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February 2025
FOI_6936

The following information was requested on 8 January 2025:

In respect of the NHSR accounting year 2023/24, in respect of ***all clinical negligence schemes****;*
1. The number of clinical negligence claims received during the year.
2. The number of clinical negligence claims closed during the year.
3. The number of clinical negligence claims closed before the issue of proceedings with no payment of damages.
4. The number of clinical negligence claims closed before the issue of proceedings with payment of damages.
5. In respect of the claims identified in 4, please state:
a. The total damages paid.
b. The total Claimant costs.
c. The total Defendant costs.
6. In respect of the claims identified in 4, please state:
a. The number of claims where the damages did not exceed £25,000 and in respect of those cases:
b. The total damages paid.
c. The total Claimant costs.
d. The Total Defendant costs.
7. In respect of the Claims identified in 4, please state:
a. The number of claims where the damages exceeded £25,000 but did not exceed £100,000 and in respect of those cases:
b. The total damages paid.
c. The total Claimant costs.
d. The total Defendant costs.
8. The number of clinical negligence claims closed after the issue of proceedings with no payment of damages.
9. The number of clinical negligence claims closed after the issue of proceedings with payment of damages.
10. In respect of the claims identified in 9, please state
a. The total damages paid
b. The total Claimant costs
c. The total Defendant costs
11. In respect of the claims identified in 9, please state
a. The number of claims where the damages did not exceed £25,000 and in respect of those cases:
b. The total damages paid.
c. The total Claimant costs.

d. The total Defendant costs.
12. In respect of the claims identified in 9, please state
a. The number of claims where the damages exceeded £25,000 but did not exceed £100,000 and in respect of those cases:
b. The total damages paid.
c. The total Claimant costs.
d. The total Defendant costs.

Our Response

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

We have provided data on clinical cases only. **Please note that the attached data covers claims cases closed in the relevant financial year or settled with a Periodical Payment Orders (PPO) during the financial year.**

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.

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.

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.

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/

FOI 6936 - All Clinical Negligence Claims for the 2023/24 Financial Year

	2023/24
1. The number of clinical negligence claims and incidents received during the year.	13,784
2.The number of clinical negligence claims closed or settled with a PPO during the year.	13,940
3.The number of clinical negligence claims closed before the issue of proceedings with no payment of damages.	5,922
4. The number of clinical negligence claims closed before the issue of proceedings with payment of damages.	5,159
5. In respect of the claims identified in 4, please state:	
a. The total damages paid.	316,537,063
b. The total Claimant costs.	187,962,599
c. The total Defendant costs.	32,934,225
6. In respect of the claims identified in 4, please state:	
a. The number of claims where the damages did not exceed £25,000 and in respect of those cases:	2,978
b. The total damages paid.	32,059,834
c. The total Claimant costs.	64,804,207
d. The Total Defendant costs.	10,324,955
7. In respect of the Claims identified in 4, please state:	
a. The number of claims where the damages exceeded £25,000 but did not exceed £100,000 and in respect of those cases:	1,586
b. The total damages paid.	80,943,386
c. The total Claimant costs.	67,847,872
d. The total Defendant costs.	10,732,378
8. The number of clinical negligence claims closed after the issue of proceedings with no payment of damages.	650
9. The number of clinical negligence claims closed or settled with a PPO after the issue of proceedings with payment of damages.	2,209
10. In respect of the claims identified in 9, please state	
a. The total damages paid	1,255,578,090
b. The total Claimant costs	299,251,947
c. The total Defendant costs	92,365,057
11. In respect of the claims identified in 9, please state	
a. The number of claims where the damages did not exceed £25,000 and in respect of those cases:	771
b. The total damages paid.	8,691,281
c. The total Claimant costs.	31,982,620
d. The total Defendant costs.	9,178,831
12. In respect of the claims identified in 9, please state	
a. The number of claims where the damages exceeded £25,000 but did not exceed £100,000 and in respect of those cases:	571
b. The total damages paid.	31,800,255
c. The total Claimant costs.	49,564,396
d. The total Defendant costs.	13,736,546