



Resolution

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September 2025
FOI_7350

The following information was requested on 28 July 2025:

For the past 5 years of records held (or if the accounting period does not end on 31 December, then the respective 12-month period):

- 1. The total amount of legal damages NHS England paid out / had awarded against them in response to legal claims made against them.*
- 2. The total amount of legal fees NHS England paid out for legal services on behalf of NHS England to defend any claims.*
- 3. The total amount of legal fees NHS England paid out for legal costs, to claimants' legal advisors.*

This request refers to Court awards and settlements. The awards and settlements are with reference to Claims for clinical negligence. The amount should include the amount paid and the amount committed to or provided for (contingent liabilities).

Please provide the same information as requested in 1., 2. & 3. for the following additional years (or if the accounting period does not end on 31 December, then the respective 12-month period).

- 1. 2015 (or if information is not held that far back the earliest date that it is held and each year thereafter up until the most recent year / period).*
- 2. 2000 (or if information is not held that far back the earliest date that it is held).*
- 3. 1980 (or if information is not held that far back the earliest date that it is held).*
- 4. 1960 (or if information is not held that far back the earliest date that it is held).*

[We sought clarification on 28 July 2025]

Thank you for your request. Before we can respond, we will need to clarify what information we hold and also clarify the information you require.

We hold the data in financial years. The oldest information we are able to provide is from 2006/07 and up till 2024/25. Please, could you confirm the time frame that you are interested in?

*We also understand your request to be for claims data for the NHS **in** England, or were you interested solely in the claims data just for the **organisation** called NHS England?*

*Are you only interested in the claims that **went to court**?*

Please refer to our publication: [Guidance-note-Understanding-NHS-Resolution-data-updated](#) and a set of codes against which claims are logged: [CNST-Codes.xlsx \(live.com\)](#) (see the three tabs in the spreadsheet).

You may also refer to the Claims data that we publish, especially Factsheet 5: [Annual statistics - NHS Resolution](#).

[You replied on 28 July 2025]

Thank you for your prompt response.

Years:

1. 2024/2025
2. 2023/2024
3. 2022/2023
4. 2021/2022
5. 2020/2021
6. 2015/2016
7. 2010/2011
8. 2006/2007

The NHS in England

Not just Court, but all claims settled, or where a settlement has been agreed, but as yet not (fully) settled.

Our Response

Thank you for your request for information. Please find attached the information requested. This information only covers England and not the rest of the UK.

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>.

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.

We have provided information in relation to clinical claims closed or settled as a PPO in the financial years specified in your request. If you are interested in the claims that have been settled we would refer you to [Annual statistics - NHS Resolution](#) (ARS).

Our [Annual Report Statistics 2023-24](#) are based on a snapshot of data at the end of each financial year, which reflects the approach to publication of NHS Resolution's Annual report and accounts. These tables include volume of claims notified, volume of settled claims and the provision for financial liabilities. The ARS data for the financial year 2024/25 is currently unavailable and will be published by the end of September 2025.

The data provided relates to claims received under all of our clinical indemnity schemes, including General Practice schemes as below:(see below):

- Clinical Negligence Scheme for General Practice (CNSGP) is a state funded scheme for any incidents that occurred after 1st April 2019.
- Existing Liabilities Scheme for General Practice (ELSGP) provides indemnity cover for NHS clinical negligence claims made against current and former GP members of medical defence organisations (MDOs) in respect of liabilities incurred before 1 April 2019. The ELSGP currently covers historical liabilities for those who were members of the Medical and Dental Defence Union of Scotland (MDDUS) or the Medical Protection Society (MPS) at the time of the incident in respect of which a claim is made, and any practice staff working for the MDDUS or MPS member at the time of that incident. NHS Resolution administers the scheme on behalf of the Secretary of State for Health and Social Care, and in the first instance, is also responsible for claims handling. For further information please refer to the full explanation on our website: [General Practice Indemnity - NHS Resolution](#)
- Clinical Negligence Scheme for Trusts (CNST), which covers clinical negligence claims for incidents occurring on or after 1 April 1995.
- DHSC Clinical covers clinical negligence liabilities that have transferred to the Secretary of State for Health and Social Care following the abolition of any relevant health bodies.
- Existing Liabilities Scheme (DHSC) is centrally funded by the Department of Health and Social Care (DHSC), covering clinical negligence claims against NHS organisations for incidents occurring before 1 April 1995.
- Clinical Negligence Scheme for Coronavirus (CNSC), which will meet liabilities arising from the special healthcare arrangements taken in response to the Covid-19 pandemic.

For information about our Clinical Negligence Schemes, please visit our website here: [Clinical schemes - NHS Resolution](#).

Please find attached the following tables:

Table 1 shows: - Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2020/21 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. Broken down by Year.

Table 2 shows: - Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2006/07 and 2015/16 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. Broken down by Year.

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.

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 [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/>

TABLE OF CONTENTS

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 Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2020/21 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. Broken down by Year.

Table 2: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) for financial years 2006/07, 2010/11 and 2015/16 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. Broken down by Year.



Table 1: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2020/21 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. Broken down by Year.

ClosedSettled	Y
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
2020/21	6,670	1,190,439,338	104,432,981	377,540,139	1,672,412,457
2021/22	7,818	1,494,136,579	127,827,371	485,120,537	2,107,084,487
2022/23	7,599	1,557,018,536	127,047,469	480,149,767	2,164,215,772
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	37,367	7,544,877,013	624,160,780	2,379,518,888	10,548,556,680

Table 2: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) for financial years 2006/07, 2010/11 and 2015/16 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. Broken down by Year.

ClosedSettled	Y
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
2006/07	3,250	378,588,116	43,390,203	89,417,092	511,395,412
2010/11	5,515	692,247,462	72,928,772	212,915,072	978,091,306
2015/16	5,948	665,438,830	72,809,332	319,556,899	1,057,805,061
Grand Total	14,713	1,736,274,408	189,128,307	621,889,064	2,547,291,779