

Freedom of Information (Scotland) Act 2002

DATE RECEIVED	12/07/2022	SUBJECT	Claims		
PASSED TO	Corporate Services Finance	DATE PASSED	18/07/2022	RESPOND BY	02/08/2022
CATEGORY	Press	FoI NUMBER	2022-266		

Question/s to be Answered

1. How many claims have there been against your health board which are classified as 'litigation claims for accident and mistakes in maternity units' in each of the last five years*?

There have been two claims received in the last five years, both received in 2019/20.

2. How many of these claims were successful, broken down by year*?

One claim is still open, one was settled outside of court in 2020/21.

3. How much money has your health board paid out in total as a result of these successful claims, broken down by year*?

This question pertains to one claim and as such, due to the risk of identifying the individual involved in a small Board area, the amount is not disclosed.

In accordance with FOISA s 16(1), NHS Shetland confirms that it holds the information requested but that it is exempt from disclosure under FOISA s 38(1)(a) due to the risk of identifying the claimant.

4. What is the biggest amount for an individual settlement in each of those years*?

n/a – only one claim settled.

5. Please tell me whether the total amount paid in settlements each year is accumulative. For example, if someone in Year 1 has a successful claim that means they will get regular payments each year, is the payment to them in Year 2 counted in Year 2's overall settlement figure? A yes/no answer will suffice but feel free to provide context.

n/a

*you can use tax or calendar years, whatever is easiest for you.