



Resolution

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May 2026
FOI_7851

The following information was requested on 23 April 2026:

Follow up to: [FOI 7555 Clinical-Negligence-Claims-with-a-damages-payment.pdf](#)

NHSR previously provided the attached information on average damages for clinical claims in 2024/25. For your reference, please see the final page of the attached document.

For these clinical negligence claims closed (or settled with a periodical payment order) in 2024/25 with a damages payment, would you also please be able to provide the following:

- *The median amount of damages provided in these claims*
- *In terms of the damages provided in these claims, the amount which was provided at the 25th quantile*
- *In terms of the damages provided in these claims, the amount which was provided at the 75th quantile.*

Many thanks for your time and help. If you have any questions about this request, please do not hesitate to contact me.

Our Response

Thank you for your request for information. Please find below our response.

NHS Resolution does not hold the requested information in recorded form. While we hold data relating to damages paid in clinical negligence claims, we do not readily hold pre-calculated metrics such as the median, 25th quantile, or 75th quantile for these claims.

The ICO guidance under [The right to recorded information and requests for documents](#) | [ICO](#) explains:

“The requester has two rights... to be informed in writing whether the information they have requested is held; and, where it is held, to have that information provided... These rights only apply to the information held at the time of the request.”

In this case, providing the median and quantile figures would require NHS Resolution to perform additional analysis and create new information, which is outside the scope of

our obligations under the FOIA. Therefore, the requested information is **not held** for the purposes of section 1(1)(a).

For context, NHS Resolution has previously provided average damages data, which reflects the information currently held in a recorded format. This may be of assistance where summary statistics are required.

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

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