



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 020 7811 2700

March 2024
FOI_6427

The following information was requested on 27 February 2024:

I am writing to request information under the Freedom of Information Act, please can you provide the following:

How many claims have been brought against the NHS relating to 'medication errors' between April 1st, 2020 and December 31st, 2023? - Can this be broken down by year?

Our Response

Please find attached the requested information. Please note we only hold information for England. We are able to provide information in complete financial years. We have therefore provided information for the financial year 2020/21 – 2022/23. The information for the financial year 2023/24 is currently unavailable and will be available on request from August 2024.

Please note claims notified/received and open are not guaranteed to be settled in the same year and can take many years to be concluded. Claims notified/received in any given year will often relate to incidents that have occurred many years prior. Due to the nature of clinical negligence claims and the level of investigation needed to bring them to a resolution, claims received and notified in a specific year may take years to settle.

Due to the way in which data is extracted, it is also possible that the same claim may appear more than once in a dataset, across different year groups e.g. where the case has been closed (as nil damages payment), challenged, reopened, and closed again at conclusion.

Please also note that the data shows a variation in the number of claims received during this period. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. As such, these fluctuations cannot be interpreted as trends.

Table 1 shows: - Number of Clinical Claims and Incidents received between financial years 2020/21 and 2022/23 where the Primary Cause is '**Medication Errors**'.

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.

Please refer to [Understanding NHS Resolution data](#) guidance for further details on how our Claims database is categorised.

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/>

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NB: Number of claims fewer than 5 (and any associated values, within the same row) are masked with a "#" (in accordance with Data Protection guidelines). Accordingly, some total values may also be approximated to prevent masked values to be deduced through reverse calculation.

[Table 1: Number of Clinical Claims and Incidents received between financial years 2020/21 and 2022/23 where the Primary Cause is 'Medication Errors'.](#)

Table 1: Number of Clinical Claims and Incidents received between financial years 2020/21 and 2022/23 where the Primary Cause is 'Medication Errors'.

FOI View	Notified
Year of Notification	No. of Claims
2020/21	367
2021/22	427
2022/23	515
Grand Total	1,309