



Resolution

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May 2025

FOI_7142

The following information was requested on 4 April 2025 and clarified on 7 April 2025:

[Request on 4 April 2025]

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

*1. The number of data breach incidents each NHS has had in the last three years (Between April 6th - April 5th, 2022/2023, 2023/24 and 2024/25) Broken down by years and by Trust
1a) Of those, how many were cyber-incidents? (Broken down by Trust and years as above).*

2. The number of data breach claims received by each NHS Trust in the last three years (Between April 6th - April 5th, 2022/2023, 2023/24 and 2024/25) Broken down by years.

2a) The number and cost of settled claims with damages, broken down by years and by trust.

[We sought clarification on 4 April 2025]

Thank you for your email. Before we can respond, we will need clarification regarding the below.

Regarding Q1, we wish to clarify that we do receive notification of some, but not all incidents. We would not be able to extract information specifically about cyber incidents.

The data for 2024/25 is not yet available and should be available from August on request.

You may want to check our response to similar request: [FOI 7064 Data-Protection-Claims.pdf](#)

Please, do let us know if you are interested in the information as above.

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

[You replied on 7 April 2025]

Thank you for your initial response to my FOI request regarding data breaches.

In the case, can I please refine the request to the following:

1. The number of data breach incidents each NHS has had in the last five years (Between April 6th - April 5th, 2019/20, 2020/21, 2021/22, 2022/23, 2023/24) Broken down by years and by Trust

2. The number of data breach claims received by each NHS Trust in the last three years (Between April 6th - April 5th, 2019/20, 2020/21, 2021/22, 2022/23, 2023/24) Broken down by years.
2a) The number and cost of settled claims with damages, broken down by years and by trust.

Our Response

We report in complete financial years. Therefore, the data provided will cover the following period – 1st April – 31st March for the following years: 2019/20 – 2023/24.

Please note that we would not be aware of every single data breach experienced by the NHS. We would only hold the details of the claims notified to us by the NHS in England.

Please note: 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 find attached the requested information. 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.

Please note: The number of claims received does not mean that there were the same number of data breaches within the NHS. A single data breach can affect a large number of individuals and result in multiple claimants (i.e. 124 claims received in these years does not equate to 124 data breach incidents).

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 & also in the numbers of cases closed per year, and costs attributed to those claims during this period. 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.

For an explanation of the Non-clinical schemes referred to, please visit the following web page: [Non-clinical schemes - NHS Resolution](#)

Table 1 shows: - Number of Claims and Incidents received between financial years '2019/20' and '2023/24' where the schedule is 'PL- Data Protection Act', broken down by Trust.

Please note: these tables 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.

Table 2 shows: - Number and Cost of Claims Closed between financial years '2019/20' and '2023/24' with a damages payment, where the schedule is 'PL - Data Protection Act', broken down by Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

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 [Joanne Appleby](#), Deputy 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 Claims and Incidents received between financial years '2019/20' and '2023/24' where the schedule is 'PL- Data Protection Act', broken down by Trust.

Table 2: Number and Cost of Claims Closed between financial years '2019/20' and '2023/24' with a damages payment, where the schedule is 'PL - Data Protection Act', broken down by Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Table 1: Number of Claims and Incidents received between financial years '2019/20' and '2023/24' where the schedule is 'PL- Data Protection Act', broken down by Trust.

Notified Schedule	Y PL - Data Protection Act
Year of Notification --Trust	No. of Claims
2019/20	
Members with less than 5 Claims (70 Members)	102
Wrightington, Wigan and Leigh NHS Foundation Trust	6
Tavistock and Portman NHS Foundation Trust (The)	5
2020/21	
Members with less than 5 Claims (99 Members)	167
Wrightington, Wigan and Leigh NHS Foundation Trust	36
Shrewsbury and Telford Hospital NHS Trust	16
Northamptonshire Healthcare NHS Foundation Trust	8
Nottinghamshire Healthcare NHS Foundation Trust	6
University Hospitals of Leicester NHS Trust	6
Tavistock and Portman NHS Foundation Trust (The)	6
South Tees Hospitals NHS Foundation Trust	5
2021/22	
Members with less than 5 Claims (122 Members)	226
Wrightington, Wigan and Leigh NHS Foundation Trust	19
NHS England	9
Northern Care Alliance NHS Foundation Trust	8
East London NHS Foundation Trust	7
Buckinghamshire Healthcare NHS Trust	6
Hertfordshire Partnership NHS Foundation Trust	6
Guy's and St Thomas' NHS Foundation Trust	5
North East London NHS Foundation Trust	5
University Hospitals Plymouth NHS Trust	5
2022/23	
Members with less than 5 Claims (111 Members)	190
Liverpool University Hospitals NHS Foundation Trust	40
Wye Valley NHS Trust	14
NHS England	12
Airedale NHS Foundation Trust	8
Central and North West London NHS Foundation Trust	7
South Western Ambulance Service NHS Foundation Trust	7
Northern Care Alliance NHS Foundation Trust	6
Manchester University NHS Foundation Trust	6
Wrightington, Wigan and Leigh NHS Foundation Trust	6
Northamptonshire Healthcare NHS Foundation Trust	5
Imperial College Healthcare NHS Trust	5
Sandwell & West Birmingham Hospitals NHS Trust	5
Lancashire Teaching Hospitals NHS Foundation Trust	5
University Hospitals Birmingham NHS Foundation Trust	5
Lewisham & Greenwich NHS Trust	5
Hull University Teaching Hospitals NHS Trust	5
Greater Manchester Mental Health NHS Foundation Trust	5
Sheffield Teaching Hospitals NHS Foundation Trust	5
Mersey and West Lancashire Hospitals NHS Trust	5
Guy's and St Thomas' NHS Foundation Trust	5
2023/24	
Members with less than 5 Claims (120 Members)	207
Liverpool University Hospitals NHS Foundation Trust	178
Somerset NHS Foundation Trust	12
South London & Maudsley NHS Foundation Trust	12
Manchester University NHS Foundation Trust	11
NHS England	9
Bolton NHS Foundation Trust	8
Dartford and Gravesham NHS Trust	6
University Hospitals of Leicester NHS Trust	6
The Business Services Authority	6
University Hospital Southampton NHS Foundation Trust	6
Gateshead Health NHS Foundation Trust	6
Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust	6
Worcestershire Acute Hospitals NHS Trust	6
Oxleas NHS Foundation Trust	5
Tavistock and Portman NHS Foundation Trust (The)	5
Mersey Care NHS Foundation Trust	5
Alder Hey Children's NHS Foundation Trust	5
Grand Total	1,509

Table 2: Number and Cost of Claims Closed between financial years '2019/20' and '2023/24' with a damages payment, where the schedule is 'PL - Data Protection Act', broken down by Trust. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

ClosedSettled	Y
Claim_Outcome	Damages Paid
Schedule	PL - Data Protection Act

Year of Closure --Trust	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid
2019/20				
Chelsea & Westminster Hospital NHS Foundation Trust	31	356,870	96,255	576,917
Members with less than 5 Claims (16 Members)	19	91,581	24,334	99,684
2020/21				
Members with less than 5 Claims (55 Members)	70	264,079	589,531	1,310,222
Wrightington, Wigan and Leigh NHS Foundation Trust	7	17,500	11,384	27,650
Manchester University NHS Foundation Trust	6	19,090	8,859	52,800
2021/22				
Members with less than 5 Claims (84 Members)	125	499,228	155,897	776,851
2022/23				
Members with less than 5 Claims (104 Members)	169	673,748	335,071	1,337,497
Wrightington, Wigan and Leigh NHS Foundation Trust	36	52,400	21,578	82,500
Mersey and West Lancashire Hospitals NHS Trust	5	11,250	355	20,000
2023/24				
Members with less than 5 Claims (101 Members)	183	701,658	232,000	893,428
Shrewsbury and Telford Hospital NHS Trust	8	25,100	8,104	44,559
South Western Ambulance Service NHS Foundation Trust	8	23,875	3,951	24,000
Manchester University NHS Foundation Trust	5	13,600	2,177	10,500
Sheffield Teaching Hospitals NHS Foundation Trust	5	8,750	13,611	9,000
Royal Cornwall Hospitals NHS Trust	5	13,500	427	21,550
University Hospitals of Leicester NHS Trust	5	14,000	7,379	13,823
Grand Total	687	2,786,228	1,510,912	5,300,981