

## **Freedom of Information Request: Our Reference CTHB\_346\_18**

### **You asked:**

I understand that in the last financial year (2017-18), Wales' seven health boards spent £91,377,954 on clinical negligence cash payments.

I would like to know:

1. The three highest individual clinical negligence cash payments for your health board in 2017-18
2. The clinical/medical/administrative reason each of those top three payments was made

### **Our response:**

We are unable to provide you with the level of detail you are seeking. This is due to the potential risk of identification if we released the specific details requested, which might then be linked with other information available in the public domain. Therefore, the data is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute as unfair and unlawful processing **in regard to** Articles 5, 6, and 9 of 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.

However, in order to fulfil our obligation under Section 16 of the Act to provide advice and assistance, during 2017/2018 the damages paid for the three highest individual clinical negligence claims amounts to £2,145,000.00 and relate to treatment complications.