NHS Resolution

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August 2025
FOI_7326

The following information was requested on 18 July 2025 and clarified on 21 July 2025:

[Request on 18 July 2025]

In the last 2 financial years. Please advise on how much money has been paid for negligence claim please list
Plus how paid too lawyers.
Number of success and unsuccessful claims
Any for data breach

[We sought clarification on 18 July 2025]

Thank you for your email to NHS Resolution. Before we can proceed with your request, we would appreciate some clarification.

Could you please confirm if you are seeking information on all claims paid by NHS Resolution in the last two financial years? Additionally, are you interested in claims specifically related to data breaches as a separate category?

You can find information about payments made and legal costs in our publication Supplementary Annual Statistics which you can find on our website: Annual statistics - NHS Resolution. The links to publications for previous years are listed at the bottom of the page.

We have issued a response to similar request and you can find it on our disclosure log: FOI_7142_Data-Protection-Claims_By-Trust.pdf.

Is the above information helpful? Please do get back to us if you have any further queries.

Your prompt response will help us to provide you with the accurate information you need.

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

[You replied on 21 July 2025]

All claims
And data breach please

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: 2023/24 – 2024/25.

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.

The attached data covers clinical and non-clinical claims. Please visit the following web page for more information about our claims management: [Claims Management - NHS Resolution]

Table 1 shows: - Number and Cost of **Clinical Claims** Closed (or settled with a periodical payment order) between financial years '2023/24' and '2024/25' with a damages payment. 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 2 shows: - Number and Cost of **Non-Clinical Claims** Closed between financial years ‘2023/24’ and ‘2024/25’ with a damages payment. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Table 3 shows: - Number and Cost of Claims Closed between financial years ‘2023/24’ and ‘2024/25’ with a damages payment, where the Schedule is **'PL - Data Protection Act'**. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Table 4 shows: - Number and Cost of **Clinical Claims** Closed between financial years ‘2023/24’ and ‘2024/25’ with **NIL** damages paid.

Table 5 shows: - Number and Cost of **Non-Clinical Claims** Closed between financial years ‘2023/24’ and ‘2024/25’ with **NIL** damages paid.

Table 6 shows: - Number and Cost of Claims Closed between financial years ‘2023/24’ and ‘2024/25’ with **NIL** damages paid where the Schedule is **'PL - Data Protection Act'**.

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.

Low Numbers

We have supressed 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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Data correct as at: The end of every financial year

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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.

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Table 1: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2023/24' and '2024/25' with a damages payment. 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	Y
ClinicalNonClinical	Clinical
ClaimOutcome	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2023/24	7,368	1,572,115,152	125,299,282	487,214,546	2,184,628,980
2024/25	7,912	1,731,167,408	139,553,678	549,493,899	2,420,214,985
Grand Total	**15,280**	**3,303,282,561**	**264,852,959**	**1,036,708,445**	**4,604,843,965**

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Table 2: Number and Cost of Non-Clinical Claims Closed between financial years ‘2023/24’ and ‘2024/25’ with a damages payment. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

ClaimOutcome	Damages Paid
ClosedSettled	Y
ClinicalNonClinical	NonClinical

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2023/24	2,013	35,241,686	5,500,947	20,259,695	61,002,328
2024/25	1,703	39,235,752	5,950,474	20,917,752	66,103,978
Grand Total	**3,716**	**74,477,438**	**11,451,420**	**41,177,447**	**127,106,306**

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Table 3: Number and Cost of Claims Closed between financial years '2023/24' and '2024/25' with a damages payment , where the Schedule is 'PL - Data Protection Act'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

ClaimOutcome	Damages Paid
ClosedSettled	Y
DataProtection_Flag	Y

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2023/24	219	800,483	267,648	1,016,860	2,084,991
2024/25	201	897,132	264,501	1,022,878	2,184,512
Grand Total	**420**	**1,697,615**	**532,150**	**2,039,738**	**4,269,503**

Table 4: Number and Cost of Clinical Claims Closed between financial years '2023/24' and '2024/25' with NIL damages paid.

ClosedSettled	Y
ClaimOutcome	Nil Damages
ClinicalNonClinical	Clinical

Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2023/24	6,572	27,557,045	1,623,161
2024/25	6,625	27,898,250	667,183
Grand Total	**13,197**	**55,455,295**	**2,290,344**

Table 5: Number and Cost of Non-Clinical Claims Closed between financial years '2023/24' and '2024/25' with NIL damages paid.

ClosedSettled	Y
ClaimOutcome	Nil Damages
ClinicalNonClinical	NonClinical

Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2023/24	1,822	1,859,531	62,235
2024/25	1,756	1,944,167	45,636
Grand Total	**3,578**	**3,803,698**	**107,872**

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Table 6: Number and Cost of Claims Closed between financial years ‘2023/24’ and ‘2024/25’ with NIL damages paid where the Schedule is 'PL - Data Protection Act'.

ClosedSettled	Y
DataProtection_Flag	Y
ClaimOutcome	Nil Damages

Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2023/24	114	123,434	5,375
2024/25	136	210,948	#