



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 020 7811 2700

March 2026
FOI_7699

The following information was requested on 02 February 2026 and clarified on 04 February 2026:

[On the 02 February 2026, you requested]

I would like to obtain the following information under the FOI Act:

- orthopaedic litigation claims from 2014-2024
- monetary value of claims
- those settled or taken to court
- breakdown of sub-specialities in trauma and orthopaedics in order to compare
- average time of complaint, in order to determine financial burden
- private vs NHS

[On the 03 February 2026, we sought for clarification with]

Thank you for your request to NHS Resolution. Before we can respond, I would like to clarify what information we hold and are able to provide.

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](#) (see the three tabs in the spreadsheet).

We do not have a code for specialty: trauma, however we do have a code for orthopaedic surgery.

We could provide you with the number of claims received for the specialty orthopaedic surgery and also the number closed with nil damages paid, number closed with damages payment and associated costs, breakdown by primary cause and by primary injury and also by ISPs and Trusts between the financial years 2014/15 to 2024/25. We hold data in financial years.

You can also review our previous responses related to orthopaedic surgery [Fol Requests Archive - NHS Resolution](#)

*In regards to the average time of complaints, you may find it helpful to review NHS Resolution's publication Supplementary Annual Statistics, which can be found here: [Annual statistics - NHS Resolution](#). Please refer to **Sheet 17** in the spreadsheet for information on the average number of years from NHS Resolution notification to settlement.*

Please refer to the above guidance and please advise if we can assist further.

We would like to advise you that we would be unable to disclose any details that would allow the identification of the individual claim, where it could lead to the breach of the Data Protection requirements.

Please, could you confirm what data you would like to receive. Your request will be put on hold until we receive the clarification requested above.

[On the 03 February 2026, you replied with]

Thank you kindly for your prompt response, it is greatly appreciated.

I am happy for the code for "Orthopaedic surgery" to be used for the purpose of the data, sorry for the confusion

If you could provide as you listed in your response the following:

- *number of claims for orthopaedic surgery*
- *number closed with nil damages*
- *number closed with damages payment and associated costs*
- *breakdown by primary cause*
- *breakdown by primary injury*
- *ISPs and Trusts*
- *Between 2014/15 and 2024/25*

I do not need disclosable data so that won't be a concern.

Do you have a rough timeline on how long it will take for the data to be available? I have annual leave coming up so will utilise to make a start on the project.

[On the 03 February 2026, we sought for further clarification with]

*We would like to provide further clarification that we only hold the claims data for England and **not Wales**.*

For clinical negligence claims data for Wales, you can contact [Clinical Negligence - NHS Wales Shared Services Partnership](#)

Would you be interested in the England only claims data.

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

[On the 03 February 2026, you replied with]

I am happy for the claims data for England, if that is okay to proceed?

[On the 04 February 2026, we responded with]

Thank you for your email.

We will proceed using the claims data for England only.

Our Response

Please find attached the requested information. Please note we only hold information for England and not for the rest of the UK.

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](#)

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.

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.

The data shows variation in numbers of claims received, closed per year and costs attributed to those claims. 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 data provided covers our Clinical schemes. For information about our Clinical Negligence Scheme, please visit our website here: [Clinical schemes - NHS Resolution](#)

Please find attached the following tables:

Table 1 shows: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'.
Breakdown by **Year**.

Table 2 shows: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'.
Breakdown by **Primary Cause**.

Table 3 shows: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'.
Breakdown by **Primary Injury**.

Table 4 shows: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'.
Breakdown by **Member Type**.

Table 5 shows: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is '**Orthopaedic Surgery**'. 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. Breakdown by **Year**.

Table 6 shows: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is '**Orthopaedic Surgery**'. 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. Breakdown by Primary Cause.

Table 7 shows: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is '**Orthopaedic Surgery**'. 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. Breakdown by **Primary Injury**.

Table 8 shows: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is '**Orthopaedic Surgery**'. 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. Breakdown by **Member Type**.

Table 9 shows: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with **NIL** damages paid where the Specialty is '**Orthopaedic Surgery**'. Breakdown by **Year**.

Table 10 shows: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with **NIL** damages paid where the Specialty is '**Orthopaedic Surgery**'. Breakdown by **Primary Cause**.

Table 11 shows: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with **NIL** damages paid where the Specialty is '**Orthopaedic Surgery**'. Breakdown by **Primary Injury**.

Table 12 shows: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with **NIL** damages paid where the Specialty is '**Orthopaedic Surgery**'. Breakdown by **Member Type**.

Please note: the tables broken down by Member type 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. In some circumstances, volumes of reported cases and costs attributed to them may be impacted by multiple claims notified in relation to one cause of action.

PPOs

The information disclosed includes damages 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 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

Please note we have suppressed low figures (and high figures that would make it possible to work out low numbers) and Trusts with fewer than 5 claims 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.

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 '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Year.](#)

[Table 2: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Cause.](#)

[Table 3: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Injury.](#)

[Table 4: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Member Type.](#)

[Table 5: Number and Cost of Clinical Claims Closed \(or settled with a periodical payment order\) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Year.](#)

[Table 6: Number and Cost of Clinical Claims Closed \(or settled with a periodical payment order\) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Primary Cause.](#)

[Table 7: Number and Cost of Clinical Claims Closed \(or settled with a periodical payment order\) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Primary Injury.](#)

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Table 1: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Year.

Notified	Y
Year of Notification	No. of Claims
2014/15	1,627
2015/16	1,505
2016/17	1,379
2017/18	1,281
2018/19	1,262
2019/20	1,361
2020/21	1,256
2021/22	1,203
2022/23	1,127
2023/24	1,183
2024/25	1,326
Grand Total	14,510

Table 2: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Cause.

Notified	Y
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Primary Cause	No. of Claims
Fail / Delay Treatment	3,518
Failure/Delay Diagnosis	1,800
Inappropriate Treatment	1,412
Intra-Op Problems	1,223
Operator Error	1,041
Fail To Warn-Informed Consent	773
Inadequate Nursing Care	584
Failure To Interpret X-Ray	371
Fail To Recog. Complication Of	362
Delay In Performing Operation	344
Fail To Follow-Up Arrangements	260
Failure To X-Ray	218
Failure To Perform Operation	207
Medication Errors	169
Perform. Of Op. Not Indicated	159
Failure To Perform Tests	154
Lack Of Assistance/Care	146
Foreign Body Left In Situ	139
Fail To Supervise	138
Other	123
Equipment Malfunction	101
Lack Of Pre-Op Evaluation	100
Bacterial Infection	96
Inappropriate Discharge	92
Inadequate Monitoring Intra-Op	84
Assault, Etc By Hospital Staff	78
Poor Application Of Plstr Cast	78
Fail To Act On Abnorm Test Res	78
Wrong Diagnosis	65
Fail To Carry Out PO Observs.	65
Fail/Delay Referring To Hosp.	54
Wrong Site Surgery	66
Diathermy Burns/react. To Prep	49
Err With Agnt/Dose/Route/Selec	41
Lack Of Facilities/Equipment	38
Cross Infection	30
Not Specified	29
Retained Instrument Post-Operation	24
Application Of Excess Force	24
Inapprop. Case Selection	21
Failed Infection Control Policy/Hospital Hygiene	20
Unexpected Death	18
Fail/Delay Admitting To Hosp.	17
Fail To Infrm Test Rslts	16
Incorrect Injection Site	15
Premature Ceasure Of Treatment	12
Unknown	8
Fail To Interpret USS	7
Inadqte Monitor In Recov Room	7
Improp. Delegation To Junior	5
Fail/Delay Avail Op Thtre	5
Probs With Medical Records	5

Table 2: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Cause.

Notified	Y
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Primary Cause	No. of Claims
Failed Sterilisation	#
Infusion Problems	#
Injured By Another Patient	#
Tooth Inj & Patient Posit Prob	#
Re-Canalisation	#
Self Harm	#
MisplacedNaso/OrogastricTubeNotDet	#
Fail Mon Dose/rate Syntocinon	#
Unlawful Detention - Mntl Hlth	#
Intubation Problems	#
Sexual Abuse	#
Grand Total	14,510

Table 3: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Injury.

Notified	Y
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Primary Injury	No. of Claims
Adtnl/unnecessary Operation(s)	2,981
Unnecessary Pain	2,938
Poor Outcome - Fractures Etc.	1,603
Fracture	1,132
Nerve Damage	783
Joint Damage	666
Pressure Sores	451
Fatality	393
Amputation - Lower	301
Thrombosis/Embolism	277
Tendon Damage	256
Spinal Damage	251
Limb Deformity	224
Other	188
Other Infection	167
Infection (bacterial)	156
Psychiatric/Psychological Dmge	153
Scarring	134
Foot Drop	134
Dislocation	132
Burn(s)	123
Amputation - Upper	91
Tissue Damage	85
Compartment Syndrome	64
Hospital Acquired Infection	45
Bowel Damage/ Dysfunction	44
Not Specified	40
Cancer	40
Cardiac Arrest	38
Bladder Damage	36
Partial Paralysis	35
Infectious Diseases	35
Paraplegia	34
Rupture	34
Arterial Damage	33
Stroke	32
Sepsis	30
Multiple Injuries	29
Advanced Stage Cancer	29
Respiratory Disorder/ Failure	24
Bruising/ Extravasation	23
Brain Damage	23
Renal Damage/ Failure	18
Incontinence	18
Cosmetic Disfigurement	17
Unknown	14
Anaphylact Shock/Allergic Shock/allergy	13
Multiple Disabilities	13
Cardiovascular Condition	10
Osteoporosis	9
Anaesthetic	9
Other Visual Problems	8

Table 3: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Injury.

Notified	Y
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Primary Injury	No. of Claims
Tetraplegia/ Quadriplegia	8
Perforation	7
Malignant Tumour	7
Vocal Cord Damage	6
Benign Tumour	6
Dental Damage	6
Loss Of Sexual Function	5
Addiction/Dependency	5
Decompression Illness	5
Reduced Life Expectancy	#
Oedema	#
Aneurysm	#
Hernia	#
Scalp Damage	#
Infection (group B strep)	#
Developmental Delay	#
Liver Damage	#
Cystic Growth	#
Partial Hearing Loss	#
Blindness	#
Radiation Exposure	#
Fistula	#
Impotence	#
Hemiparesis	#
Removal Of Cervix	#
Pacemaker Installation	#
Hypoxia	#
Epilepsy	#
Malnutrition	#
Spinabifida	#
Stunted Growth	#
Unwanted Pregnancy	#
Grand Total	14,510

Table 4: Number of Clinical Claims and Incidents received between financial years '2014/15' and '2024/25' where the Specialty is 'Orthopaedic Surgery'. Breakdown by Member Type.

Notified	Y
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Member Type	No. of Claims
NHS Trust	13,301
ISP	1,209
Grand Total	14,510

Table 5: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Year.

ClaimOutcome	Damages Paid
ClosedSettled	Y

Year of Closure (Settlement Year for PPO's)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2014/15	926	76,455,932	9,479,796	42,798,466	128,734,194
2015/16	925	76,032,833	10,739,800	50,625,506	137,398,138
2016/17	1,090	89,951,201	13,896,940	62,319,321	166,167,461
2017/18	1,011	96,358,356	14,051,688	59,892,684	170,302,728
2018/19	925	86,050,010	12,236,898	50,746,418	149,033,325
2019/20	1,009	100,660,315	14,567,199	53,863,044	169,090,558
2020/21	877	97,639,132	12,979,543	48,006,901	158,625,576
2021/22	960	121,218,767	15,155,852	57,814,032	194,188,651
2022/23	858	80,556,074	11,939,910	45,945,696	138,441,680
2023/24	818	98,038,695	11,924,655	49,985,516	159,948,866
2024/25	815	121,448,012	14,303,674	56,662,195	192,413,881
Grand Total	10,214	1,044,409,328	141,275,953	578,659,778	1,764,345,059

Table 6: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Primary Cause.

ClaimOutcome	Y
ClosedSettled	

Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Fail / Delay Treatment	2,253	217,932,633	30,656,753	128,263,744	376,853,130
Failure/Delay Diagnosis	1,315	153,105,628	19,902,298	81,440,804	254,448,730
Intra-Op Problems	1,152	166,910,425	20,368,019	80,805,744	268,084,189
Inappropriate Treatment	1,008	116,696,252	16,213,346	61,904,480	194,814,078
Operator Error	653	55,676,217	7,376,773	31,609,150	94,662,140
Inadequate Nursing Care	491	22,719,477	3,270,717	16,891,233	42,881,427
Fail To Warn-Informed Consent	474	51,875,932	8,773,216	31,737,322	92,386,469
Fail To Recog. Complication Of	327	57,869,174	7,379,125	28,592,742	93,841,041
Failure To Interpret X-Ray	298	17,790,829	2,418,937	12,495,499	32,705,264
Delay In Performing Operation	222	25,959,827	2,907,526	11,780,409	40,647,763
Failure To X-Ray	171	11,140,757	2,072,320	8,167,220	21,380,298
Fail To Follow-Up Arrangements	145	5,466,478	986,926	4,709,598	11,163,001
Failure To Perform Operation	139	7,030,128	1,431,790	6,252,371	14,714,290
Foreign Body Left In Situ	117	2,994,067	741,068	3,926,560	7,661,695
Medication Errors	113	5,897,218	834,749	3,691,091	10,423,057
Lack Of Assistance/Care	112	4,032,685	766,993	3,706,730	8,506,407
Perform. Of Op. Not Indicated	100	7,214,112	1,220,966	5,506,855	13,941,933
Fail To Supervise	100	7,387,291	901,756	3,541,030	11,830,076
Failure To Perform Tests	98	17,790,471	1,838,287	7,227,486	26,856,245
Lack Of Pre-Op Evaluation	83	6,003,733	950,677	3,492,949	10,447,359
Equipment Malfunction	70	6,946,325	743,242	3,179,083	10,868,651
Bacterial Infection	62	9,941,904	1,289,474	5,007,116	16,238,495
Fail To Carry Out PO Observs.	60	7,979,791	792,468	3,777,683	12,549,942
Poor Application Of Plstr Cast	60	1,649,302	299,937	1,724,069	3,673,309
Inappropriate Discharge	58	5,612,717	750,385	3,253,162	9,616,263
Wrong Diagnosis	53	5,351,853	790,038	2,797,742	8,939,633
Inadequate Monitoring Intra-Op	52	3,642,873	532,017	2,616,713	6,791,603
Diathermy Burns/react. To Prep	52	915,721	177,661	851,273	1,944,656
Wrong Site Surgery	58	5,618,938	606,669	2,128,577	8,354,185
Fail To Act On Abnorm Test Res	46	6,345,934	659,194	2,549,001	9,554,128
Other	37	2,639,705	345,322	1,710,672	4,695,700
Err With Agnt/Dose/Route/Selec	36	1,095,108	150,568	1,014,385	2,260,061
Lack Of Facilities/Equipment	29	553,651	93,726	526,376	1,173,753
Failed Infection Control Policy/Hospital Hygiene	17	4,553,218	414,389	1,480,787	6,448,394
Inapprop. Case Selection	15	6,395,614	587,973	2,095,607	9,079,194
Fail/Delay Referring To Hosp.	15	3,622,113	377,276	1,701,043	5,700,431
Retained Instrument Post-Operation	14	221,436	32,465	285,300	539,201
Application Of Excess Force	14	1,634,294	233,584	882,567	2,750,444
Cross Infection	12	471,523	164,031	624,585	1,260,138
Premature Ceasure Of Treatment	11	1,113,905	356,158	1,332,530	2,802,594
Fail/Delay Admitting To Hosp.	9	771,785	93,439	433,250	1,298,474
Fail To Infrm Test Rslts	9	455,199	42,926	327,386	825,511
Incorrect Injection Site	8	111,865	69,425	222,400	403,690
Fail To Interpret USS	5	2,494,499	303,922	374,750	3,173,171
Not Specified	5	454,500	55,985	264,333	774,819
Inadqte Monitor In Recov Room	5	274,984	54,408	191,450	520,842
Improp. Delegation To Junior	5	285,952	51,809	396,000	733,762
Unexpected Death	#	#	#	#	#
Assault, Etc By Hospital Staff	#	#	#	#	#
Infusion Problems	#	#	#	#	#
Fail/Delay Avail Op Thtre	#	#	#	#	#
Probs With Medical Records	#	#	#	#	#
Re-Canalisation	#	#	#	#	#
Unknown	#	#	#	#	#
Injured By Another Patient	#	#	#	#	#
MisplacedNaso/OrogastricTubeNotDet	#	#	#	#	#



Table 6: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Primary Cause.

ClaimOutcome	Y
ClosedSettled	

Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Tooth Inj & Patient Posit Prob	#	#	#	#	#
Failed Sterilisation	#	#	#	#	#
Fail Mon Dose/rate Syntocinon	#	#	#	#	#
Fail Antenatal Screening	#	#	#	#	#
Grand Total	10,214	1,044,409,328	141,275,953	578,659,778	1,764,345,059

Table 7: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Primary Injury.

ClaimOutcome ClosedSettled	Damages Paid Y				
Primary Injury	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Adtnl/unnecessary Operation(s)	2,254	165,110,996	26,017,640	111,383,792	302,512,428
Unnecessary Pain	1,873	101,309,741	17,523,785	77,410,553	196,244,079
Poor Outcome - Fractures Etc.	1,225	85,518,364	14,508,544	63,789,521	163,816,429
Fracture	795	33,245,593	5,995,897	29,098,635	68,340,125
Nerve Damage	572	96,490,983	14,235,485	52,579,981	163,306,448
Joint Damage	511	60,487,328	8,770,127	32,029,097	101,286,552
Pressure Sores	408	13,675,240	2,233,084	12,761,825	28,670,149
Fatality	243	22,312,787	2,825,255	13,271,059	38,409,101
Amputation - Lower	216	95,306,608	8,385,023	30,326,023	134,017,654
Thrombosis/Embolism	199	9,027,290	1,760,112	7,771,653	18,559,055
Tendon Damage	184	8,802,163	1,614,779	7,569,590	17,986,532
Spinal Damage	163	90,793,820	7,437,703	26,876,424	125,107,947
Other Infection	129	26,468,472	2,543,019	10,064,800	39,076,291
Burn(s)	122	1,925,603	384,971	2,114,878	4,425,452
Limb Deformity	122	14,050,479	2,107,399	8,014,965	24,172,843
Scarring	118	1,515,559	513,253	2,553,890	4,582,702
Foot Drop	100	18,964,030	3,165,098	10,501,847	32,630,976
Dislocation	99	8,882,197	1,001,443	5,018,170	14,901,810
Other	87	2,896,929	726,812	3,291,671	6,915,412
Tissue Damage	63	4,552,158	662,142	2,456,965	7,671,264
Amputation - Upper	59	11,169,896	1,021,905	5,002,480	17,194,282
Psychiatric/Psychological Dmge	46	1,558,019	280,082	1,651,466	3,489,567
Infection (bacterial)	44	5,092,993	576,703	2,552,141	8,221,838
Hospital Acquired Infection	42	7,826,433	853,851	3,356,006	12,036,290
Compartment Syndrome	39	9,374,019	1,240,417	4,092,402	14,706,838
Partial Paralysis	31	25,257,564	2,257,198	8,594,828	36,109,591
Bladder Damage	30	7,778,555	1,004,237	3,859,275	12,642,067
Paraplegia	28	28,179,607	2,641,540	7,181,873	38,003,021
Advanced Stage Cancer	25	3,546,220	463,694	2,094,806	6,104,720
Bowel Damage/ Dysfunction	25	6,187,307	794,999	2,560,922	9,543,228
Infectious Diseases	24	1,996,133	352,617	1,198,584	3,547,335
Rupture	23	764,292	126,000	788,287	1,678,579
Arterial Damage	19	2,950,296	377,840	1,386,404	4,714,540
Brain Damage	18	18,285,243	1,442,424	4,188,805	23,916,472
Incontinence	18	6,425,523	799,855	3,390,088	10,615,466
Cosmetic Disfigurement	17	1,119,667	270,456	1,044,584	2,434,708
Cancer	17	3,696,928	212,357	802,808	4,712,093
Cardiac Arrest	16	1,419,390	223,505	974,362	2,617,257
Respiratory Disorder/ Failure	16	811,053	109,745	586,320	1,507,117
Multiple Injuries	15	719,837	164,557	939,410	1,823,803
Bruising/ Extravasation	15	133,725	31,991	195,350	361,066
Renal Damage/ Failure	14	1,201,269	197,886	772,600	2,171,754
Stroke	14	5,148,657	488,134	1,614,560	7,251,352
Not Specified	12	208,805	52,523	280,958	542,286
Sepsis	12	562,149	100,887	309,590	972,626
Anaphylact Shock/Allergic Shock/allergy	10	53,332	21,625	167,400	242,357
Tetraplegia/ Quadriplegia	9	7,879,530	549,077	1,978,578	10,407,185
Multiple Disabilities	9	4,049,146	423,528	1,528,000	6,000,674
Dental Damage	8	67,044	12,683	102,070	181,797
Anaesthetic	8	184,500	28,015	251,400	463,915
Perforation	6	921,381	111,229	425,000	1,457,610
Oedema	6	139,621	147,121	342,736	629,479
Loss Of Sexual Function	5	3,438,716	246,415	1,032,500	4,717,631
Cardiovascular Condition	5	348,603	106,443	278,250	733,296
Decompression Illness	#	#	#	#	#
Other Visual Problems	#	#	#	#	#

Table 7: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Primary Injury.

ClaimOutcome ClosedSettled		Damages Paid Y				
Primary Injury	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid	
Osteoporosis	#	#	#	#	#	#
Malignant Tumour	#	#	#	#	#	#
Reduced Life Expectancy	#	#	#	#	#	#
Aneurysm	#	#	#	#	#	#
Developmental Delay	#	#	#	#	#	#
Impotence	#	#	#	#	#	#
Benign Tumour	#	#	#	#	#	#
Liver Damage	#	#	#	#	#	#
Scalp Damage	#	#	#	#	#	#
Loss Of Kidney	#	#	#	#	#	#
Epilepsy	#	#	#	#	#	#
Addiction/Dependency	#	#	#	#	#	#
Erb's Palsy	#	#	#	#	#	#
Removal Of Cervix	#	#	#	#	#	#
Hemiparesis	#	#	#	#	#	#
Stunted Growth	#	#	#	#	#	#
Unknown	#	#	#	#	#	#
Partial Hearing Loss	#	#	#	#	#	#
Malnutrition	#	#	#	#	#	#
Spinabifida	#	#	#	#	#	#
Blindness	#	#	#	#	#	#
Grand Total	10,214	1,044,409,328	141,275,953	578,659,778	1,764,345,059	



Table 8: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2014/15' and '2024/25' with a damages payment, where the Specialty is 'Orthopaedic Surgery'. 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. Breakdown by Member Type.

ClaimOutcome		Damages Paid				
ClosedSettled		Y				
Member Type		No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
NHS Trust		9,539	996,538,622	134,942,550	551,071,274	1,682,552,446
ISP		675	47,870,706	6,333,403	27,588,504	81,792,613
Grand Total		10,214	1,044,409,328	141,275,953	578,659,778	1,764,345,059

Table 9: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with NIL damages paid where the Specialty is 'Orthopaedic Surgery'. Breakdown by Year.

ClaimOutcome	Nil Damages
ClosedSettled	Y

Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs
2014/15	730	1,789,831	113,849
2015/16	708	1,944,140	107,201
2016/17	692	2,470,290	96,934
2017/18	616	2,053,772	13,663
2018/19	583	2,503,999	42,523
2019/20	522	2,040,368	56,603
2020/21	455	1,871,476	62,200
2021/22	484	2,804,110	121,964
2022/23	439	2,557,095	39,250
2023/24	422	2,551,301	64,020
2024/25	423	2,099,966	81,554
Grand Total	6,074	24,686,348	799,762

Table 10: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with NIL damages paid where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Cause.

ClaimOutcome ClosedSettled	Nil Damages Y		
Primary Cause	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
Fail / Delay Treatment	1,529	5,123,676	56,026
Failure/Delay Diagnosis	738	3,006,278	220,800
Inappropriate Treatment	663	3,580,034	15,579
Intra-Op Problems	590	2,523,782	212,663
Fail To Warn-Informed Consent	360	1,585,688	13,528
Operator Error	340	1,094,326	14,269
Fail To Recog. Complication Of	181	813,030	63,513
Inadequate Nursing Care	177	351,293	35,410
Delay In Performing Operation	143	785,084	0
Fail To Follow-Up Arrangements	108	261,823	#
Failure To Interpret X-Ray	106	606,106	0
Failure To Perform Operation	96	294,357	0
Failure To X-Ray	81	435,316	0
Bacterial Infection	68	226,629	#
Medication Errors	64	150,994	30,000
Perform. Of Op. Not Indicated	64	349,558	0
Other	61	247,931	0
Fail To Supervise	57	134,462	0
Foreign Body Left In Situ	55	129,874	0
Failure To Perform Tests	55	469,020	#
Equipment Malfunction	54	131,461	0
Lack Of Assistance/Care	51	76,389	0
Inappropriate Discharge	44	253,923	#
Fail/Delay Referring To Hosp.	35	250,643	0
Lack Of Pre-Op Evaluation	34	227,109	0
Poor Application Of Plstr Cast	32	84,939	#
Inadequate Monitoring Intra-Op	28	117,458	25,683
Fail To Act On Abnorm Test Res	27	228,368	0
Wrong Diagnosis	22	73,807	0
Cross Infection	19	54,766	0
Unexpected Death	15	232,001	0
Not Specified	15	7,271	0
Application Of Excess Force	15	38,539	#
Fail To Carry Out PO Observs.	14	39,514	0
Retained Instrument Post-Operation	12	26,012	0
Diathermy Burns/react. To Prep	12	16,528	0
Inapprop. Case Selection	12	55,217	0
Fail/Delay Admitting To Hosp.	12	284,684	100,000
Err With Agnt/Dose/Route/Selec	12	22,714	0
Failed Infection Control Policy/Hospital Hygiene	11	113,624	0
Incorrect Injection Site	9	8,320	0
Lack Of Facilities/Equipment	7	34,109	0
Assault, Etc By Hospital Staff	6	#	0
Wrong Site Surgery	6	10,073	0
Fail To Infrm Test Rslts	5	7,934	0
Probs With Medical Records	#	#	#
Unknown	#	#	#
Intubation Problems	#	#	#
Inadqte Monitor In Recov Room	#	#	#
Failed Sterilisation	#	#	#
Fail To Interpret USS	#	#	#
Infusion Problems	#	#	#
Premature Ceasure Of Treatment	#	#	#

Table 10: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with NIL damages paid where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Cause.

ClaimOutcome	Nil Damages
ClosedSettled	Y

Primary Cause	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
Injured By Another Patient	#	#	#
Re-Canalisation	#	#	#
Self Harm	#	#	#
Fail/Delay Avail Op Thtre	#	#	#
Fail To Monitor 2nd Stg Labour	#	#	#
Improp. Delegation To Junior	#	#	#
Tooth Inj & Patient Posit Prob	#	#	#
Sexual Abuse	#	#	#
Grand Total	6,074	24,686,348	799,762

Table 11: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with NIL damages paid where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Injury.

ClaimOutcome ClosedSettled	Nil Damages Y		
Primary Injury	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs
Unnecessary Pain	1,386	3,719,444	57,896
Adtnl/unnecessary Operation(s)	1,085	3,842,916	31,136
Poor Outcome - Fractures Etc.	678	2,201,203	121,731
Fracture	444	1,110,561	23,592
Nerve Damage	388	2,794,797	127,353
Joint Damage	350	1,901,032	263,595
Fatality	208	968,949	#
Thrombosis/Embolism	132	372,702	15,012
Amputation - Lower	116	1,084,574	61,485
Other Infection	106	352,216	#
Spinal Damage	91	1,011,764	0
Pressure Sores	91	134,374	10,205
Tendon Damage	90	207,172	#
Foot Drop	76	759,177	34,020
Other	70	201,366	#
Limb Deformity	62	281,864	#
Scarring	58	105,622	0
Infection (bacterial)	54	110,934	0
Dislocation	52	199,689	0
Tissue Damage	48	94,671	0
Amputation - Upper	36	135,617	0
Psychiatric/Psychological Dmge	32	198,076	0
Not Specified	28	54,961	0
Hospital Acquired Infection	27	262,166	#
Compartment Syndrome	26	307,199	11,500
Burn(s)	26	33,231	#
Bowel Damage/ Dysfunction	22	277,538	0
Cancer	20	99,499	0
Bladder Damage	20	87,356	0
Cardiac Arrest	18	205,289	0
Infectious Diseases	17	40,179	0
Stroke	17	210,117	0
Partial Paralysis	15	454,552	0
Rupture	15	36,087	0
Paraplegia	14	103,084	0
Arterial Damage	13	68,595	0
Advanced Stage Cancer	13	40,430	0
Respiratory Disorder/ Failure	12	18,510	0
Sepsis	11	24,668	0
Bruising/ Extravasation	10	18,949	0
Multiple Injuries	9	29,042	0
Brain Damage	9	168,284	0
Incontinence	8	37,391	0
Anaphylact Shock/Allergic Shock/allergy	8	11,805	0
Cosmetic Disfigurement	8	12,627	#
Multiple Disabilities	6	55,012	0
Renal Damage/ Failure	5	16,955	30,000
Perforation	#	#	#
Osteoporosis	#	#	#
Tetraplegia/ Quadriplegia	#	#	#
Dental Damage	#	#	#
Stunted Growth	#	#	#
Malignant Tumour	#	#	#
Cystic Growth	#	#	#
Cardiovascular Condition	#	#	#

Table 11: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with NIL damages paid where the Specialty is 'Orthopaedic Surgery'. Breakdown by Primary Injury.

ClaimOutcome	Nil Damages
ClosedSettled	Y

Primary Injury	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs
Radiation Exposure	#	#	#
Spinabifida	#	#	#
Anaesthetic	#	#	#
Hernia	#	#	#
Other Visual Problems	#	#	#
Aneurysm	#	#	#
Reduced Life Expectancy	#	#	#
Removal Of Cervix	#	#	#
Benign Tumour	#	#	#
Hypoxia	#	#	#
Oedema	#	#	#
Fistula	#	#	#
Decompression Illness	#	#	#
Infection (group B strep)	#	#	#
Unknown	#	#	#
Addiction/Dependency	#	#	#
Unwanted Pregnancy	#	#	#
Grand Total	6,074	24,686,348	799,762

Table 12: Number and Cost of Clinical Claims Closed between financial years '2014/15' and '2024/25' with NIL damages paid where the Specialty is 'Orthopaedic Surgery'. Breakdown by Member Type.

ClaimOutcome	Nil Damages		
ClosedSettled	Y		

Member Type	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs
NHS Trust	5,707	23,605,898	799,762
ISP	367	1,080,450	0
Grand Total	6,074	24,686,348	799,762