



Resolution

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Telephone: 020 7811 2700

August 2024
FOI_6680

The following information was requested on 24 July 2024 and clarified on 25 July 2024:

[On 24 July 2024 you requested]:

I would like to make a freedom of information request for the number of deaths attributed to by medical negligence over the last decade.

If you can let me know:

- The number of deaths attributed to by negligence each year*
- The number of deaths attributed to by negligence each year by county/region*

[On 25 July 2024 we replied]:

Thank you for your request to NHS Resolution.

Would you be able to confirm the time range of your request, please? We can provide the data in Financial years.

Please refer to our publication: [Guidance-note-Understanding-NHS-Resolution-data-updated](#) and a set of codes against which claims are logged: [CNST-Codes.xlsx \(live.com\)](#) (see the three tabs in the spreadsheet – Specialty, Cause and Injury).

Your request will be put on hold until we receive the clarification requested above.

In terms of the Claims data that we publish please see the following links: [Annual statistics \(including Factsheet 5\) - NHS Resolution](#) and our previous responses regarding Fatality claims: [Fol Requests Archive - Fatality](#)

[On 25 July 2024 you replied with]:

Thank you for your reply. Would it be possible to receive the data since 2010?

Our Response

Please find attached the requested information. This information only covers England and not the rest of the UK.

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. Claims closed in any given year will often relate to claims received/notified many years prior.

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.

Table 1 shows: - Number of Clinical Claims and Incidents received between financial years 2010/11 and 2023/24 where any injury is **Fatality**.

Please note: - some of the increase in the number of claims received over the years is due to claims under the Existing Liabilities Scheme for General Practice (ELSGP) – a state indemnity scheme for general practice, providing indemnity cover for NHS clinical negligence claims made against current and former GP members of medical defence organisations in respect of liabilities incurred before 1 April 2019. More details on each scheme can be found at the following link: [Clinical schemes - NHS Resolution](#).

Table 2 shows: -. Number of Clinical Claims Closed between financial years 2010/11 and 2023/24 with a damages payment, where any injury is **Fatality**.

The information disclosed **excludes** Periodical payment order (PPO), (which are an agreement between the parties, to pay an initial lump sum and regular future payments covering the injured party's ongoing care needs, usually for life) due to their nature.

Low Numbers

We have suppressed low figures as we believe that disclosure of information with this level of granularity is exempt under Section 40(2) by virtue of section 40(3A)(a) of the FOI Act, where disclosure to a member of the public would contravene one or more of the data protection principles. The data protection principles are set out in Article 5 of the General Data Protection Regulation. We take the view that it would not be fair or lawful (given the sensitive and confidential nature of the information held) to disclose such information, and any disclosure would therefore contravene the first data protection principle.

In some instances, the low numbers of claims (fewer than 5) in each category, the likelihood exists that individuals who are the subject of this information may be identified either from this information alone, or in combination with other available information. In addition to this, as this information is considered to be sensitive personal data (the data subjects' medical condition); NHS Resolution believes it has a greater responsibility to protect those individuals' identities, as disclosure could potentially cause damage and/or distress to those involved.

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/>

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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 '2010/11' and '2023/24' where any injury is 'Fatality'.

Table 2: Number of Clinical Claims Closed between financial years '2010/11' and '2023/24' with a damages payment, where any injury is 'Fatality'.

Table 1: Number of Clinical Claims and Incidents received between financial years '2010/11' and '2023/24' where any injury is 'Fatality'.

Notified Clinical_NonClinical	Y Clinical
Year of Notification	No. of Claims
2010/11	
EAST OF ENGLAND	102
LONDON	162
MIDLANDS	241
NORTH EAST AND YORKSHIRE	191
NORTH WEST	150
SOUTH EAST	150
SOUTH WEST	91
2011/12	
EAST OF ENGLAND	98
LONDON	157
MIDLANDS	192
NORTH EAST AND YORKSHIRE	179
NORTH WEST	166
SOUTH EAST	133
SOUTH WEST	82
2012/13	
EAST OF ENGLAND	105
LONDON	173
MIDLANDS	239
NORTH EAST AND YORKSHIRE	149
NORTH WEST	177
SOUTH EAST	117
SOUTH WEST	78
2013/14	
EAST OF ENGLAND	146
LONDON	251
MIDLANDS	338
NORTH EAST AND YORKSHIRE	284
NORTH WEST	244
SOUTH EAST	164
SOUTH WEST	90
2014/15	
EAST OF ENGLAND	130
LONDON	231
MIDLANDS	277
NORTH EAST AND YORKSHIRE	248
NORTH WEST	237
SOUTH EAST	160
SOUTH WEST	92
2015/16	
EAST OF ENGLAND	148
LONDON	203
MIDLANDS	274
NORTH EAST AND YORKSHIRE	280
NORTH WEST	214
SOUTH EAST	147
SOUTH WEST	98
2016/17	
EAST OF ENGLAND	164
LONDON	204
MIDLANDS	226
NORTH EAST AND YORKSHIRE	234
NORTH WEST	315
SOUTH EAST	173
SOUTH WEST	101
2017/18	
EAST OF ENGLAND	160
LONDON	236
MIDLANDS	259
NORTH EAST AND YORKSHIRE	254

Table 1: Number of Clinical Claims and Incidents received between financial years '2010/11' and '2023/24' where any injury is 'Fatality'.

Notified Clinical_NonClinical	Y Clinical
Year of Notification	No. of Claims
NORTH WEST	262
SOUTH EAST	166
SOUTH WEST	96
2018/19	
EAST OF ENGLAND	188
LONDON	251
MIDLANDS	318
NORTH EAST AND YORKSHIRE	271
NORTH WEST	299
SOUTH EAST	188
SOUTH WEST	107
2019/20	
EAST OF ENGLAND	187
LONDON	235
MIDLANDS	334
NORTH EAST AND YORKSHIRE	379
NORTH WEST	392
SOUTH EAST	211
SOUTH WEST	93
(blank)	#
2020/21	
EAST OF ENGLAND	185
LONDON	407
MIDLANDS	284
NORTH EAST AND YORKSHIRE	422
NORTH WEST	308
SOUTH EAST	192
SOUTH WEST	103
2021/22	
EAST OF ENGLAND	202
LONDON	680
MIDLANDS	367
NORTH EAST AND YORKSHIRE	499
NORTH WEST	365
SOUTH EAST	274
SOUTH WEST	96
(blank)	#
2022/23	
EAST OF ENGLAND	184
LONDON	372
MIDLANDS	401
NORTH EAST AND YORKSHIRE	658
NORTH WEST	339
SOUTH EAST	204
SOUTH WEST	111
2023/24	
EAST OF ENGLAND	189
LONDON	326
MIDLANDS	345
NORTH EAST AND YORKSHIRE	778
NORTH WEST	377
SOUTH EAST	306
SOUTH WEST	146

Table 2: Number of Clinical Claims Closed between financial years '2010/11' and '2023/24' with a damages payment, where any injury is 'Fatality'.

ClosedSettled	Y
Claim_Outcome	Damages Paid
Clinical_NonClinical	Clinical
Is_PPO	N

Year of Closure (Settlement Year for PPOs)	No. of Claims
2010/11	
EAST OF ENGLAND	70
LONDON	109
MIDLANDS	132
NORTH EAST AND YORKSHIRE	143
NORTH WEST	118
SOUTH EAST	90
SOUTH WEST	83
(blank)	#
2011/12	
EAST OF ENGLAND	69
LONDON	122
MIDLANDS	216
NORTH EAST AND YORKSHIRE	137
NORTH WEST	103
SOUTH EAST	89
SOUTH WEST	55
2012/13	
EAST OF ENGLAND	61
LONDON	116
MIDLANDS	151
NORTH EAST AND YORKSHIRE	112
NORTH WEST	113
SOUTH EAST	89
SOUTH WEST	54
(blank)	#
2013/14	
EAST OF ENGLAND	60
LONDON	105
MIDLANDS	144
NORTH EAST AND YORKSHIRE	103
NORTH WEST	101
SOUTH EAST	100
SOUTH WEST	51
(blank)	#
2014/15	
EAST OF ENGLAND	74
LONDON	130
MIDLANDS	148
NORTH EAST AND YORKSHIRE	150
NORTH WEST	119
SOUTH EAST	85
SOUTH WEST	66
2015/16	
EAST OF ENGLAND	78
LONDON	125
MIDLANDS	170
NORTH EAST AND YORKSHIRE	123
NORTH WEST	119
SOUTH EAST	95
SOUTH WEST	53
2016/17	
EAST OF ENGLAND	96
LONDON	158
MIDLANDS	182
NORTH EAST AND YORKSHIRE	158
NORTH WEST	150
SOUTH EAST	108
SOUTH WEST	70

Table 2: Number of Clinical Claims Closed between financial years '2010/11' and '2023/24' with a damages payment, where any injury is 'Fatality'.

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2017/18	
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LONDON	137
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NORTH WEST	174
SOUTH EAST	109
SOUTH WEST	62
2018/19	
EAST OF ENGLAND	86
LONDON	130
MIDLANDS	170
NORTH EAST AND YORKSHIRE	198
NORTH WEST	153
SOUTH EAST	110
SOUTH WEST	61
2019/20	
EAST OF ENGLAND	125
LONDON	155
MIDLANDS	194
NORTH EAST AND YORKSHIRE	175
NORTH WEST	160
SOUTH EAST	129
SOUTH WEST	54
2020/21	
EAST OF ENGLAND	115
LONDON	148
MIDLANDS	190
NORTH EAST AND YORKSHIRE	162
NORTH WEST	133
SOUTH EAST	94
SOUTH WEST	77
2021/22	
EAST OF ENGLAND	108
LONDON	240
MIDLANDS	212
NORTH EAST AND YORKSHIRE	189
NORTH WEST	170
SOUTH EAST	118
SOUTH WEST	58
2022/23	
EAST OF ENGLAND	124
LONDON	236
MIDLANDS	208
NORTH EAST AND YORKSHIRE	200
NORTH WEST	146
SOUTH EAST	118
SOUTH WEST	69
2023/24	
EAST OF ENGLAND	111
LONDON	233
MIDLANDS	177
NORTH EAST AND YORKSHIRE	190
NORTH WEST	164
SOUTH EAST	135
SOUTH WEST	57