ISD Statistical Disclosure Control Protocol.

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 **491-22** 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.