

Freedom of Information Request

Reference Number: EPUT.FOI.23.3097
Date Received: 18th of August 2023

Information Requested:

I am writing to you under the Freedom of Information Act 2000 to request the following information from the Trust regarding;

1. How much did your Trust spend on clinical negligence claims in the following years:
 - 2019
 - 2020
 - 2021
 - 2022- April 2023

In cases relating to clinical negligence, employer's liability and public liability claims, the Trust is a member of the NHS Resolution Indemnity Scheme. NHS Resolution provides claims management on behalf of the NHS in England. As such the Trust is not directly liable for, and does not record fees/settlements information for specific claims, this information can be requested from NHS Resolution's website at the following link; <https://resolution.nhs.uk/freedom-of-information/> . We would advise looking at the NHS resolution resource page at the following link <https://resolution.nhs.uk/resources> , they publish information regarding the Trust's claims data. You may be able to find the information within the documents, we would suggest looking at Factsheet 5 at the following link https://resolution.nhs.uk/resources/?fwp_resources_type=factsheet . Factsheet 5 will cover basic information, financial information, claims information, information on individual trusts assessment levels and information on individual trusts experience in the latest financial year. Therefore The Trust is applying a Section 21 exemption of the Act (Information accessible to applicant by other means).

Section 21: Information accessible to applicant by other means.

- (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.
- (2) For the purposes of subsection (1)—
 - (a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
 - (b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link
<https://eput.nhs.uk>