



Resolution

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October 2024
FOI_6778

The following information was requested on 1 October 2024:

- 1. Can you provide me with data (based on the financial year 2023/2024 in which the claim was paid) arising from a general misdiagnosis (which I believe has the cause code “**Failure/Delay Diagnosis**”), where this is either the first or second cause of the claim? Please state the number of successful claims and the total amount of damages paid to settle these claims.*
- 2. If a NHS Trust had ten or more claims paid out within the three year period of 2021/22, 2022/23 and 2023/24 where misdiagnosis was either the first or second cause of the claim then please provide the name of the trust and the total value in compensation in relation to those claims and the number of those claims for the three year period?*
- 3. Please provide the three highest figures that have been paid out to patients where claims were found in their favour in 2023/2024 where misdiagnosis was either the first or second cause of the claim?*
- 4. Can you provide me with data (based on the financial year 2023/2024 in which the claim was paid) arising from a general misdiagnosis (which I believe has the cause code “Failure/Delay Diagnosis”), where this is either the first or second cause of the claim and where “cancer” or “malignant” is in the free write field? Please state the number of successful claims and the total amount of damages paid to settle these claims.*
- 5. If a NHS Trust had five or more claims paid out in the three year period of 2021/22, 2022/23 and 2023/24 where misdiagnosis was either the first or second cause of the claim and where “cancer” or “malignant” is in the free write field then please provide the name of the trust and the total value in compensation in relation to those claims and the number of those claims in the three year period.*
- 6. Please provide the three highest figures that have been paid out to patients where claims were found in their favour in 2023/2024 where misdiagnosis was either the first or second cause of the claim, and where “cancer” or “malignant” is in the free write field?*

Our Response

NB: We have recently changed the way we report on our FOIs to align better with our published documents. Streamlining our reporting on FOIs with our annual published reports may mean a variation in snapshot dates. This means this data may not align with previous similar requests and it may not be possible for you to compare this information with a previous request. For further information, please refer to <https://resolution.nhs.uk/resources/understanding-nhs-resolution-data>.

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 and close. **They are not guaranteed to be settled and closed in the same year.** As such, there will be a time gap between incident and claim closure.

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.

The data shows variation in numbers of cases closed per year and costs attributed to those claims. This is a reflection of the nature of individual claims received and resolved by NHS Resolution, which can vary significantly. As such, these fluctuations cannot be interpreted as trends.

We have provided data on clinical cases only, and for all clinical schemes.

Please find attached the information we are able to provide.

Table 1 shows: - Number and Damages for Clinical Claims Closed (or settled with a PPO) between the financial years 2021/22 - 2023/24 with damages paid, where the first or second cause is '**Failure/Delay Diagnosis**' (including damages paid up to the end of the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

The data disclosed includes CNSGP and ELSGP claims. Details about the clinical schemes that we operate are available here: - [Clinical schemes - NHS Resolution](#)

Table 2 shows: - Trusts with a total of 10 or more Clinical Claims Closed (or settled with a PPO) between the financial years 2021/22 - 2023/24 with damages paid, where the first or second cause code is '**Failure/Delay Diagnosis**' (including damages paid up to the end of the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

Please note: there are Trusts that have merged into other Trusts within the time period covered by this response.

Please note: - reference to claims for Department of Health (including General Practice) in Table 2 largely relates 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.

Table 3 shows:- Number and damages for Clinical Claims Closed (or settled with a PPO) between the financial years 2021/22 - 2023/24 with damages paid, where one of the cause codes is '**Failure/Delay Diagnosis**', and at least one of the injury codes is '**cancer**', '**advanced stage cancer**' or '**malignant tumour**' (including damages paid up to the end of the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

Table 4 shows:- Trusts with a total of 5 or more Clinical Claims Closed (or settled with a PPO) between the financial years 2021/22 - 2023/24 with damages paid, where the first or second cause is '**Failure/Delay Diagnosis**' and at least one of the injury codes is '**cancer**', '**advanced stage cancer**' or '**malignant tumour**' (including damages paid up to the end of the settlement year in the case of PPOs and up to the end of the closure year in non-PPO cases).

For questions 4 and 5 we have relied on the cause code "Failure/Delay Diagnosis where the injury codes are: 'cancer', 'advanced stage cancer' or 'malignant tumour' as this is more accurate and provides more consistent data, rather than relying on the incident description field which is the free text field and is subjective.

Table 5 shows: - The damages range of highest 3 Clinical Claims Closed (or settled with a periodical payment order) in financial year 2023/24, with a damages payment where the first or second cause is 'Failure/Delay Diagnosis' and at least one of the injury codes is '**cancer**', '**advanced stage cancer**' or '**malignant tumour**'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 6 shows: - The damages range of highest 3 Clinical Claims Closed in financial year 2023/24, with a damages payment where one of the cause codes is 'Failure/Delay Diagnosis' and at least one of the injury codes is 'cancer', 'advanced stage cancer' or 'malignant tumour'.

Please note: the tables broken down by Trusts should not be interpreted as a league table. Larger member organisations and those which provide more complex treatments may receive more claims than smaller organisations or those providing low risk care. Inevitably, different institutions face different levels of risk because of the variations in the nature and complexity of the procedures they perform. In some circumstances, volumes of reported cases may be impacted by multiple claims notified in relation to one cause of action.

PPOs

The information disclosed includes damages and costs paid up to the end of the settlement year (in Periodical payment order (PPO) cases) and up to the end of the closure year in non-PPO cases.

PPOs are an agreement between the parties, to pay an initial lump sum and regular future payments (PPO damages) related to the injured party's ongoing needs, usually care for life i.e., a percentage of the full value of the claim is paid at the point of settlement (lump sum damages) with the balance paid at regular intervals over subsequent years. The information disclosed includes lump sum damages, costs and any PPO damages paid up to the end of the year of settlement. It does not include PPO damages, which have been committed to but due to be paid after the settlement year.

Q3 and Q6 –

We have provided the data range for Qs 3 and 6 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.

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.

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 and Damages of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 2: Trusts with a total of 10 or more Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 3: Number and Damages of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2023/24 with a damages payment, where one of the Causes is 'Failure/Delay Diagnosis', and at least one of the Injury codes is 'Cancer', 'Advanced Stage Cancer', or 'Malignant Tumour'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 4: Trusts with a total of 5 or more Clinical Claims Closed between financial years 2021/22 and 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' and at least one of the Injury codes is 'Cancer', 'Advanced Stage Cancer', or 'Malignant Tumour'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

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Table 5: The Damages range of the highest 3 Clinical Claims Closed (or settled with a periodical payment order) in the financial year 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 6: The Damages range of the highest 3 Clinical Claims Closed in the financial year 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' and at least one of the Injury codes is 'Cancer', 'Advanced Stage Cancer', or 'Malignant Tumour'. The data includes the damages paid up until the end of each relevant financial year of closure.

Table 1: Number and Damages of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

ClosedSettled	Y
Claim_Outcome	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid
2021/22	1,759	294,301,978
2022/23	1,913	343,590,013
2023/24	1,785	354,892,405
Grand Total	5,457	992,784,396

Table 2: Trusts with a total of 10 or more Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

ClosedSettled Claim_Outcome	Y Damages Paid				
Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Department of Health					
DH CL	18	9,318,674	876,675	3,213,594	13,408,943
ELSGP	535	64,379,853	8,126,737	31,104,932	103,611,521
NHS England	140	5,404,065	810,616	3,493,724	9,708,405
Northern Care Alliance NHS Foundation Trust	116	24,467,284	2,562,811	8,993,795	36,023,890
Mid and South Essex NHS Foundation Trust	107	19,367,736	1,970,768	8,147,985	29,486,489
Mid Yorkshire Teaching NHS Trust	99	13,337,232	1,670,652	6,146,475	21,154,360
United Lincolnshire Hospitals NHS Trust	98	9,784,167	906,103	4,347,011	15,037,281
University Hospitals Birmingham NHS Foundation Trust	96	19,694,977	2,002,788	6,676,374	28,374,140
Barts Health NHS Trust	88	24,306,888	2,122,401	7,514,439	33,943,727
University Hospitals Sussex NHS Foundation Trust	76	28,514,867	2,574,466	7,576,760	38,666,093
County Durham and Darlington NHS Foundation Trust	76	11,122,356	918,564	4,288,600	16,329,520
Hull University Teaching Hospitals NHS Trust	74	13,422,274	1,318,821	5,435,771	20,176,866
Manchester University NHS Foundation Trust	72	17,289,138	847,894	4,544,373	22,681,405
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	71	10,242,884	1,092,085	3,541,156	14,876,125
University Hospitals of Derby and Burton NHS Foundation Trust	69	8,784,126	918,043	3,672,089	13,374,258
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	69	8,618,900	716,443	3,566,592	12,901,935
Worcestershire Acute Hospitals NHS Trust	61	22,783,651	1,327,930	4,556,659	28,668,240
Shrewsbury and Telford Hospital NHS Trust	61	10,819,347	1,633,793	5,598,357	18,051,497
Barking, Havering and Redbridge University Hospitals NHS Trust	60	7,284,274	1,177,800	3,986,512	12,448,585
Liverpool University Hospitals NHS Foundation Trust	60	10,463,838	1,044,830	4,092,487	15,601,155
East Kent Hospitals University NHS Foundation Trust	60	7,272,394	939,152	3,710,154	11,921,700
Royal Free London NHS Foundation Trust	59	27,369,801	1,583,590	6,912,423	35,865,814
University Hospitals of Leicester NHS Trust	59	9,613,232	1,113,943	5,035,116	15,762,290
Frimley Health NHS Foundation Trust	58	16,841,806	916,969	4,054,775	21,813,549
North West Anglia NHS Foundation Trust	58	6,122,184	723,172	3,507,539	10,352,894
Lewisham & Greenwich NHS Trust	57	3,846,989	780,539	3,536,647	8,164,175
King's College Hospital NHS Foundation Trust	57	15,550,485	1,643,426	5,946,807	23,140,717
Medway NHS Foundation Trust	53	4,665,563	619,731	3,019,815	8,305,109
Mersey and West Lancashire Hospitals NHS Trust	53	4,911,024	940,429	2,993,753	8,845,206
Nottingham University Hospitals NHS Trust	52	16,577,194	1,332,284	4,449,877	22,359,354
University Hospitals Coventry & Warwickshire NHS Trust	51	8,680,571	801,786	3,078,422	12,560,780
Bedfordshire Hospitals NHS Foundation Trust	51	5,139,237	751,124	3,541,543	9,431,904
York and Scarborough Teaching Hospitals NHS Foundation Trust	51	4,619,645	553,445	2,590,138	7,763,228
Northumbria Healthcare NHS Foundation Trust	51	3,283,227	604,430	2,253,071	6,140,728
The Leeds Teaching Hospitals NHS Trust	51	4,645,815	805,998	3,367,422	8,819,236
Royal Devon University Healthcare NHS Foundation Trust	48	23,462,859	1,019,171	3,451,615	27,933,645
Barnsley Hospital NHS Foundation Trust	48	7,488,100	1,025,514	3,770,006	12,283,620
Lancashire Teaching Hospitals NHS Foundation Trust	47	3,895,384	835,448	2,962,705	7,693,538
Sherwood Forest Hospitals NHS Foundation Trust	47	4,028,734	563,668	2,240,255	6,832,656
Sandwell & West Birmingham Hospitals NHS Trust	45	6,266,636	663,232	3,035,479	9,965,348
Norfolk & Norwich University Hospitals NHS Foundation Trust	44	5,296,851	388,175	2,199,017	7,884,043
Sheffield Teaching Hospitals NHS Foundation Trust	43	16,265,885	858,381	3,230,595	20,354,861
University Hospitals of North Midlands NHS Trust	43	6,778,969	910,402	2,907,574	10,596,945
University Hospitals Bristol & Weston NHS Foundation Trust	42	8,412,197	1,128,208	3,965,241	13,505,647
Northampton General Hospital NHS Trust	42	4,822,811	663,519	2,718,224	8,204,555
Royal Cornwall Hospitals NHS Trust	42	7,226,911	688,154	2,564,839	10,479,904
South Tyneside and Sunderland NHS Foundation Trust	41	3,410,823	524,188	2,415,566	6,350,577
East Suffolk and North Essex NHS Foundation Trust	41	13,328,615	754,839	3,447,183	17,530,636
South Tees Hospitals NHS Foundation Trust	40	4,912,345	801,521	2,968,435	8,682,301
Ashford & St Peter's Hospitals NHS Foundation Trust	39	9,012,304	792,908	3,316,583	13,121,795
Bolton NHS Foundation Trust	39	17,046,285	803,940	3,254,542	21,104,767
Oxford University Hospitals NHS Foundation Trust	39	11,008,543	849,369	3,065,305	14,923,217
Buckinghamshire Healthcare NHS Trust	38	7,276,399	564,644	3,184,207	11,025,251
Newcastle Upon Tyne Hospitals NHS Foundation Trust (The)	38	8,323,298	751,207	3,094,615	12,169,120
Warrington and Halton Hospitals NHS Foundation Trust	35	1,802,070	193,965	1,345,718	3,341,753
East Lancashire Hospitals NHS Trust	34	3,956,415	725,228	2,466,325	7,147,967
Dartford and Gravesham NHS Trust	34	3,742,133	427,572	2,154,850	6,324,555
Somerset NHS Foundation Trust	33	6,915,577	658,261	2,747,773	10,321,612
Gloucestershire Hospitals NHS Foundation Trust	32	5,373,599	445,703	1,907,869	7,727,171
Chesterfield Royal Hospital NHS Foundation Trust	32	11,992,208	706,703	2,488,274	15,187,185
North Bristol NHS Trust	32	4,233,416	477,215	2,333,980	7,044,610
University Hospitals of Morecambe Bay NHS Foundation Trust	32	2,271,677	421,526	1,624,519	4,317,721
Chelsea & Westminster Hospital NHS Foundation Trust	31	4,718,217	606,781	1,904,258	7,229,256
Hampshire Hospitals NHS Foundation Trust	31	4,296,600	554,832	2,257,206	7,108,638
Dudley Group NHS Foundation Trust (The)	31	5,373,539	665,719	2,228,368	8,267,625
Kettering General Hospital NHS Foundation Trust	31	3,569,658	403,971	1,622,045	5,595,674
Wrightington, Wigan and Leigh NHS Foundation Trust	31	5,013,032	482,625	2,500,493	7,996,150
University Hospitals Dorset NHS Foundation Trust	30	3,415,992	254,170	1,478,279	5,148,441
Calderdale & Huddersfield NHS Foundation Trust	30	1,410,034	303,505	1,261,125	2,974,664
Blackpool Teaching Hospitals NHS Foundation Trust	29	6,869,320	708,013	2,131,754	9,709,086
Hillingdon Hospitals NHS Foundation Trust (The)	29	15,862,715	748,690	2,573,683	19,185,088
Bradford Teaching Hospitals NHS Foundation Trust	29	9,897,706	420,382	1,942,321	12,260,410
North Tees & Hartlepool NHS Foundation Trust	29	3,880,047	360,216	1,716,030	5,956,293

Table 2: Trusts with a total of 10 or more Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

ClosedSettled Claim_Outcome	Y	Damages Paid			
Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
The Rotherham NHS Foundation Trust	28	3,678,395	512,282	2,026,988	6,217,665
Countess of Chester Hospital NHS Foundation Trust	28	2,247,997	394,657	1,440,332	4,082,986
Tameside and Glossop Integrated Care NHS Foundation Trust	27	871,290	163,299	800,545	1,835,134
Walsall Healthcare NHS Trust	27	7,801,850	640,772	2,092,633	10,535,255
University Hospitals Plymouth NHS Trust	27	10,287,127	877,917	3,805,310	14,970,354
Mid Cheshire Hospitals NHS Foundation Trust	26	2,605,807	491,161	1,796,340	4,893,308
Wirral University Teaching Hospital NHS Foundation Trust	26	4,411,756	377,928	1,666,461	6,456,145
University College London Hospitals NHS Foundation Trust	26	6,864,371	569,609	2,290,468	9,724,448
Maidstone and Tunbridge Wells NHS Trust	25	2,630,742	451,133	1,715,919	4,797,794
University Hospital Southampton NHS Foundation Trust	25	2,999,230	510,172	2,186,802	5,696,204
East and North Hertfordshire NHS Trust	24	6,780,973	548,363	2,436,877	9,766,213
North Cumbria Integrated Care NHS Foundation Trust	24	1,987,587	401,028	1,749,741	4,138,356
Portsmouth Hospitals NHS Trust	23	7,679,311	538,578	2,430,374	10,648,263
West Hertfordshire Hospitals NHS Trust	23	2,725,559	408,023	1,419,453	4,553,034
Guy's and St Thomas' NHS Foundation Trust	23	4,628,950	475,796	1,962,330	7,067,075
Isle of Wight NHS Trust	22	2,898,545	478,770	1,626,492	5,003,806
Royal Surrey County Hospital NHS Foundation Trust (The)	22	3,011,506	382,002	1,704,800	5,098,308
Salisbury NHS Foundation Trust	22	1,262,141	297,841	1,051,549	2,611,531
East Sussex Healthcare NHS Trust	22	6,258,145	480,532	1,928,164	8,666,842
Imperial College Healthcare NHS Trust	22	10,140,953	612,272	2,418,000	13,171,225
Royal Berkshire NHS Foundation Trust	21	8,249,366	1,122,532	2,613,652	11,985,551
North Middlesex University Hospital NHS Trust	21	1,091,310	163,801	721,301	1,976,412
Gateshead Health NHS Foundation Trust	21	2,579,502	389,404	1,845,450	4,814,355
George Eliot Hospital NHS Trust	21	2,451,137	232,582	1,104,600	3,788,318
Great Western Hospitals NHS Foundation Trust	20	966,849	199,220	1,197,328	2,363,397
London North West University Healthcare NHS Trust	20	6,518,427	671,742	2,037,913	9,228,082
Epsom and St Helier University Hospitals NHS Trust	20	5,964,359	320,813	1,819,305	8,104,477
Surrey and Sussex Healthcare NHS Trust	20	9,290,157	385,386	1,411,709	11,087,252
Royal Wolverhampton NHS Trust (The)	19	2,266,400	211,526	861,653	3,339,578
Stockport NHS Foundation Trust	19	8,042,979	511,214	1,601,948	10,156,141
Wye Valley NHS Trust	19	4,546,126	239,985	1,390,666	6,176,777
Dorset County Hospital NHS Foundation Trust	18	7,657,402	556,617	1,722,036	9,936,055
Kingston Hospital NHS Foundation Trust	18	1,146,164	228,224	951,500	2,325,888
Cambridge University Hospitals NHS Foundation Trust	18	2,901,733	208,954	1,231,375	4,342,062
St George's University Hospitals NHS Foundation Trust	18	4,238,308	462,698	1,327,300	6,028,306
Royal United Hospitals Bath NHS Foundation Trust	18	2,025,253	274,867	1,216,737	3,516,857
South Warwickshire NHS Foundation Trust	17	1,878,505	378,141	909,850	3,166,497
East Cheshire NHS Trust	17	4,905,059	463,456	1,229,803	6,598,318
Birmingham Women's and Children's NHS Foundation Trust	16	18,649,605	883,360	2,064,299	21,597,264
Croydon Health Services NHS Trust	15	683,573	210,888	660,069	1,554,529
James Paget University Hospitals NHS Foundation Trust	15	3,938,251	263,120	1,102,169	5,303,540
Ramsay Healthcare	14	1,956,142	138,162	469,638	2,563,942
West Suffolk NHS Foundation Trust	14	693,896	105,643	570,462	1,370,001
Liverpool Women's Hospital NHS Foundation Trust	13	1,036,599	229,516	686,770	1,952,885
Harrogate & District NHS Foundation Trust	13	2,137,980	106,010	801,697	3,045,688
Princess Alexandra Hospital NHS Trust (The)	12	1,221,423	188,152	1,096,005	2,505,580
Torbay & South Devon NHS Foundation Trust	11	1,424,709	209,813	617,800	2,252,321
Homerton Healthcare NHS Foundation Trust	11	4,261,001	275,776	1,770,311	6,307,088
Whittington Health NHS Trust	10	601,647	168,519	743,611	1,513,776
Grand Total	5,249	956,499,694	92,294,052	359,298,580	1,408,092,326

Table 3: Number and Damages of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2021/22 and 2023/24 with a damages payment, where one of the Causes is 'Failure/Delay Diagnosis', and at least one of the Injury codes is 'Cancer', 'Advanced Stage Cancer', or 'Malignant Tumour'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

ClosedSettled	Y
Claim_Outcome	Damages Paid
ConcatInjuryAll	(Multiple Items)

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid
2021/22	281	30,803,643
2022/23	319	35,885,295
2023/24	314	40,193,961
Grand Total	914	106,882,899

Table 4: Trusts with a total of 5 or more Clinical Claims Closed between financial years 2021/22 and 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' and at least one of the Injury codes is 'Cancer', 'Advanced Stage Cancer', or 'Malignant Tumour'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

ClosedSettled Claim_Outcome ConcatInjuryAll	Y	Damages Paid (Multiple Items)			
Member Name	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Department of Health					
DH CL	#	#	#	#	#
ELSGP	133	11,395,190	1,995,668	7,875,089	21,265,948
Northern Care Alliance NHS Foundation Trust	27	2,811,817	523,490	1,896,913	5,232,220
NHS England	22	397,285	90,018	562,700	1,050,003
Mid Yorkshire Teaching NHS Trust	19	1,332,933	171,050	818,025	2,322,009
Royal Free London NHS Foundation Trust	18	1,170,956	206,078	1,210,375	2,587,409
Mid and South Essex NHS Foundation Trust	17	1,354,773	85,435	806,365	2,246,572
Manchester University NHS Foundation Trust	16	2,403,461	180,355	752,000	3,335,816
Worcestershire Acute Hospitals NHS Trust	15	1,767,614	283,749	953,500	3,004,862
Northern Lincolnshire & Goole Hospitals NHS Foundation Trust	14	1,724,741	152,360	604,400	2,481,500
Hull University Teaching Hospitals NHS Trust	14	1,774,701	175,892	851,484	2,802,077
Barnsley Hospital NHS Foundation Trust	14	2,034,000	293,777	1,263,734	3,591,511
Liverpool University Hospitals NHS Foundation Trust	13	1,285,895	192,961	825,026	2,303,881
United Lincolnshire Hospitals NHS Trust	12	2,292,660	95,821	521,843	2,910,324
Shrewsbury and Telford Hospital NHS Trust	12	2,620,643	355,759	887,851	3,864,253
University Hospitals Birmingham NHS Foundation Trust	12	491,587	110,583	589,089	1,191,260
University Hospitals of North Midlands NHS Trust	12	1,642,718	93,207	525,599	2,261,524
South Tyneside and Sunderland NHS Foundation Trust	11	1,219,912	102,745	521,591	1,844,248
County Durham and Darlington NHS Foundation Trust	11	1,423,528	124,107	678,353	2,225,987
The Leeds Teaching Hospitals NHS Trust	11	1,258,114	135,959	842,900	2,236,973
Sheffield Teaching Hospitals NHS Foundation Trust	11	851,390	124,522	647,130	1,623,042
King's College Hospital NHS Foundation Trust	11	2,252,199	333,505	1,122,424	3,708,128
Bradford Teaching Hospitals NHS Foundation Trust	11	2,215,053	121,986	711,283	3,048,322
Nottingham University Hospitals NHS Trust	11	1,243,149	112,939	588,659	1,944,748
Barts Health NHS Trust	11	653,673	65,712	534,250	1,253,635
University Hospitals of Derby and Burton NHS Foundation Trust	10	1,313,757	93,062	528,810	1,935,629
Northampton General Hospital NHS Trust	10	1,631,476	222,365	885,500	2,739,341
University Hospitals of Leicester NHS Trust	10	1,987,585	154,876	852,650	2,995,111
East Kent Hospitals University NHS Foundation Trust	10	1,262,146	106,291	551,200	1,919,637
Mersey and West Lancashire Hospitals NHS Trust	10	1,081,783	164,233	705,034	1,951,050
Kettering General Hospital NHS Foundation Trust	9	945,850	100,818	395,500	1,442,168
Northumbria Healthcare NHS Foundation Trust	8	274,266	111,452	504,750	890,468
Warrington and Halton Hospitals NHS Foundation Trust	8	1,016,237	92,857	471,805	1,580,898
Countess of Chester Hospital NHS Foundation Trust	8	341,423	82,895	303,882	728,200
Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust	8	658,077	72,866	349,257	1,080,201
Bedfordshire Hospitals NHS Foundation Trust	8	1,476,773	191,572	1,075,143	2,743,488
South Tees Hospitals NHS Foundation Trust	8	1,337,500	222,144	682,753	2,242,398
London North West University Healthcare NHS Trust	8	1,799,975	146,240	615,250	2,561,465
North Bristol NHS Trust	8	1,159,345	91,335	691,250	1,941,930
Hampshire Hospitals NHS Foundation Trust	8	738,851	81,955	466,500	1,287,306
Barking, Havering and Redbridge University Hospitals NHS Trust	8	312,477	109,707	407,355	829,539
Norfolk & Norwich University Hospitals NHS Foundation Trust	8	539,823	23,721	300,618	864,162
North Tees & Hartlepool NHS Foundation Trust	8	1,046,000	45,385	325,959	1,417,344
North West Anglia NHS Foundation Trust	7	445,300	61,920	283,890	791,110
University Hospitals Sussex NHS Foundation Trust	7	1,502,500	70,664	423,500	1,996,664
Lewisham & Greenwich NHS Trust	7	546,938	146,411	538,694	1,232,043
Sandwell & West Birmingham Hospitals NHS Trust	7	703,722	59,659	422,200	1,185,581
The Rotherham NHS Foundation Trust	7	774,427	113,609	497,878	1,385,914
Buckinghamshire Healthcare NHS Trust	7	3,987,711	144,734	1,385,500	5,517,946
University Hospitals Coventry & Warwickshire NHS Trust	7	617,392	44,234	299,162	960,788
Dartford and Gravesham NHS Trust	7	465,685	59,162	483,772	1,008,620
University Hospitals of Morecambe Bay NHS Foundation Trust	7	588,750	111,098	393,500	1,093,348
Calderdale & Huddersfield NHS Foundation Trust	7	439,250	40,959	292,450	772,659
Cambridge University Hospitals NHS Foundation Trust	7	2,257,507	86,041	733,500	3,077,047
York and Scarborough Teaching Hospitals NHS Foundation Trust	7	311,857	53,293	319,400	684,550
Gateshead Health NHS Foundation Trust	6	580,162	22,047	209,125	811,334
Portsmouth Hospitals NHS Trust	6	1,318,000	150,240	713,000	2,181,240
Gloucestershire Hospitals NHS Foundation Trust	6	1,413,227	87,644	455,675	1,956,545
Medway NHS Foundation Trust	6	461,678	32,026	278,500	772,203
University Hospitals Dorset NHS Foundation Trust	6	1,014,104	23,187	156,450	1,193,741
Royal United Hospitals Bath NHS Foundation Trust	5	1,395,000	124,612	585,050	2,104,662
Tameside and Glossop Integrated Care NHS Foundation Trust	5	93,738	8,503	102,150	204,391
Wirral University Teaching Hospital NHS Foundation Trust	5	856,250	81,825	321,814	1,259,889
Royal Devon University Healthcare NHS Foundation Trust	5	114,000	15,248	124,950	254,198
East Suffolk and North Essex NHS Foundation Trust	5	767,807	72,259	371,135	1,211,202
University Hospital Southampton NHS Foundation Trust	5	330,202	36,859	235,875	602,936
East Sussex Healthcare NHS Trust	5	213,502	23,254	204,237	440,992
St George's University Hospitals NHS Foundation Trust	5	182,300	20,875	160,500	363,675
University Hospitals Bristol & Weston NHS Foundation Trust	5	636,205	96,934	298,000	1,031,139
Blackpool Teaching Hospitals NHS Foundation Trust	5	354,061	29,937	204,500	588,498
Ashford & St Peter's Hospitals NHS Foundation Trust	5	479,180	144,164	494,000	1,117,344
University College London Hospitals NHS Foundation Trust	5	240,030	18,677	142,039	400,745

Table 5: The Damages range of the highest 3 Clinical Claims Closed (or settled with a periodical payment order) in the financial year 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis'. The data includes the damages paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

ClosedSettled	Y
Claim_Outcome	Damages Paid

Year of Closure (Settlement Year for PPOs)	Range of Damages Paid
2023/24	£7,000,000 - £10,500,000

Table 6: The Damages range of the highest 3 Clinical Claims Closed in the financial year 2023/24 with a damages payment, where the Primary or Secondary Cause is 'Failure/Delay Diagnosis' and at least one of the Injury codes is 'Cancer', 'Advanced Stage Cancer', or 'Malignant Tumour'. The data includes the damages paid up until the end of each relevant financial year of closure.

ClosedSettled	Y
Claim_Outcome	Damages Paid
ConcatInjuryAll	(Multiple Items)

Year of Closure (Settlement Year for PPOs)	Range of Damages Paid
2023/24	£1,000,000 - £3,000,000