



Resolution

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Telephone: 020 7811 2700

November 2023
FOI_6252

The following information was requested on 25 October 2023:

Please list all of your member NHS trusts or NHS organisations, that you handle clinical negligence claims on behalf of. Please list these in Table A and in a separate column/columns please provide the total amount paid out on behalf of each member Trust in clinical negligence claims for the following financial years:

2015-16
2016-17
2017-18
2018-19
2019-20
2020-21
2021-22
2022-23

The figure should be inclusive of all legal costs, and any damages paid out to the claimant.

In a separate part of the request (schedule B)

Please provide the date that each of the trusts in the lists above became a member trust with NHS resolution.

In the last part of the request (section C) please can you clarify if an NHS Trust chooses not to be a member, who would hold the data relating to the claim in terms of the total clinical negligence spent of that Trust? Obviously, the NHS trust would hold data for its own claims, but there would be a reporting mechanism somewhere within NHS England - and which department would hold the aggregate of all of this data? If the answer is still NHS Resolution - then in Schedule C please provide the aggregate amount for each of these NHS trusts also, in the same layout as Schedule A- for the same financial years requested.

Our Response

Please note we only hold claims data for England and not the rest of the UK.

In terms of the following part of your request:

Please list all of your member NHS trusts or NHS organisations, that you handle clinical negligence claims on behalf of. Please list these in Table A and in a separate column/columns please provide the total amount paid out on behalf of each member Trust in clinical negligence claims for the following financial years:

2015-16

2016-17

2017-18

2018-19

2019-20

2020-21

2021-22

2022-23

The figure should be inclusive of all legal costs, and any damages paid out to the claimant.

In a separate part of the request (schedule B)

Please provide the date that each of the trusts in the lists above became a member trust with NHS resolution.

This information is publicly available here:

[Factsheet-5-member-and-health-authority-claims-data-2022_23.xlsx \(live.com\)](#)

[Factsheet 5 - trust and authority claims data 2021/22 - NHS Resolution](#)

[Factsheet 5 – trust and authority claims data 2020/21 - NHS Resolution](#)

[Factsheet 5 - trust and authority claims data 2019/20 - NHS Resolution](#)

[Factsheet 5 - trust and authority claims data 2018/19 - NHS Resolution](#)

[Factsheet 5 - Trust and authority claims data 2017-18 - NHS Resolution](#)

[Factsheet 5 - Trust and authority claims data 2016-17 - NHS Resolution](#)

[Factsheet 5 - Trust and health authority claims data 2015-16 - NHS Resolution](#)

In each of the above links there are several worksheets. The following worksheets will meet your request: payments worksheet; contributions (this worksheet also has the date the Trust joined the scheme); claims received.

In terms of the following part of your request:

please can you clarify if an NHS Trust chooses not to be a member, who would hold the data relating to the claim in terms of the total clinical negligence spent of that Trust? Obviously, the

NHS trust would hold data for its own claims, but there would be a reporting mechanism somewhere within NHS England - and which department would hold the aggregate of all of this data?

Specifically in relation to our largest clinical negligence scheme, although membership is voluntary, all NHS Trusts (including Foundation Trusts) in England currently belong to the scheme.

Please note that some Trusts may no longer appear on the list due to mergers and formation of new Trusts.

For further information about our indemnity scheme please visit our website here: [Claims Management - NHS Resolution](#) .

Further to our obligations to provide advice and assistance, you may find it helpful to review the work of the [Getting It Right First Time team](#) with whom NHS Resolution has been working with to undertake in-depth analysis of our claims data. They have produced a number of [reports](#) from analysing our claims data, which has been shared following approval of the confidentiality advisory group to the use of confidential patient information for this purpose.

If you would like to know how data is categorised in our Claims database please see the following link: [Glossary](#)

This concludes our response to your request.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decisions. If you choose to do this, you should write to [Tinku Mitra](#), Deputy Director of Corporate and Information Governance, Data Protection Officer for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/>