

Our ref: IG/FOI.013.24

5 November 2024

Sent via email to: [REDACTED]

Dear [REDACTED]

Request under the Freedom of Information Act 2000

I write further to your request for information which was received on 4 September 2024 and subsequent clarification received on 8 October 2024, to confirm, in accordance with S.1(1)(a) of the Freedom of Information Act 2000, that Powys Teaching Health Board (PTHB) does hold the information that you require.

For ease of reference your request is set out below and our response follows:

Your Freedom of Information (FOI) Request:

I'd like to ask your legal department, under the FOI Act, the amount that the NHS has paid out in each of the last 10 years in clinical negligence compensation for patients who had their experience of negligence in a Welsh hospital(s)?

1. Could you also provide the total number of successful claims in each of the last 10 years?
2. If possible, could you provide the total number of unsuccessful claims in each of the last 10 years?

Clarification Requested:

Please can you confirm what you mean by successful claims.

Clarification Received:

To confirm, a successful claim is one that has been upheld after it having been made and a payment of any size being paid where one was sought.

Powys Response:

Q1 & Q2. Please see the table below for Powys Teaching Health Boards (PTHB) response to your above request.

PTHB is unable to provide these exact numbers for the years requested due to the low numbers of individuals involved (5 or less). PTHB believes there is a potential risk of individuals being able to be identified, when considered with other information already available within the public domain, if this was disclosed. Therefore, the data is classed as personal data as defined under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of UK GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

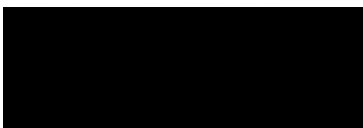
To comply with our obligation under Section 16 of the Act, the duty to provide help and assistance, we have grouped data below.

Financial Year	Amount paid Compensation Successful Clinical Negligence Claims	Number of Successful Clinical Negligence Claims	Number of Unsuccessful Clinical Negligence Claims
2013-2020	£60,000.00	5	6
2020-2024	£262,177.00	10	5

Under the terms of the Health Board's Freedom of Information procedure, individuals seeking access to recorded information held by the Health Board are entitled to request an internal review of the handling of their requests. If you would like to complain about the Health Board's handling of your request, please contact us directly at the address below or register your complaint via powysfoi.foi@wales.nhs.uk

If after Internal Review you remain dissatisfied you are also entitled to refer the matter to the information commissioner at the Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 0330 414 6421.

Yours sincerely



Claire Roche
Executive Director of Nursing, Quality, Women & Family Health

Rydym yn croesawu derbyn gohebiaeth yng Nghymraeg. Byddwn yn ateb y fath ohebiaeth yng Nghymraeg ac ni fydd hyn yn arwain at oedi.

We welcome receiving correspondence in Welsh. We will reply to such correspondence in Welsh and this will not lead to a delay.