



Resolution

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Telephone: 020 7811 2700

October 2024

FOI_6743

The following information was requested on 11 September 2024:

I trust I have directed my inquiry to the correct email, other please forward this on within your organisation.

Info extracted from NHS Resolution Annual Reports confirm:

Total Payments Paid

(Damages Payments to Claimants+Claimants Legal Costs+NHS Legal Costs)

For 2019/20 84.1 million
For 2020/21 2,209.3 million
For 2021/22 2,402.8 million
For 2022/23 2,641.7 million

*1) May I please seek figures for Provision of liabilities, for the above years
i.e. Damages Provision Cover,
for the year 2019/20,20/21,21/22 & 22/23*

*Figures will be much higher than the amount already paid for damages
in respective years, as not all cases will have come to light or settled.*

*2) Please advise, are the funds for "Provision of Liabilities" carried forward,
if so for what period of time and how and where these funds are held.*

Our Response

Thank you for your request for information.

- 1) The 'provision for liabilities' is included in our published annual report and accounts. Please refer to the relevant links and pages below.

[Annual report and accounts 2019/20 \(PDF\)](#)

Total provision at the year-end: £84.1bn

Page: 181

[Annual report and accounts 2020/21 \(PDF\)](#)

Total provision at the year-end: £82.8bn

Page: 143

[Annual report and accounts 2021/22 \(PDF\)](#)

Total provision at the year-end: £128.6bn

Page: 131

[Annual report and accounts 2022/23 \(PDF\)](#)

Total provision at the year-end: £69.6bn

Page: 144

[Annual report and accounts 2023/24 \(PDF\)](#)

Total provision at the year-end: £58.5bn

Page: 166

- 2) The funding for “provision for liabilities” is an annual arrangement only and under this framework, annually a budgeting exercise is completed to determine the funding requirement for settling claims in the next financial year. This exercise is completed every year and there is no carry forward from the previous year from

The annual funds required are derived from:

- Contributions from members for the following schemes:
 - o Clinical Negligence Scheme for Trusts (CNST)
 - o Liability to Third Parties Scheme (LTPS)
 - o Property Expenses Scheme (PES)
- Budgets and financing allocated by Department of Health and Social Care (DHSC) for all of the other indemnity schemes administered by NHS Resolution.

The contribution from the members and the financing arrangement with the DHSC typically meet the annual funding requirement and therefore NHS Resolution does not carry forward any funds for the settlement of claims in future years.

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

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