

[REDACTED]
[REDACTED]

Date	7 October 2026
Your Ref	FOI-2026-3491
Our Ref	FOI-2026-3491

Enquiries to [REDACTED]
Email psd.foi@nhs.scot

Dear [REDACTED]

Freedom of Information Reference FOI-2026-3491

I refer to your Freedom of Information (Scotland) Act 2002 (FOISA) request that we received on 18 September 2026 requesting the following information:

I am undertaking academic research examining clinical negligence associated with diabetic foot disease and lower limb amputation within NHS Scotland. The purpose of the study is to identify recurring system failures and opportunities for improving multidisciplinary diabetic foot care. I am requesting anonymised aggregate data only.

Information requested

Please provide data relating to clinical negligence claims managed through CNORIS for the period 1 January 2021 to 31 December 2025 (inclusive).

For each calendar year, please provide:

- 1. The total number of clinical negligence claims relating to:**
 - o diabetic foot disease,**
 - o diabetic foot ulceration,**
 - o diabetic foot infection,**
 - o diabetic foot gangrene,**
 - o diabetic foot disease resulting in lower limb amputation.**
- 2. The number of new claims received.**
- 3. The number of claims concluded.**
- 4. The number of claims settled.**
- 5. The total compensation paid (£).**

- 6. The total legal costs paid (£).**
- 7. The recorded primary allegation or claim category (or equivalent coding), where available, including:**
 - o delayed diagnosis,**
 - o delayed referral,**
 - o failure to recognise critical limb ischaemia,**
 - o delayed vascular assessment,**
 - o delayed treatment,**
 - o inadequate consent,**
 - o documentation or communication failures.**
- 8. The NHS Scotland specialty associated with each claim, where recorded (e.g. Vascular Surgery, Diabetes, Emergency Medicine, General Surgery or Podiatry).**
- 9. Where available in coded form, whether the claim involved a major or minor lower limb amputation.**

It is important to note that from 1 April 2026, NHS National Services Scotland (NSS) and NHS Education for Scotland (NES) joined to form Public Services Delivery Scotland (PSD Scotland), enabling transformation in health, social care, and the wider public sector. More information regarding PSD Scotland can be found at the following URL:

[Public Services Delivery Scotland \(PSD Scotland\)](#)

After a search of our electronic and paper records, including those previously held by legacy organisations NSS and NES, I can confirm that PSD Scotland holds the following information:

For our response to questions 1 to 8 please refer to the attached spreadsheet entitled “2026-3491 Data Spreadsheet”

Please note that where the figure is less than 5, we have taken the decision to withhold the specific number of cases due to the risk of identifying data being released. You will see that this relates to your questions 1,2,3 and 4 on the attached spreadsheet.

The Information Commissioner’s Office states that public authorities responding to requests for numbers must determine whether members of the public would be able to identify individuals from statistical figures if they are disclosed. It is our consideration that given the specific clinical breakdown, there is a more significant chance that disclosure would lead to individuals being identified. This information is therefore exempt from release under [Section 38\(1\)\(b\) of FOISA for “Third party personal data”](#).

In response to your question 9, this information is not available in the format requested as CLO do not attribute any coding relating to major or minor lower limb amputation within their case file system.

This information is not immediately available in a reportable format, and to collate the information for this period would require staff members to review each relevant file in its entirety. The volume of this data is significant, and in order to assess the information held it would require a substantial

amount of staff time to review each document within the identified files to ascertain the information requested within the scope of the request. In light of this, we are applying an exemption under [Section 12\(1\) of FOISA for “Excessive cost of compliance”](#) as the cost of collating this information for review exceeds the cost limit.

If you require any further information, please do not hesitate to contact me using the email address psd.foi@nhs.scot

If you are unhappy with any aspect of how we have dealt with your request, you can make representations to us asking us to review the handling of your request. Please write to the Associate Director Corporate Governance using the email address psd.foi@nhs.scot within 40 working days of the date of this correspondence.

If after a review you are still unhappy, you also have the right to apply to the Scottish Information Commissioner, who can be contacted at Kinburn Castle, St Andrews, Fife, KY16 9DS, or via their [online Appeal form](#).

Yours sincerely,

