



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU

Telephone: 020 7811 2700

July 2026

FOI_7929

The following information was requested on 21 April 2026 and Clarified on 4 June 2026:

[On 21 April, you requested]

This is a request for information under the Freedom of Information Act 2000.

I would like to request information relating to amputations due to clinical negligence and more specifically those related to diabetes.

Stephensons solicitors published FOI data on their website - link here https://www.stephensons.co.uk/site/news_and_events/uptodatenews/nhs-pays-out-22-million-in-amputation-claims-amid-alarming-rise#:~:text=NHS%20Pays%20Out%20%C2%A322,avoidable%2C%20life%2Dchanging%20surgery.

I tried to find the FOI response on the NHS Resolution disclosure log but was unable to locate it. Could you please confirm the figures below are correct and if possible, send me the corresponding FOI response. If you are unable to find the Stephensons FOI, confirmation or the correct numbers is sufficient. Please don't delay responding on the basis of finding the original FOI.

According to the Stephensons publication - could you please confirm or provide correct data

- Financial year 2024/2025

£22 million in compensation paid by the NHS to patients who underwent amputations due to clinical negligence

- Financial year 2023/2024

£15 million in compensation to patients who underwent amputations due to clinical negligence

- 2024/2025 - there were a total of 83 lower limb amputation claims (orthopaedic & vascular) of these 63% resulted in compensation being awarded to patients

- Between 2017 - 2022 - NHS Resolution settled 605 amputation-related claims totalling £189 million

Further request for new information - please provide for the years specified

2024/2025

- Of the 83 lower limb amputation claims how many were diabetic related?

- How many of the diabetic related lower limb amputation claims resulted in compensation being paid out?

- What was the total compensation paid out for diabetic related lower limb amputation settled claims?

2023/2024

- the number of lower limb amputation claims.
- the number of diabetic related lower limb amputations claims resulting in compensation?
- What was the total compensation paid out for diabetic related lower limb amputation settled claims?

Between 2017 - 2022

- Of the 605 settled amputation-related claims how many were diabetic related?
- What was the total compensation paid out for diabetic related amputation between 2017 - 2022?

If any data triggers the privacy exemption, please redact it. I would also kindly request that you let me know in advance if any of these requests cannot be completed due an exemption and how it applies to the relevant section so I can amend accordingly.

I would like to receive this information in excel format please.

[On 1 May, we sought clarification with]

Thank you for your request to NHS Resolution.

We believe that the information being referenced in section one of your request were obtained from these responses in [FOI 7363](#) and [FOI 7191](#) which are already published at NHS Resolution FOI disclosure log.

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 \(live.com\)](#) (see the three tabs in the spreadsheet).

We do not have a code for diabetes; therefore, we will not be able to provide the data as requested in section two of your request.

Please let us know if you have further questions in relation to the information provided above.

Your request will be put on hold until we hear back from you.

[On 4 June, you responded with]

Thank you for coming back to me on my request and confirming the original FOI request numbers.

Could you please confirm what the total related legal costs for the following (as per the numbers in my original request) -

- Financial year 2024/2025

£22 million in compensation paid by the NHS to patients who underwent amputations due to clinical negligence

What is the total for related legal costs?

- Financial year 2023/2024

£15 million in compensation to patients who underwent amputations due to clinical negligence
What is the total for related legal costs?

- Between 2017 - 2022 - NHS Resolution settled 605 amputation-related claims totalling £189 million

What is the total for related legal costs?

Our Response

Please find attached the requested information we are able to provide. This information only covers England and not the rest of the UK. The dataset presented in the response below covers the financial years between 2016/17 to 2024/25.

Please note that we are not able to verify some of the figures quoted in the article that you have referred to in your request. However, we have identified some previous similar requests that may assist you. It is important to note that the criteria used in the response for this request may differ from the criteria used for some of the data you have referred to. The data will therefore **not** be comparable.

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. This means that the statement “2024/2025 - there were a total of 83 lower limb amputation claims (orthopaedic & vascular) of these 63% resulted in compensation being awarded to patients” cannot be verified, as the claims that appear as notifications for that year are not necessarily closed/settled in the same year.

Please note that not all incidents and claims received will result in a compensation payment being made.

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 unsuccessful), challenged, reopened, and closed again at conclusion.

The data shows variation in numbers of cases 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 note that the data only includes claims relating to the named specialties in the table title below.

Table 1 shows – Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years ‘2016/17’ and ‘2024/25’ with a damages payment, where the Primary Injury is ‘**Amputation - Upper**’ or ‘**Amputation - Lower**’ and the Specialty is ‘**General Surgery**’, ‘**Cardio Surgery**’, ‘**Neurosurgery**’, ‘**Oral & Maxillo Facial Surgery**’, ‘**Orthopaedic Surgery**’, ‘**Plastic Surgery**’, ‘**Vascular Surgery**’, ‘**Paediatric 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.

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.

In relation to your reference to diabetic related claims:

Section 12 refusal notice – Diabetic amputations

Although NHS Resolution may hold some information relating to claims such as what you have requested (England only claims), due to the way claims are recorded on our claims database, we will not be able to identify such specific cases. 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](#). Unfortunately, we do not have a code for “*diabetes*” or “*Diabetic*”. Therefore, while there may be information held in our records, we are not readily able to identify the relevant files by searching the database.

To do so would involve a manual review of all cases to identify which ones relate to claims involving “*diabetes*” or “*Diabetic*”.

This exercise would be very time consuming. 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 54 files within 18 hours.

Therefore, we estimate that the cost of complying with this request 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’. The [ICO’s guidance](#) confirms that such manual interrogation is not required where it would exceed the statutory cost limit. We have provided the high-level information we are able to extract within the appropriate limit.

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.

Table 1: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2016/17' and '2024/25' with a damages payment, where the Primary Injury is 'Amputation - Upper' or 'Amputation - Lower' and the Specialty is 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Plastic Surgery', 'Vascular Surgery', 'Paediatric 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.

Table 1: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2016/17' and '2024/25' with a damages payment, where the Primary Injury is 'Amputation - Upper' or 'Amputation - Lower' and the Specialty is 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Orthopaedic Surgery', 'Plastic Surgery', 'Vascular Surgery', 'Paediatric 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.

ClaimOutcome	Damages Paid
ClosedSettled	Y

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2016/17	63	11,221,764	1,580,166	5,990,531	18,792,462
2017/18	65	16,960,148	2,371,871	8,334,059	27,666,078
2018/19	60	22,558,823	2,310,052	8,489,800	33,358,675
2019/20	78	30,956,158	2,309,681	8,870,039	42,135,877
2020/21	78	21,916,450	2,778,658	8,662,903	33,358,011
2021/22	64	32,625,029	2,314,248	10,178,555	45,117,832
2022/23	60	20,180,083	2,328,314	6,766,557	29,274,954
2023/24	61	24,543,792	2,031,694	7,614,365	34,189,850
2024/25	63	34,752,122	2,076,002	8,169,056	44,997,180
Grand Total	592	215,714,369	20,100,685	73,075,866	308,890,920