NHS Resolution

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April 2026
FOI_7814

The following information was requested on 30 March and clarified 01 April 2026:

[On the 30 March, you requested]

I am submitting a Freedom of Information request regarding clinical negligence claims relating to prostate cancer.
Please provide data for the period 1 January 2000 to 30 March 2026, extracted from NHS Resolution datasets using relevant prostate cancer diagnostic coding or claim classification.
1. Claims Volume & Outcomes
- Total number of clinical negligence claims relating to prostate cancer
- Number settled out of court
- Number proceeding to formal court judgment
- Number closed with no payment
Please provide this as an annual breakdown.

2. Financial Data
- Total compensation paid (aggregate)
- General damages
- Special damages
- Total claimant legal costs
- Total NHS legal costs
Provide annual and total figures.

3. Cause of Claim
- Delayed diagnosis
- Misdiagnosis
- Failure to refer
- Failure to act on PSA
- Failure to follow NICE guidance
- Diagnostic delay (imaging or biopsy)
- Treatment delay
- Overtreatment

4. Outcome Severity
- Death
- Metastatic progression
- Permanent disability

5. Time Delays (where available)
- First presentation to diagnosis
- Referral to treatment

6. Demographics (where available)
- Age

- Ethnicity
- Region

7. Policy-Linked Claims
- Lack of screening
- PSA access issues

8. Data Notes
- Definitions used
- Dataset limitations

If cost limits apply, provide partial data and advise refinement.

[On the 31 March, we replied 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 can provide data the following injury codes: Cancer, Advanced stage cancer or malignant tumour. We do not hold the data specifically about prostate cancer – we don't the data on that level of granularity.
Please, see an example of our previous response to a similar request: FOI_6434_Delay-Diagnosis_Wrong-Diagnosis_Cancer.pdf.
We have information about some of the causes and injuries you listed in Q3 and Q4 – please could you review the above list of codes for the data we hold?
Regarding Q6, we could beak data by claimants age brackets, but not by ethnicity as we do not routinely collect race or ethnicity data from Claimants so we do not hold this information on our case management system.
We hold data in financial years and most recent year we are able to provide is 20224/25.
Please, would you be able to review the above guidance and confirm what information you would like to receive.

[On the 31 March, you responded with]

Thank you for the prompt clarification and for providing the guidance documents. I understand the limitations of the Claims Management System regarding specific disease granularity and the lack of ethnicity data.

To allow you to process this request efficiently within your existing coding structure, I am happy to formally refine my request.

Please proceed with the search using the following parameters as a proxy:

1. Filters (Specialty & Demographics)
- Specialty: Urology
- Gender: Male claimants only
- Age: Broken down by claimant age brackets
- Timeframe: Financial years 2000/01 to 2024/25

2. Injury Codes
Please include claims where the injury is coded as:
- Cancer
- Advanced stage cancer
- Malignant tumour

3. Cause Codes
Please filter for claims mapped to the following causes (or their closest equivalents in your coding framework):
- Failure to diagnose - cancer
- Delay in diagnosis
- Wrong diagnosis
- Failure to refer
- Delay in treatment

4. Data Output Requested
For the male urology claims meeting the above criteria, please provide the annual breakdown of:
- Total volume of claims received
- Outcomes (number settled with damages, closed with nil damages, proceeded to court judgment)
- Financial data (total damages paid, claimant legal costs paid, NHS legal costs paid)

I accept that this data will encompass all male urological cancers rather than exclusively prostate cancer, but this will serve as an acceptable proxy for my analysis given your system's current reporting limitations.

Please confirm that this refined scope provides the clarity needed to take the request off hold and proceed with the data extraction.

[On the 01 April, we clarified with]

Thank you for your clarification. I should have mentioned that we can provide data from 2006/07 – I hope that it will suffice.

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 Understanding NHS Resolution data - NHS Resolution.

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. Not all claims received will result in an award of compensation.

The data shows variation in numbers of cases 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.

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 provided covers our Clinical schemes. For information about our Clinical Negligence Scheme, please visit our website here: [Clinical schemes - NHS Resolution]

Table 1 shows: - Number of Clinical Claims and Incidents received between financial years **'2006/07'** and **'2024/25'** where the Specialty is **'Urology'**, and the Primary Cause is either **'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis'**, and the Primary Injury is either **'Cancer','Advanced Stage Cancer' and 'Malignant Tumor'**, and where the Patient Sex is **'Male'**. Broken down by **Patient Age** (at Incident) and **Year**.

Table 2 shows: - Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years **'2006/07'** and **'2024/25'** with a damages payment, where the Specialty is **'Urology'**, and the Primary Cause is either **'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis'**, and the Primary Injury is either **'Cancer','Advanced Stage Cancer' and 'Malignant Tumor'**, and where the Patient Sex is **'Male'**. Broken down by **Patient Age** (at Incident) and **Year**. 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 3 shows: - Number and Cost of Clinical Claims Closed between financial years **'2006/07'** and **'2024/25'** with **NIL** damages paid where the Specialty is **'Urology'**, and the Primary Cause is either **'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis'**, and the Primary Injury is either **'Cancer','Advanced Stage Cancer' and 'Malignant Tumor'**, and where the Patient Sex is **'Male'**. Broken down by **Patient Age** (at Incident) and **Year**.

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 figures
We have not provided the information for low figures involved (and high figures that would make it possible to work out low numbers), 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 several 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/

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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 of Clinical Claims and Incidents received between financial years '2006/07' and '2024/25' where the Specialty is 'Urology', and the Primary Cause is either 'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis', and the Primary Injury is either 'Cancer','Advanced Stage Cancer' and 'Malignant Tumor', and where the Patient Sex is 'Male'. Broken down by Patient Age (at Incident) and Year.

Notified	Y

Year of Notification ---Age at Incident	No. of Claims
2006/07	
46-60 years old	#
61-80 years old	#
2007/08	
18-25 years old	#
46-60 years old	#
61-80 years old	#
2008/09	
46-60 years old	#
61-80 years old	#
Age not known at time of notification	#
2009/10	
26-35 years old	#
46-60 years old	#
61-80 years old	#
2010/11	
26-35 years old	#
46-60 years old	#
61-80 years old	#
2011/12	
46-60 years old	#
61-80 years old	#
80+ years old	#
2012/13	
36-45 years old	#
46-60 years old	#
61-80 years old	5
Age not known at time of notification	#
2013/14	
26-35 years old	#
46-60 years old	#
61-80 years old	10
Age not known at time of notification	#
2014/15	
36-45 years old	#
46-60 years old	#
61-80 years old	6
2015/16	
36-45 years old	#
46-60 years old	8
61-80 years old	14
Age not known at time of notification	#
2016/17	
46-60 years old	#
61-80 years old	7
2017/18	
18-25 years old	#
26-35 years old	#
36-45 years old	#
46-60 years old	#
61-80 years old	8
80+ years old	5
Age not known at time of notification	#
2018/19	
26-35 years old	#
36-45 years old	#

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Table 1: Number of Clinical Claims and Incidents received between financial years ‘2006/07’ and ‘2024/25’ where the Specialty is 'Urology', and the Primary Cause is either 'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis', and the Primary Injury is either 'Cancer','Advanced Stage Cancer' and 'Malignant Tumor', and where the Patient Sex is 'Male'. Broken down by Patient Age (at Incident) and Year.

Notified	Y

Year of Notification ---Age at Incident	No. of Claims
46-60 years old	8
61-80 years old	6
80+ years old	#
2019/20	
26-35 years old	#
36-45 years old	#
46-60 years old	11
61-80 years old	10
80+ years old	#
Age not known at time of notification	#
2020/21	
26-35 years old	#
36-45 years old	#
46-60 years old	11
61-80 years old	14
2021/22	
26-35 years old	#
36-45 years old	#
46-60 years old	6
61-80 years old	15
80+ years old	#
2022/23	
36-45 years old	#
46-60 years old	#
61-80 years old	17
80+ years old	#
2023/24	
46-60 years old	7
61-80 years old	10
80+ years old	#
2024/25	
18-25 years old	#
26-35 years old	#
46-60 years old	8
61-80 years old	12
80+ years old	#
Grand Total	**304**

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Table 2: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2006/07' and '2024/25' with a damages payment, where the Specialty is 'Urology', and the Primary Cause is either 'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis', and the Primary Injury is either 'Cancer','Advanced Stage Cancer' and 'Malignant Tumor', and where the Patient Sex is 'Male'. Broken down by Patient Age (at Incident) and Year. 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.

ClaimOutcome	Damages Paid
ClosedSettled	Y

Year of Closure/Settlement as PPO ---Age at Incident	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2006/07					
18-25 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
2007/08					
61-80 years old	#	#	#	#	#
2008/09					
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
2009/10					
18-25 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
2010/11					
18-25 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
Age not known at time of notification	#	#	#	#	#
2011/12					
26-35 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
2012/13					
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
80+ years old	#	#	#	#	#
2013/14					
36-45 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
80+ years old	#	#	#	#	#
Age not known at time of notification	#	#	#	#	#
2014/15					
26-35 years old	#	#	#	#	#
36-45 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
Age not known at time of notification	#	#	#	#	#
2015/16					
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
2016/17					
36-45 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
Age not known at time of notification	#	#	#	#	#
2017/18					
36-45 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
61-80 years old	5	48,500	9,240	53,183	110,923
2018/19					
46-60 years old	#	#	#	#	#
61-80 years old	10	307,040	64,328	441,798	813,165
80+ years old	#	#	#	#	#
Age not known at time of notification	#	#	#	#	#
2019/20					
36-45 years old	#	#	#	#	#

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Table 2: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2006/07' and '2024/25' with a damages payment, where the Specialty is 'Urology', and the Primary Cause is either 'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis', and the Primary Injury is either 'Cancer','Advanced Stage Cancer' and 'Malignant Tumor', and where the Patient Sex is 'Male'. Broken down by Patient Age (at Incident) and Year. 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.

ClaimOutcome	Damages Paid
ClosedSettled	Y

Year of Closure/Settlement as PPO ---Age at Incident	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
46-60 years old	#	#	#	#	#
61-80 years old	6	239,152	46,368	256,769	542,289
80+ years old	#	#	#	#	#
2020/21					
36-45 years old	#	#	#	#	#
46-60 years old	#	#	#	#	#
61-80 years old	#	#	#	#	#
80+ years old	#	#	#	#	#
2021/22					
18-25 years old	#	#	#	#	#
26-35 years old	#	#	#	#	#
36-45 years old	#	#	#	#	#
46-60 years old	8	926,780	107,079	513,986	1,547,845
61-80 years old	#	#	#	#	#
80+ years old	#	#	#	#	#
2022/23					
26-35 years old	#	#	#	#	#
36-45 years old	#	#	#	#	#
46-60 years old	7	1,264,722	111,769	556,263	1,932,754
61-80 years old	9	378,725	86,768	497,100	962,593
2023/24					
26-35 years old	#	#	#	#	#
36-45 years old	#	#	#	#	#
46-60 years old	5	730,000	49,009	326,500	1,105,509
61-80 years old	8	416,000	82,963	395,875	894,838
2024/25					
26-35 years old	#	#	#	#	#
46-60 years old	5	558,965	62,838	428,143	1,049,946
61-80 years old	14	800,396	76,667	622,250	1,499,313
80+ years old	#	#	#	#	#
Grand Total	**167**	**10,589,974**	**1,516,884**	**8,067,326**	**20,174,184**

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Table 3: Number and Cost of Clinical Claims Closed between financial years '2006/07' and '2024/25' with NIL damages paid where the Specialty is 'Urology', and the Primary Cause is either 'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis', and the Primary Injury is either 'Cancer','Advanced Stage Cancer' and 'Malignant Tumor', and where the Patient Sex is 'Male'. Broken down by Patient Age (at Incident) and Year.

ClaimOutcome	Nil Damages
ClosedSettled	Y

Year of Closure ---Age at Incident	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2006/07			
46-60 years old	#	#	#
61-80 years old	#	#	#
2007/08			
36-45 years old	#	#	#
46-60 years old	#	#	#
61-80 years old	#	#	#
2008/09			
46-60 years old	#	#	#
61-80 years old	#	#	#
2009/10			
61-80 years old	#	#	#
2010/11			
26-35 years old	#	#	#
46-60 years old	#	#	#
61-80 years old	#	#	#
2011/12			
46-60 years old	#	#	#
2012/13			
46-60 years old	#	#	#
61-80 years old	#	#	#
2013/14			
46-60 years old	#	#	#
61-80 years old	#	#	#
Age not known at time of notification	#	#	#
2014/15			
36-45 years old	#	#	#
46-60 years old	#	#	#
61-80 years old	5	5,818	0
2015/16			
61-80 years old	#	#	#
2016/17			
46-60 years old	#	#	#
61-80 years old	8	8,658	0
2017/18			
26-35 years old	#	#	#
46-60 years old	#	#	#
61-80 years old	#	#	#
80+ years old	#	#	#
2018/19			
18-25 years old	#	#	#
36-45 years old	#	#	#
46-60 years old	#	#	#
61-80 years old	#	#	#
80+ years old	#	#	#
2019/20			
46-60 years old	#	#	#
61-80 years old	#	#	#
80+ years old	#	#	#
Age not known at time of notification	#	#	#
2020/21			
46-60 years old	5	33,429	0
61-80 years old	6	15,902	0
2021/22			
26-35 years old	#	#	#

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Table 3: Number and Cost of Clinical Claims Closed between financial years '2006/07' and '2024/25' with NIL damages paid where the Specialty is 'Urology', and the Primary Cause is either 'Fail / Delay Treatment', 'Fail/Delay Referring To Hosp.', 'Wrong Diagnosis' or 'Failure/Delay Diagnosis', and the Primary Injury is either 'Cancer','Advanced Stage Cancer' and 'Malignant Tumor', and where the Patient Sex is 'Male'. Broken down by Patient Age (at Incident) and Year.

ClaimOutcome	Nil Damages
ClosedSettled	Y

Year of Closure ---Age at Incident	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
46-60 years old	#	#	#
61-80 years old	6	6,017	0
80+ years old	#	#	#
2022/23			
46-60 years old	5	11,494	0
61-80 years old	7	26,424	0
80+ years old	#	#	#
2023/24			
46-60 years old	#	#	#
61-80 years old	#	#	#
80+ years old	#	#	#
2024/25			
26-35 years old	#	#	#
46-60 years old	#	#	#
61-80 years old	6	67,499	0
Grand Total	**121**	**303,654**	**#**