



Resolution

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June 2026
FOI_7910

The following information was requested and clarified on 21 May 2026:

[On the 21 May, you requested]

..... Would it be possible to have a separate request for all neurosurgery claims in the past 5 years? This would put in context the size/number of claims for brain haemorrhage in comparison to neurosurgery in general.

[We replied with]

In respect of the request for all neurosurgery claims – what sort of information do you require?

We could provide you with the number of claims received for the specialty neurosurgery and also the number closed with nil damages paid, number closed with damages payment and associated costs, breakdown by primary cause, breakdown by primary injury, break down by trust.

[You replied with]

Many thanks for the email. For the neurosurgery data, it would be helpful to know the volume and size of claims, but also any breakdown on the underlying pathologies. The idea would be to draw out any themes that we could feed back to our membership in order to highlight any common themes and reduce the overall risk of these claims in future.

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. In some circumstances, volumes of reported cases may be impacted by multiple claims notified in relation one cause of action.

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](#)

Please find below the following tables:

Table 1 shows: - Number of Clinical Claims and Incidents received between financial years '**2020/21**' and '**2024/25**' where the Specialty is '**Neurosurgery**'. Broken down by **Year**.

Table 2 shows: - Number of Clinical Claims and Incidents received between financial years '**2020/21**' and '**2024/25**' where the Specialty is '**Neurosurgery**'. Broken down by **Primary Injury**.

Table 3 shows: - Number of Clinical Claims and Incidents received between financial years '**2020/21**' and '**2024/25**' where the Specialty is '**Neurosurgery**'. Broken down by **Primary Cause**.

Table 4 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, where the Specialty is '**Neurosurgery**'. Broken down by **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 5 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, where the Specialty is '**Neurosurgery**'. Broken down by **Primary**

Injury. 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 6 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, where the Specialty is '**Neurosurgery**'. Broken down by **Primary Cause**. 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 7 shows: - Number and Cost of Clinical Claims Closed between financial years '**2020/21**' and '**2024/25**' with **NIL** damages paid where the Specialty is '**Neurosurgery**'. Broken down by **Year**.

Table 8 shows: - Number and Cost of Clinical Claims Closed between financial years '**2020/21**' and '**2024/25**' with **NIL** damages paid where the Specialty is '**Neurosurgery**'. Broken down by **Primary Injury**.

Table 9 shows: - Number and Cost of Clinical Claims Closed between financial years '**2020/21**' and '**2024/25**' with **NIL** damages paid where the Specialty is '**Neurosurgery**'. Broken down by **Primary Cause**.

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 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.

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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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 2: Number of Clinical Claims and Incidents received between financial years '2020/21' and '2024/25' where the Specialty is 'Neurosurgery'. Broken down by Primary Injury.](#)

[Table 3: Number of Clinical Claims and Incidents received between financial years '2020/21' and '2024/25' where the Specialty is 'Neurosurgery'. Broken down by Primary Cause.](#)

[Table 4: 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, where the Specialty is 'Neurosurgery'. Broken down by 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 5: 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, where the Specialty is 'Neurosurgery'. Broken down by Primary Injury. 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 6: 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, where the Specialty is 'Neurosurgery'. Broken down by Primary Cause. 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 7: Number and Cost of Clinical Claims Closed between financial years '2020/21' and '2024/25' with NIL damages paid where the Specialty is 'Neurosurgery'. Broken down by Year.](#)

[Table 8: Number and Cost of Clinical Claims Closed between financial years '2020/21' and '2024/25' with NIL damages paid where the Specialty is 'Neurosurgery'. Broken down by Primary Injury.](#)

[Table 9: Number and Cost of Clinical Claims Closed between financial years '2020/21' and '2024/25' with NIL damages paid where the Specialty is 'Neurosurgery'. Broken down by Primary Cause.](#)

Table 1: Number of Clinical Claims and Incidents received between financial years '2020/21' and '2024/25' where the Specialty is 'Neurosurgery'. Broken down by Year.

Notified	Y
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Year of Notification	No. of Claims
2020/21	207
2021/22	158
2022/23	178
2023/24	157
2024/25	178
Grand Total	878

Table 2: Number of Clinical Claims and Incidents received between financial years '2020/21' and '2024/25' where the Specialty is 'Neurosurgery'. Broken down by Primary Injury.

Notified	Y
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Primary Injury	No. of Claims
Injuries with less than 5 Claims	68
Spinal Damage	118
Nerve Damage	111
Unnecessary Pain	95
Brain Damage	89
Adtnl/unnecessary Operation(s)	87
Fatality	57
Paraplegia	25
Pressure Sores	23
Poor Outcome - Fractures Etc.	21
Bowel Damage/ Dysfunction	19
Stroke	14
Partial Paralysis	14
Foot Drop	14
Fracture	13
Infection (bacterial)	13
Other Visual Problems	12
Other	11
Bladder Damage	10
Not Specified	9
Multiple Injuries	8
Aneurysm	7
Thrombosis/Embolism	7
Multiple Disabilities	6
Incontinence	6
Psychiatric/Psychological Dmge	6
Scarring	5
Cancer	5
Blindness	5
Grand Total	878

Table 3: Number of Clinical Claims and Incidents received between financial years '2020/21' and '2024/25' where the Specialty is 'Neurosurgery'. Broken down by Primary Cause.

Notified	Y
Primary Cause	No. of Claims
Causes with less than 5 Claims	42
Fail / Delay Treatment	207
Failure/Delay Diagnosis	114
Inappropriate Treatment	64
Delay In Performing Operation	63
Fail To Warn-Informed Consent	62
Intra-Op Problems	51
Inadequate Nursing Care	31
Operator Error	27
Failure To Perform Tests	22
Wrong Site Surgery	17
Fail/Delay Admitting To Hosp.	16
Fail To Recog. Complication Of	16
Failure To Interpret X-Ray	14
Fail To Follow-Up Arrangements	13
Inadequate Monitoring Intra-Op	12
Fail/Delay Referring To Hosp.	11
Lack Of Assistance/Care	10
Failure To Perform Operation	10
Fail To Supervise	10
Medication Errors	8
Fail To Act On Abnorm Test Res	8
Failure To X-Ray	8
Inappropriate Discharge	8
Lack Of Pre-Op Evaluation	7
Unexpected Death	6
Foreign Body Left In Situ	6
Equipment Malfunction	5
Perform. Of Op. Not Indicated	5
Bacterial Infection	5
Grand Total	878



Table 4: 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, where the Specialty is 'Neurosurgery'. Broken down by 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.

ClosedSettled	Y
ClaimOutcome	Damages Paid

Year of Closure (Settlement for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimnt Legal Costs Paid	Total Paid
2020/21	107	30,142,735	3,229,528	10,350,156	43,722,419
2021/22	111	53,159,381	4,709,593	14,816,762	72,685,736
2022/23	95	54,524,269	3,941,141	12,628,259	71,093,669
2023/24	91	26,402,651	2,873,375	8,700,389	37,976,415
2024/25	104	43,448,972	3,974,859	13,977,556	61,401,387
Grand Total	508	207,678,008	18,728,495	60,473,123	286,879,625

Table 5: 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, where the Specialty is 'Neurosurgery'. Broken down by Primary Injury. 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.

ClosedSettled	Y
ClaimOutcome	Damages Paid

Primary Injury	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Injuries with less than 5 Claims	58	19,207,125	1,785,689	5,982,473	26,975,287
Nerve Damage	62	23,834,121	3,186,882	9,471,736	36,492,739
Adtnl/unnecessary Operation(s)	60	8,866,569	1,255,092	4,478,591	14,600,251
Spinal Damage	48	35,277,640	2,730,523	8,144,214	46,152,377
Unnecessary Pain	44	5,550,076	611,139	2,445,800	8,607,015
Brain Damage	42	46,047,417	3,085,256	8,903,919	58,036,592
Fatality	36	3,203,168	446,607	1,799,016	5,448,791
Paraplegia	22	21,449,832	1,423,428	4,928,616	27,801,876
Pressure Sores	22	671,125	95,961	707,150	1,474,236
Partial Paralysis	16	10,028,772	960,161	3,332,018	14,320,951
Bowel Damage/ Dysfunction	15	3,265,831	560,574	1,912,530	5,738,936
Fracture	14	388,200	69,189	386,700	844,089
Stroke	12	6,113,961	283,026	1,436,700	7,833,687
Tetraplegia/ Quadriplegia	11	11,045,761	789,325	1,743,867	13,578,953
Blindness	9	1,622,104	366,427	950,053	2,938,583
Psychiatric/Psychological Dmge	8	3,603,940	173,495	725,250	4,502,684
Incontinence	6	2,667,043	329,309	999,850	3,996,202
Foot Drop	6	2,333,637	163,422	814,250	3,311,309
Thrombosis/Embolism	6	391,384	85,072	250,139	726,595
Other Visual Problems	6	909,688	180,867	600,500	1,691,055
Bladder Damage	5	1,200,615	147,050	459,750	1,807,416
Grand Total	508	207,678,008	18,728,495	60,473,123	286,879,625

Table 6: 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, where the Specialty is 'Neurosurgery'. Broken down by Primary Cause. 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.

ClosedSettled	Y
ClaimOutcome	Damages Paid

Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Causes with less than 5 Claims	42	16,670,798	1,717,404	6,095,058	24,483,259
Fail / Delay Treatment	109	39,864,670	4,377,286	12,904,099	57,146,056
Failure/Delay Diagnosis	73	31,543,921	2,614,069	9,110,314	43,268,304
Inappropriate Treatment	42	17,888,045	1,229,009	4,481,902	23,598,956
Intra-Op Problems	38	30,529,397	2,145,255	6,137,089	38,811,741
Fail To Warn-Informed Consent	36	18,155,252	1,800,668	5,896,912	25,852,832
Delay In Performing Operation	30	14,346,916	1,339,152	4,413,054	20,099,122
Inadequate Nursing Care	29	1,938,097	362,913	1,222,372	3,523,382
Operator Error	27	13,909,228	829,149	3,449,291	18,187,668
Wrong Site Surgery	15	1,998,137	222,747	889,138	3,110,022
Medication Errors	9	1,696,056	249,072	948,894	2,894,022
Foreign Body Left In Situ	8	534,000	93,535	286,827	914,362
Lack Of Assistance/Care	7	263,800	51,216	237,000	552,016
Fail To Follow-Up Arrangements	7	1,219,278	258,496	505,950	1,983,724
Inadequate Monitoring Intra-Op	6	7,578,986	485,218	1,162,147	9,226,350
Equipment Malfunction	5	1,964,747	165,293	386,231	2,516,271
Failure To Perform Tests	5	1,747,385	119,284	462,625	2,329,295
Fail To Supervise	5	146,700	15,867	130,900	293,467
Failure To Interpret X-Ray	5	2,144,126	180,654	374,000	2,698,779
Fail/Delay Admitting To Hosp.	5	92,842	66,189	246,320	405,351
Fail To Recog. Complication Of	5	3,445,627	406,018	1,133,000	4,984,645
Grand Total	508	207,678,008	18,728,495	60,473,123	286,879,625

Table 7: Number and Cost of Clinical Claims Closed between financial years '2020/21' and '2024/25' with NIL damages paid where the Specialty is 'Neurosurgery'. Broken down by Year.

ClosedSettled	Y
ClaimOutcome	Nil Damages

Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimnt Legal Costs Paid
2020/21	72	733,026	20,000
2021/22	87	1,240,446	#
2022/23	91	794,363	0
2023/24	66	952,968	42,030
2024/25	79	990,951	55,675

Table 8: Number and Cost of Clinical Claims Closed between financial years '2020/21' and '2024/25' with NIL damages paid where the Specialty is 'Neurosurgery'. Broken down by Primary Injury.

ClosedSettled	Y
ClaimOutcome	Nil Damages

Primary Injury	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
Injuries with less than 5 Claims	54	508,617	0
Unnecessary Pain	57	307,365	5,675
Nerve Damage	53	1,214,788	50,000
Spinal Damage	39	619,463	0
Adtnl/unnecessary Operation(s)	36	274,552	0
Fatality	31	177,545	42,030
Brain Damage	28	244,447	0
Paraplegia	14	483,753	0
Poor Outcome - Fractures Etc.	13	143,121	20,000
Partial Paralysis	12	115,284	#
Bowel Damage/ Dysfunction	11	163,049	0
Stroke	7	99,439	0
Infection (bacterial)	7	40,987	0
Fracture	6	47,655	0
Bladder Damage	6	148,852	0
Other	6	63,374	0
Cardiac Arrest	5	26,831	0
Thrombosis/Embolism	5	9,196	0
Foot Drop	5	23,437	0

Table 9: Number and Cost of Clinical Claims Closed between financial years '2020/21' and '2024/25' with NIL damages paid where the Specialty is 'Neurosurgery'. Broken down by Primary Cause.

ClosedSettled	Y
ClaimOutcome	Nil Damages

Primary Cause	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
Causes with less than 5 Claims	53	481,594	0
Fail / Delay Treatment	96	1,168,451	42,030
Failure/Delay Diagnosis	48	536,730	0
Delay In Performing Operation	38	257,853	0
Fail To Warn-Informed Consent	35	523,230	0
Inappropriate Treatment	26	190,543	0
Intra-Op Problems	26	635,885	25,675
Operator Error	16	353,641	0
Fail To Recog. Complication Of	8	83,021	0
Failure To Perform Operation	8	40,978	0
Inadequate Nursing Care	7	20,263	0
Fail/Delay Admitting To Hosp.	7	175,461	52,000
Wrong Site Surgery	6	6,788	0
Inappropriate Discharge	6	41,852	0
Wrong Diagnosis	5	25,631	0
Failure To X-Ray	5	93,681	0
Failure To Perform Tests	5	76,153	0