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Martin James Keatings

Sent by email to: [request-5570772c34e0bc@whatdotheyknow.com](mailto:request-5570772c34e0bc@whatdotheyknow.com)

Our ref: FOI/19/00641  
26 March 2019

Dear Mr Keatings

## **REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)**

Thank you for your request dated 28 February 2019 under the Freedom of Information (Scotland) Act 2002 (FOISA).

### Your request

You asked for:

1. The total cost to NHS Scotland of defending litigation from patients of their families in each of the previous 5 years.
2. A breakdown of the total cost to each of the 14 NHS Scotland health boards of defending litigation from patients of their families in each of the previous 5 years.
3. The number of cases brought against NHS Scotland in each of the previous 5 years.
4. The number of cases brought against each of the individual NHS boards in Scotland in each of the last 5 years.
5. The Total cost of "court ordered" financial settlements against NHS Scotland in each of the past 5 years.
6. The Total cost of "court ordered" financial settlements against each of the 14 individual NHS boards in Scotland.
7. The total cost of financial settlements "out of court" made by NHS Scotland.
8. The total cost of financial settlements "out of court" by each of the 14 individual NHS boards in Scotland.

## Response to your request

While our aim is to provide information whenever possible, in this instance the Scottish Government does not have the information you have requested. This information is held by NHS National Services Scotland, Central Legal Office at Anderson House, Breadalbane Street, Edinburgh, EH6 5HR. The reasons why we don't have the information are explained in the Annex to this letter.

## Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Malcolm Wright, St. Andrew's House, Regent Road, Edinburgh, EH1 3DG or at [DGHSC@gov.scot](mailto:DGHSC@gov.scot). Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely



Nicola Trotter

## REASONS FOR NOT PROVIDING INFORMATION

### The Scottish Government does not have the information

The Scottish Government does not have the information you have asked for because this area of service is delivered by NHS National Services Scotland, Central Legal Office.

This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.