



**Isle of Man**  
Government

*Kellin Eilan Vannin*

# Department of Health and Social Care

*Rheynn Slaynt as Kiarail y Theay*

Mr Ian Kermode  
Court View Chambers  
14 Albert Street  
Douglas  
Isle of Man  
IM1 2QA

Interim Chief Executive: Stuart Quayle  
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**Our ref: 2775633**

17 November 2022

Dear Mr Kermode

We write further to your request which was received on 15th November 2022 and which states:

*"Please can you confirm the following:*

- 1. What is the total number of individual civil claims (including clinical negligence and personal injury) made against the DHSC (including all hospitals, GP's and care homes) in each of the years 2017, 2018, 2019, 2020 and 2021?*
- 2. What is the total amount of money paid out to persons by the DHSC in respect of such claims in each of those years?*
- 3. How many of such payouts in each of those years was subject to a confidentiality clause?*

*Thank you."*

Our response to your request is as follows:

The Department of Health and Social Care (DHSC) does not hold a central register for these payments and the only ones we can be certain of are those medical negligence claims that are paid from one cost centre and general ledger code which is then reclaimed from the Medical Indemnity Fund. Please find below the number of payments made. Please note that some individuals will have received more than one payment over multiple years.

<b>Year</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>
<b>Payments</b>	7	13	45	8	15
<b>Value</b>	£457,126.52	£1,016,485.60	£4,390,781.00	£908,568.99	£1,512,224.92

The payments relate only to what has been claimed from the Medical Indemnity Fund, they would not cover GP or dentist claims, as these would be picked up by their own indemnity and the DHSC wouldn't be sighted on these. We do not hold information on claims in respect of Care Homes.

We hold the following regarding claims which are still open:

<b>Year</b>	<b>Amount</b>	<b>Type</b>
2018	2	Clinical Negligence claim
2019	5	Clinical Negligence claim
2020	6	Clinical Negligence claim
2021	11	Clinical Negligence claim
2022	4	Clinical Negligence claim

Below is a list of previous Freedom of Information responses which hold relevant details, these can be accessed on the Freedom of Information website.

<b>Date submitted</b>	<b>Description</b>
08/08/2022	Information on number of cases (The updated figure for 2022 to date would be £239,057.32)
20/11/2019	Malpractice cases at Nobles
10/01/2019	Information on the sums of monies paid out in lieu of legal action
30/05/2017	Medical Negligence etc

We do not hold details regarding number of confidentiality clauses however the **Attorney General's Chambers** may hold relevant information.

To provide advice and assistance, you may want to submit a similar request to Manx Care, who may also be able to help you. The DHSC redesigned on 1 April 2021 as a direct result of Sir Jonathan Michael's Independent Review of the Isle of Man Health and Care System, this Review continues to be a catalyst for change and improved service provision. The redesign ensures the separation between the setting of policy and strategy by DHSC and the delivery of services by **Manx Care**.

Please quote the reference number 2775633 in any future communications.

### **Your right to request a review**

If you are unhappy with this response to your freedom of information request, you may ask us to carry out an internal review of the response, by completing a complaint form and submitting it electronically or by delivery/post.

An electronic version of our complaint form can be found by going to our website at <https://services.gov.im/freedom-of-information/Review>. If you would like a paper version of our complaint form to be sent to you by post, please contact me and I will be happy to arrange for this. Your review request should explain why you are dissatisfied with this response, and should be made as soon as practicable. We will respond as soon as the review has been concluded.

If you are not satisfied with the result of the review, you then have the right to appeal to the Information Commissioner for a decision on;

1. Whether we have responded to your request for information in accordance with Part 2 of the Freedom of Information Act 2015; or
2. Whether we are justified in refusing to give you the information requested.

In response to an application for review, the Information Commissioner may, at any time, attempt to resolve a matter by negotiation, conciliation, mediation or another