



05 March 2019

ID Number – FOI 6638

Email address – [request-538332-7e3d28cc@whatdotheyknow.com](mailto:request-538332-7e3d28cc@whatdotheyknow.com)

Dear Anonymous

I refer to your request for information received on 11<sup>th</sup> December 2018 and acknowledged on 12<sup>th</sup> December 2018. We apologise for the delay in providing a response to your request but the Trust is currently experiencing an increase in the number of requests to process.

I am now in a position to respond to your request; please see our responses below:

**Trust Response:**

Question:	Trust Response:
How many time (please break down by Year and which article of the Human Rights Act the action relates to) has the Trust settled out of court or had legal action taken on them in relation of breaching the human rights act?	Please refer to the below table, data provided for dates between 01 April 2007 to 31 March 2018 (refer to Notes below):
How many cases were settled out of court?	
How many cases that were settled out of court resulted in financial payment from the trust to claimant?	
How many cases made it court?	
How many cases that made it to court involved a financial payment being made to the claimant?	
What the yearly amount of compensation paid by the Trust for breaches of the Human Rights Act per year?	

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Year	Legal action taken in relation to breaching the HRA.	Settled out of Court.	Settled out of Court and resulted in financial payment.	Went to Court.	Went to Court and financial payment made to claimant.	Yearly compensation paid by the Trust.
2007	0	0	0	0	0	£0
2008	0	0	0	0	0	£0
2009	0	0	0	0	0	£0
2010	1	0	0	1	0	£0
2011	0	0	0	0	0	£0
2012	3	1	1	0	0	£0
2013	0	0	0	0	0	£1,000*
2014	0	0	0	0	0	£0
2015	3	0	0	1	0	£0
2016	0	0	0	0	0	£0
2017	2	0	1	0	0	£0
2018**	0	0	0	0	0	£0

#### Notes:

Claims not settled out of Court and did not result in any financial payment have been closed.

\* Payment relates to 2012 claim that was settled out of court.

\*\* For FOI requests NHS Resolution has a policy not to divulge any data for the current financial year, data only supplied to 31-Mar-2018.

If we can be of any further assistance to you please do not hesitate to contact me.

If you are dissatisfied with the outcome of your enquiry, you have the right to appeal and in the first instance this should be to Jonathan Warren, Caldicott Guardian, Surrey & Borders Partnership NHS Foundation Trust, 18 Mole Business Park, Randalls Road, Leatherhead, Surrey KT22 7AD.

If you are still not satisfied with the outcome, you can write to:

The Information Commissioner  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire SK9 5AF  
Telephone: 0303 123 1113: Website: [www.ico.gov.uk](http://www.ico.gov.uk)

There is no charge for making an appeal.

Yours sincerely  
Ann Stevenson  
Associate Director of Quality Assurance & Reporting