

A review of obstetric anaesthesia NHS resolution cases in England from 2006 to 2025

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Introduction

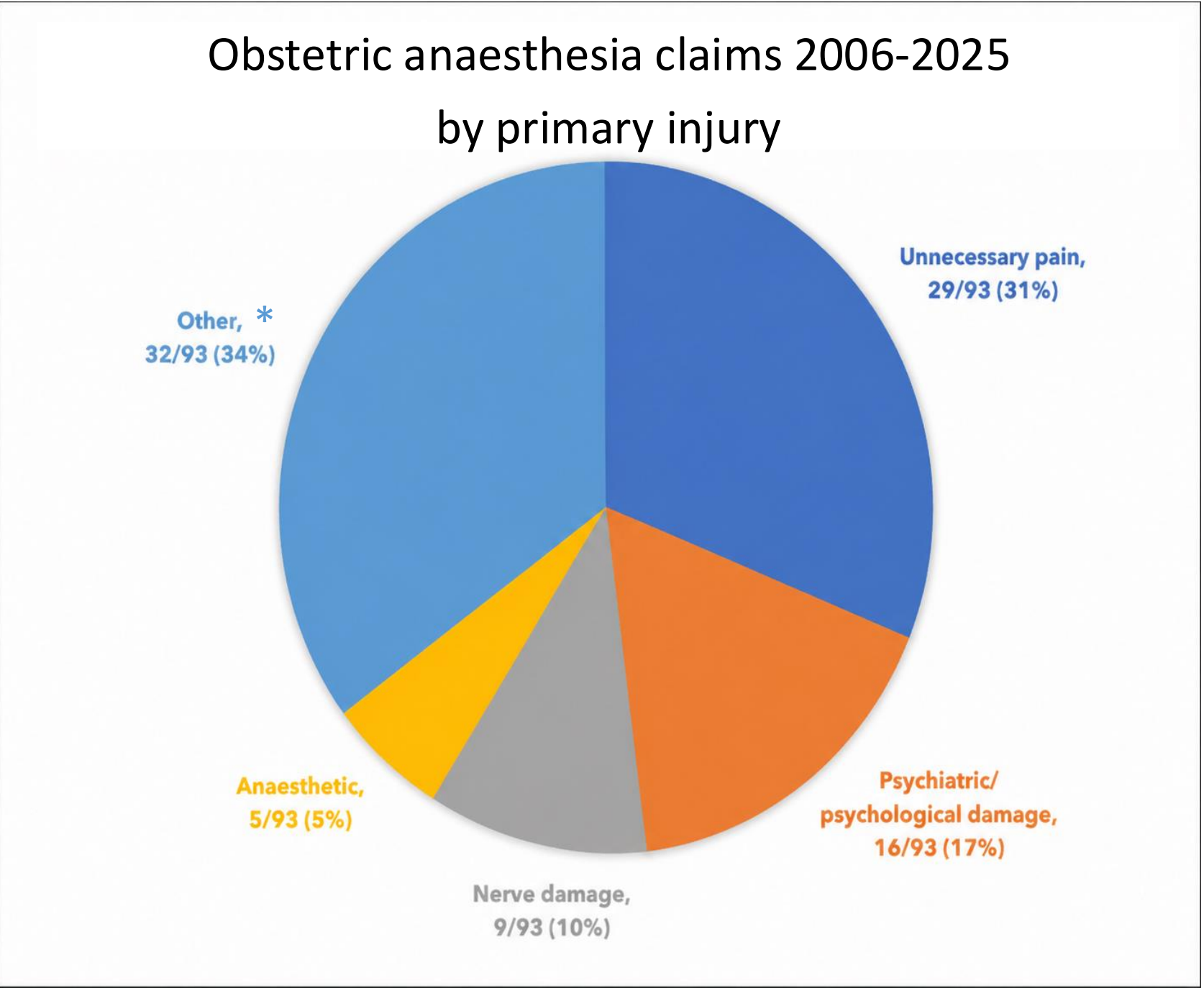
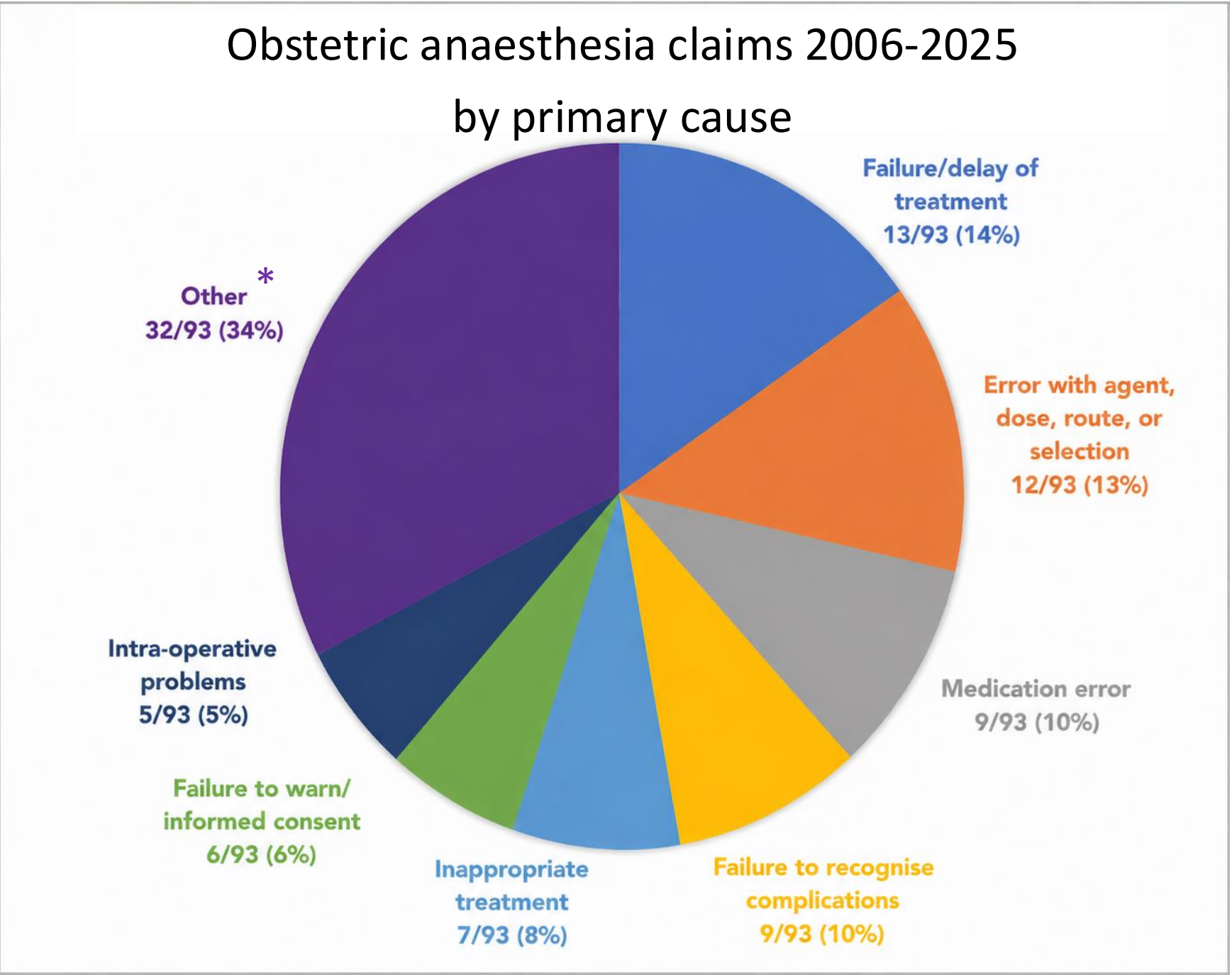
- Obstetric anaesthesia accounts for 14% of anaesthesia claims against the NHS in England.¹
- These cases represent an important source of information on harm in maternity care.
- This study aims to review the rates, causes, and cost of obstetric anaesthesia-related claims made against NHS Trusts in England.

Methods

- Data pertaining to all maternity claims associated with anaesthetic care or anaesthetic-related issues in England from 2006-2025 were obtained from NHS Resolutions under the Freedom of Information (FOI) Act 2000.²
- Cases of both active claims and closed claims were requested.
- We requested categorisation of each claim according to NHS Trust, primary cause of claim, primary injury (direct harm) and total payments (damages, NHS legal costs, claimant legal costs).
- Anonymised data were presented as per data protection principles under Section 40(2) of the FOI Act.²

Results

- A total of 93 claims and incidents from 59 Trusts in England were identified.
- The most common primary causes were failure/delay of treatment 14% (13/93), error with agent, dose, route, or selection 13% (12/93), medication error 9.7% (9/93), or failure to recognise complications 9.7% (9/93).
- The most common primary injuries were unnecessary pain 31% (29/93), psychiatric/psychological damage 17% (16/93), and nerve damage 9.7% (9/93).
- During this same period, 47 claims were closed or settled with a periodical payment order. The most common primary injuries closed were psychiatric/psychological damage 28% (13/47) and unnecessary pain 21% (10/47).
- The most common primary causes were error with agent, dose, route, or selection 19% (9/47) and failure/delay of treatment 15% (7/47).
- A total of £12,024,630 was paid comprising £9,036,268 in damages, £696,460 in NHS legal costs, and £2,291,901 in claimant legal costs.



* In the instance of low number of claims (fewer than 5), NHS Resolutions believes individuals who are subject of this information may be identified either from this information alone, or in combination with other available information. Details have not been provided to protect the individuals' identities

Discussion

- Obstetric anaesthesia NHS Resolution cases in England are associated with substantial financial costs.
- The majority of claims relate to delayed treatment, medication errors, and failure to recognise complications.
- Understanding trends in these claims may help target quality improvement initiatives and reduce both patient harm and medico-legal exposure.
- These findings highlight areas for research, quality improvement and education initiatives in obstetric anaesthesia including medication safety processes, recognition of complications, and communication.
- A limitation of this study is the low granularity of available data from NHS Resolutions. Detailed case-level data were withheld in line with FOI Act Section 40(2)/(3A) and GDPR Article 5,^{2,3} to avoid disclosure of sensitive personal data.

References

1. Oglesby FC, Ray AG, Shurlock T, *et al.* Litigation related to anaesthesia: analysis of claims against the NHS in England 2008-2018 and comparison against previous claim patterns. *Anaesthesia*. 2022;77:527-37. <https://doi.org/10.1111/anae.15685>
2. Acts UPG. Freedom of Information Act 2000 [Available from: <https://www.legislation.gov.uk/ukpga/2000/36/contents>.
3. European Parliament and Council. Regulation (EU) 2016/679 of the European Parliament and of the Council. *Regulation (EU)* 2016;679:10–3.