



Resolution

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December 2025
FOI_7546

The following information was requested on 10 November 2025:

I am requesting the following information for each of the past 10 financial years (2015/16 to 2024/25) in relation to Lewisham & Greenwich NHS Trust:

1. *The total number of clinical negligence claims brought against Lewisham & Greenwich NHS Trust where the patient or claimant was aged 0-17 years at the time of the incident.*
2. *Of those, the number of claims specifically relating to safeguarding or child protection issues, including but not limited to:*
 - *Failure to follow appropriate safeguarding procedures or pathways*
 - *Delayed or inappropriate referrals to safeguarding agencies*
 - *Failure to obtain or share safeguarding information appropriately*
 - *Application of incorrect safeguarding protocols or failure to inform parents/carers appropriately*
3. *For each of the claims identified under (2), please confirm, if recorded: a) Whether the claim was litigated in court (and if so, the case reference or anonymised name) b) Whether it was settled (and whether damages were paid) c) Whether it was closed without liability or compensation*
4. *If NHS Resolution does not categorise claims specifically under "safeguarding" or "child protection," please provide the closest available equivalent categories and explain how those are defined in your data systems.*
5. *Please include any summary data or reports produced by NHS Resolution that reference "safeguarding" or "child protection" issues as a cause of complaint or claim against Lewisham & Greenwich NHS Trust, where available under the FOI Act.*
6. *For any safeguarding-related claims against Lewisham & Greenwich NHS Trust identified in response to question 2 above, please provide (if recorded): a) What changes to policies, procedures, or training were recommended or implemented as a result b) Whether NHS Resolution issued any specific recommendations or learning points to the Trust*
7. *How many claims against Lewisham & Greenwich NHS Trust in the past 10 years involved allegations of: a) Applying safeguarding protocols to patients who did not meet the eligibility criteria for those protocols b) Failure to assess a patient's developmental stage or mobility status before applying protocols c) Inappropriate application of protocols designed for non-mobile infants to mobile children*
8. *How many claims against Lewisham & Greenwich NHS Trust in the past 10 years involved allegations of: a) Failure to obtain properly informed consent for safeguarding investigations or procedures b) Failure to inform parents/carers they were under safeguarding investigation c) Obtaining consent through misrepresentation or non-disclosure of material information about the purpose or nature of investigations*

Our Response

We are able to provide information in respect of **Q1** but unable to provide most of the information requested in **Qs2-8**. Please see below for details.

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 [Guidance-note-Understanding-NHS-Resolution-data-updated](#)

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 claims received or closed per year. 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.

Please find attached the following tables for **Q1** and part of **Q3**:

Table 1 shows: Number of Clinical Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is '**Lewisham & Greenwich NHS Trust**' and the Patient Age at time of Incident is between **0-17 years old**.

Table 2 shows: Number of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is '**Lewisham & Greenwich NHS Trust**' and the Patient Age at time of Incident is between **0-17 years old**.

Table 3 shows: Number of Clinical Claims Closed between financial years '2015/16' and '2024/25' with **NIL** damages paid where the Trust is '**Lewisham & Greenwich NHS Trust**' and the Patient Age at time of Incident is between **0-17 years old**.

PPOs -

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. damages, which have been committed to but due to be paid after the settlement year.

Low Numbers

Please note 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 Freedom of Information Act 2000, 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. Where we are in the territory of such small numbers in the attached, we have used a '#' symbol in the relevant field. You should still be able to see aggregate/total details for higher level fields containing this data.

In terms of **questions 2 to 8**, we are unable to provide most of the information for the following reasons:

Due to the way claims are recorded on our claims management system, we will not be able to identify such specific cases as requested. It might be helpful to explain that when claims are notified to NHS Resolution they are categorised against pre-defined cause, injury and speciality [codes](#). We do not have codes for *safeguarding, child protection, developmental stage, mobility status and other related descriptions*.

To provide the information requested we would need to manually review the claims received for Lewisham & Greenwich NHS Trust during the time period specified to ascertain what relevant information is held. This would be a time-consuming exercise.

We estimate that the cost of complying with the request in its entirety would exceed the 'appropriate limit.' Section 12(1) of the FOIA is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit (known as the 'appropriate limit'). The

'appropriate limit' for NHS Resolution is £450. This equates to 18 hours of work at the rate of £25 per hour set out in the 'Fees Regulations'.

To provide a rough estimate, as per Table 1, Lewisham & Greenwich NHS Trust has received 107 claims and incidents for the age group **(0-17 years)** within the financial years '2015/16' and '2024/25'. We estimate that it would take on average 20 minutes to locate, retrieve and extract the requested information from an individual file. It may therefore be the case that we would be able to examine only 50 files within 18 hours.

In addition, given the complexity of clinical negligence claims and their litigation, it is possible for a single electronic or paper-based file to contain hundreds of documents in a variety of formats.

Under section 16 of the FOI law, we are required to provide you with reasonable advice and assistance. As part of this requirement, we have carried out a manual sample review of the claims for the Trust and only considered where the claims related to a child where safeguarding was a consideration, we were only able to identify fewer than 5 claims that were relevant to **Q2**. Due to the low numbers involved, we are unable to provide any further details in relation to these claims. Please refer to our low numbers refusal notice above as to why this is being refused.

We have provided the information we are able to provide within the cost limit.

Please refer to [Understanding NHS Resolution data](#) guidance for further details on how our Claims database is categorised.

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.

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 Clinical Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'Lewisham & Greenwich NHS Trust' and the Patient Age at time of Incident is between 0-17 years old.

Table 2: Number of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'Lewisham & Greenwich NHS Trust' and the Patient Age at time of Incident is between 0-17 years old.

Table 3: Number of Clinical Claims Closed between financial years '2015/16' and '2024/25' with NIL damages paid where the Trust is 'Lewisham & Greenwich NHS Trust' and the Patient Age at time of Incident is between 0-17 years old.

Table 1: Number of Clinical Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'Lewisham & Greenwich NHS Trust' and the Patient Age at time of Incident is between 0-17 years old.

Notified	Y
ClinicalNonClinical	Clinical

Year of Notification	No. of Claims
2015/16	17
2016/17	5
2017/18	10
2018/19	11
2019/20	9
2020/21	8
2021/22	12
2022/23	10
2023/24	10
2024/25	15
Grand Total	107

Table 2: Number of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'Lewisham & Greenwich NHS Trust' and the Patient Age at time of Incident is between 0-17 years old.

ClosedSettled	Y
ClaimOutcome	Damages Paid
ClinicalNonClinical	Clinical

Year of Closure (Settlement Year for PPOs)	No. of Claims
2015/16	7
2016/17	8
2017/18	11
2018/19	5
2019/20	9
2020/21	11
2021/22	10
2022/23	5
2023/24	11
2024/25	9
Grand Total	86

Table 3: Number of Clinical Claims Closed between financial years '2015/16' and '2024/25' with NIL damages paid where the Trust is 'Lewisham & Greenwich NHS Trust' and the Patient Age at time of Incident is between 0-17 years old.

ClosedSettled	Y
ClaimOutcome	Nil Damages
ClinicalNonClinical	Clinical

Year of Closure	No. of Claims
2015/16	9
2016/17	9
2017/18	8
2018/19	6
2019/20	#
2020/21	#
2021/22	8
2022/23	#
2023/24	6
2024/25	#
Grand Total	58