



Resolution

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September 2026
FOI_8035

The following information was requested on 25 August 2026 and clarified on 28 August 2026:

[On 25 August 2026 you requested the following]

Freedom of Information Request: Surgical Litigation Claims and Consent Issues (2014/15 to 2024/25)

Under the Freedom of Information Act 2000, I would like to request information relating to clinical negligence and litigation claims.

Part 1: Vascular Surgery Claims

For each financial year from 2015/16 to 2025/26, please provide:

- 1. The total number of clinical negligence claims relating to vascular surgery.*
- 2. If possible, a breakdown of these claims by vascular subspecialty area, where recorded (for example, peripheral arterial disease, aortic surgery, carotid surgery, superficial venous surgery, deep venous surgery, dialysis access surgery, endovascular procedures, diabetic foot/limb salvage, or equivalent categories used by NHS Resolution).*
- 3. The total number of claims in which:*
 - o cause code "Fail To Warn-Informed Consent",*
 - o informed consent,*
 - o inadequate consent,*
 - o failure to discuss material risks,*
 - o failure to discuss alternative treatments, or*
 - o any other consent-related issue**was identified as an allegation, contributory factor, or basis of the claim.*
- 4. The total cost of these claims for each financial year.*

Part 2: Surgery-Wide Consent Claims

For each financial year from 2015/16 to 2025/26, please provide:

- 1. The total number of clinical negligence claims relating to all surgical specialties.*
- 2. The number of claims that cited a consent-related issue, including:*
 - o cause code "Fail To Warn-Informed Consent",*
 - o informed consent,*
 - o inadequate consent,*
 - o failure to discuss material risks,*
 - o failure to discuss alternative treatments, or*

o any other consent-related issues.

3. The total cost of these claims for each financial year.

4. A breakdown by surgical specialty, including but not limited to:

o General Surgery

o Vascular Surgery

o Orthopaedic Surgery

o Neurosurgery

o Cardiothoracic Surgery

o Plastic Surgery

o Urology

o ENT

o Ophthalmology

o Oral and Maxillofacial Surgery

o Obstetrics and Gynaecology (surgical claims only)

I would be grateful if the information could be provided in an electronic spreadsheet format (Excel).

[On 25 August we sought clarification]:

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 have a code for fail to warn / informed consent, but not the following: inadequate consent, failure to discuss material risks, failure to discuss alternative treatments. Please, could you review the codes I linked above and let us know if you are interested in any of them?

Please note, at present, we can only provide data up to and including 2024/25. Data for 2025/26 will be available upon request from the end of September 2026. Could you please confirm whether you would like to receive the data for up to 2024/25, or whether you would prefer to resubmit your request in September?

You can also review our responses to similar requests that provide data up to 2024/25 and which may provide you with information you are looking for:

[FOI 7363 All-Surgical-Claims.pdf](#)

[FOI 7191 All-Surgical-Claims.pdf](#)

[FOI 6903 Surgery-related-claims final.pdf](#)

[FOI 7201 Vascular-Surgery.pdf](#)

[FOI 7243 Vascular-Surgery.pdf](#)

[Fol Requests Archive - NHS Resolution](#)

Please, feel free to contact us if you have any queries and we look forward to hearing from you.

[On 25 August you replied with]:

Many thanks for the swift response.

If all claims related to consent are within the CNST code Failure to Warn/Informed Consent then that should be sufficient enough.

Thank you for sending the archived FOIs.

- The 'all surgical claims' FOI only cover the last 5-years, whereas I would like the last 10-years*
- The 'vascular surgery claims FOI' do contain total cost and numbers of claims with CNST code Failure to Warn/Informed Consent however this is displayed as a cumulative number for the 10-year period, I would like this broken down by each FY*

[On 28 August we replied with]:

Would you be able to provide further clarification of your request, please?

You mentioned wanting data relating to “all surgical specialties”, but you haven’t included Paediatric Surgery in that list – would you like it included?

You have also listed some specialties which aren’t surgery specific – e.g. Urology, ENT, Ophthalmology – should we include them?

And you have asked for Obstetrics & Gynaecology surgical claims only, but we cannot provide just surgical Obs & Gynae claims. Would you like us to include these specialties?

Please, could you also confirm if you are happy with receiving data up to 2024/25 – the data for 2025/26 will be available at the end of September.

We look forward to hearing from you.

[You replied on 28 August with]:

Please exclude Paediatric surgery as the consent process is different for children.

Please include Urology, ENT, ophthalmology.

In that case, please exclude Obs & Gynae.

Yes, the most recent available data please up to 2024/25.

Our Response

Thank you for your request for information. Please note that we hold claims data for England only and not the UK. Please find attached the requested information.

Please note: 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 <https://resolution.nhs.uk/resources/understanding-nhs-resolution-data>.

Claims notified/received in any given year will often relate to incidents that have occurred many years prior. Due to the nature of 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.

Please also note that the data shows variation in damages and costs paid in the relevant financial years. This is a reflection of the nature of individual claims received by NHS Resolution, which can vary significantly. In some circumstances, volumes of reported cases may be impacted by multiple claims notified in relation to one cause of action. As such, year on year fluctuations cannot necessarily 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 unsuccessful), challenged, reopened, and closed again at conclusion.

The attached data covers our [Clinical schemes - NHS Resolution](#).

Please find attached the following tables: -

Table 1 shows: - Number of Clinical Claims and/or Incidents received between financial years '2015/16' and '2024/25' where the Specialty is '**Vascular Surgery**'. Broken down by Primary Cause.

We have not broken down the vascular surgery data tables down by year owing to the amount of low figures that would require extensive suppression due to data protection grounds. Instead, we have provided you with aggregated data, which we believe provides more meaningful and useful data. We hope this is helpful to you.

Table 2 shows: - Number of Clinical Claims and/or Incidents received between financial years '2015/16' and '2024/25' where the Primary Cause is '**Fail To Warn-Informed Consent**' and the Specialty is one of the following: 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Notification.

Table 3 shows: - Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Specialty is '**Vascular 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. 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 '2015/16' and '2024/25' with a damages payment, where the Primary Cause is '**Fail To Warn-Informed Consent**' and the Specialty is one of the following: 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular 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. Broken down by Specialty and Year of Closure (Settlement Year for PPOs).

Table 5 shows: - Number and Cost of Clinical Claims Closed between financial years '2015/16' and '2024/25' with **NIL** damages paid where the Specialty is '**Vascular Surgery**'. Broken down by Primary Cause.

Table 6 shows: - Number and Cost of Clinical Claims Closed between financial years '2015/16' and '2024/25' with **NIL** damages paid where the Primary Cause is '**Fail To Warn-Informed Consent**' and the Specialty is one of the following: 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Closure.

PPOs

The information disclosed includes damages and costs 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, costs 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

We have suppressed 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(3)(a)(i) 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. Where we are in the territory of such small numbers in the attached, we have used a '#' symbol in the relevant field. You should still be able to see aggregate/total details for higher level fields containing this data.

If you would like to know how data is categorised in our Claims database please see the following link: [Glossary](#)

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/>

TABLE OF CONTENTS

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/or Incidents received between financial years '2015/16' and '2024/25' where the Specialty is 'Vascular Surgery'. Broken down by Primary Cause.

Table 2: Number of Clinical Claims and/or Incidents received between financial years '2015/16' and '2024/25' where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Notification.

Table 3: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Specialty is 'Vascular 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. Broken down by Primary Cause.

Table 4: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular 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. Broken down by Specialty and Year of Closure (Settlement Year for PPOs).

Table 5: Number and Cost of Clinical Claims Closed between financial years '2015/16' and '2024/25' with NIL damages paid where the Specialty is 'Vascular Surgery'. Broken down by Primary Cause.

Table 6: Number and Cost of Clinical Claims Closed between financial years '2015/16' and '2024/25' with NIL damages paid where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Closure.

Table 1: Number of Clinical Claims and Incidents received between financial years '2015/16' and '2024/25' where the Specialty is 'Vascular Surgery'. Broken down by Primary Cause.

Notified	Y
Vascular Surgery Flag	Y

Primary Cause	No. of Claims
Fail / Delay Treatment	493
Failure/Delay Diagnosis	150
Inappropriate Treatment	82
Inadequate Nursing Care	74
Fail To Warn-Informed Consent	62
Delay In Performing Operation	54
Intra-Op Problems	50
Failure To Perform Tests	37
Fail To Recog. Complication Of	30
Operator Error	29
Medication Errors	25
Fail To Follow-Up Arrangements	23
Foreign Body Left In Situ	20
Inappropriate Discharge	19
Failure To Perform Operation	18
Fail To Act On Abnorm Test Res	16
Fail/Delay Referring To Hosp.	13
Fail/Delay Admitting To Hosp.	13
Lack Of Assistance/Care	11
Wrong Site Surgery	8
Lack Of Pre-Op Evaluation	8
Inadequate Monitoring Intra-Op	8
Wrong Diagnosis	7
Err With Agnt/Dose/Route/Selec	7
Bacterial Infection	6
Other	6
Not Specified	5
Fail To Supervise	5
Perform. Of Op. Not Indicated	#
Failure To X-Ray	#
Retained Instrument Post-Operation	#
Equipment Malfunction	#
Failure To Interpret X-Ray	#
Unexpected Death	#
Diathermy Burns/react. To Prep	#
Inapprop. Case Selection	#
Fail To Carry Out PO Observs.	#
Premature Ceasure Of Treatment	#
Infusion Problems	#
Problem Blood Fluids	#
Fail To Infrm Test Rslts	#
Incorrect Injection Site	#
Fail To Interpret USS	#
Failed Infection Control Policy/Hospital Hygiene	#
Fail/Delay Avail Op Thtre	#
Lack Of Facilities/Equipment	#
Failed Sterilisation	#
Clinical Trial	#
Wrong Site Surgery	#
Probs With Medical Records	#
Application Of Excess Force	#
Re-Canalisation	#

Table 1: Number of Clinical Claims and Incidents received between financial years '2015/16' and '2024/25' where the Specialty is 'Vascular Surgery'. Broken down by Primary Cause.

Notified	Y
Vascular Surgery Flag	Y

Primary Cause	No. of Claims
Grand Total	1,331

Table 2: Number of Clinical Claims and Incidents received between financial years '2015/16' and '2024/25' where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery' , 'Cardio Surgery', 'Neurosurgery','Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery','Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Notification.

Notified	Y
Fail to Warn-Informed Consent Flag	Y

Year of Notification -- Primary Specialty	No. of Claims
2015/16	171
Orthopaedic Surgery	69
General Surgery	45
Oral & Maxillo Facial Surgery	18
Plastic Surgery	12
Otorhinolaryngology/ ENT	10
Ophthalmology	7
Neurosurgery	5
Vascular Surgery	#
Cardio Surgery	#
2016/17	207
Orthopaedic Surgery	76
General Surgery	53
Otorhinolaryngology/ ENT	20
Neurosurgery	14
Oral & Maxillo Facial Surgery	13
Ophthalmology	10
Plastic Surgery	7
Vascular Surgery	7
Cardio Surgery	7
2017/18	#
Orthopaedic Surgery	79
General Surgery	52
Oral & Maxillo Facial Surgery	15
Neurosurgery	14
Otorhinolaryngology/ ENT	14
Ophthalmology	14
Vascular Surgery	12
Plastic Surgery	8
Cardio Surgery	#
2018/19	#
General Surgery	76
Orthopaedic Surgery	64
Ophthalmology	16
Neurosurgery	15
Oral & Maxillo Facial Surgery	13
Otorhinolaryngology/ ENT	11
Plastic Surgery	8
Vascular Surgery	7
Cardio Surgery	#
2019/20	227
General Surgery	103
Orthopaedic Surgery	60
Ophthalmology	14
Otorhinolaryngology/ ENT	14
Neurosurgery	10
Plastic Surgery	10
Oral & Maxillo Facial Surgery	8
Vascular Surgery	#
Cardio Surgery	#
2020/21	226

Table 2: Number of Clinical Claims and Incidents received between financial years '2015/16' and '2024/25' where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery' , 'Cardio Surgery', 'Neurosurgery','Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery','Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Notification.

Notified	Y
Fail to Warn-Informed Consent Flag	Y

Year of Notification -- Primary Specialty	No. of Claims
General Surgery	85
Orthopaedic Surgery	62
Neurosurgery	17
Ophthalmology	15
Otorhinolaryngology/ ENT	12
Plastic Surgery	11
Vascular Surgery	9
Cardio Surgery	8
Oral & Maxillo Facial Surgery	7
2021/22	#
General Surgery	89
Orthopaedic Surgery	81
Otorhinolaryngology/ ENT	13
Neurosurgery	13
Ophthalmology	11
Oral & Maxillo Facial Surgery	10
Vascular Surgery	9
Plastic Surgery	8
Cardio Surgery	#
2022/23	#
Orthopaedic Surgery	75
General Surgery	55
Otorhinolaryngology/ ENT	12
Neurosurgery	12
Oral & Maxillo Facial Surgery	11
Ophthalmology	7
Plastic Surgery	7
Cardio Surgery	6
Vascular Surgery	#
2023/24	#
Orthopaedic Surgery	64
General Surgery	38
Ophthalmology	13
Otorhinolaryngology/ ENT	9
Neurosurgery	6
Plastic Surgery	5
Oral & Maxillo Facial Surgery	5
Cardio Surgery	5
Vascular Surgery	#
2024/25	#
Orthopaedic Surgery	77
General Surgery	50
Ophthalmology	19
Neurosurgery	14
Otorhinolaryngology/ ENT	8
Vascular Surgery	7
Cardio Surgery	6
Oral & Maxillo Facial Surgery	5
Plastic Surgery	#
Grand Total	2,015

Table 3: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Specialty is 'Vascular 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. Broken down by Primary Cause.

ClaimOutcome	Damages Paid
ClosedSettled	Y
Vascular Surgery Flag	Y

Primary Cause	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Fail / Delay Treatment	292	41,271,986	6,273,899	23,665,630	71,211,515
Failure/Delay Diagnosis	101	22,429,737	2,543,775	9,625,020	34,598,533
Inappropriate Treatment	50	8,690,565	991,214	4,135,318	13,817,096
Delay In Performing Operation	49	21,622,800	1,363,266	5,168,538	28,154,603
Fail To Warn-Informed Consent	47	6,125,388	1,014,059	3,899,524	11,038,971
Inadequate Nursing Care	46	941,075	179,118	1,223,429	2,343,621
Intra-Op Problems	27	3,548,899	486,307	1,965,339	6,000,544
Fail To Recog. Complication Of	25	6,835,524	638,195	2,717,939	10,191,657
Failure To Perform Tests	18	2,654,092	274,908	960,463	3,889,463
Operator Error	17	904,969	247,941	1,096,127	2,249,037
Fail To Act On Abnorm Test Res	16	4,572,029	341,665	1,728,250	6,641,944
Failure To Perform Operation	15	1,949,580	498,875	1,742,951	4,191,406
Foreign Body Left In Situ	14	96,958	16,086	160,892	273,936
Inappropriate Discharge	13	293,867	116,831	541,800	952,497
Medication Errors	10	1,060,482	50,430	301,649	1,412,562
Fail To Follow-Up Arrangements	9	1,108,079	150,485	580,000	1,838,564
Fail/Delay Referring To Hosp.	9	1,035,672	133,087	588,691	1,757,451
Wrong Site Surgery	8	60,000	7,557	80,761	148,318
Err With Agnt/Dose/Route/Selec	7	1,130,474	120,941	562,941	1,814,356
Fail/Delay Admitting To Hosp.	5	1,301,134	236,514	1,133,512	2,671,160
Fail To Carry Out PO Observs.	5	823,155	124,421	487,184	1,434,760
Retained Instrument Post-Operation	#	#	#	#	#
Diathermy Burns/react. To Prep	#	#	#	#	#
Inadequate Monitoring Intra-Op	#	#	#	#	#
Wrong Diagnosis	#	#	#	#	#
Lack Of Assistance/Care	#	#	#	#	#
Lack Of Pre-Op Evaluation	#	#	#	#	#
Problem Blood Fluids	#	#	#	#	#
Other	#	#	#	#	#
Re-Canalisation	#	#	#	#	#
Application Of Excess Force	#	#	#	#	#
Inapprop. Case Selection	#	#	#	#	#
Perform. Of Op. Not Indicated	#	#	#	#	#
Cross Infection	#	#	#	#	#
Fail To Supervise	#	#	#	#	#
Failure To X-Ray	#	#	#	#	#
Bacterial Infection	#	#	#	#	#
Fail To Infrm Test RsIts	#	#	#	#	#
Unexpected Death	#	#	#	#	#
Probs With Medical Records	#	#	#	#	#
Equipment Malfunction	#	#	#	#	#
Failed Infection Control Policy/Hospital Hygiene	#	#	#	#	#
Failure To Interpret X-Ray	#	#	#	#	#
Grand Total	833	133,302,364	16,437,356	64,600,611	214,340,331

Table 4: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular 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. Broken down by Specialty and Year of Closure (Settlement Year for PPOs).

ClaimOutcome	Damages Paid
ClosedSettled	Y
Fail to Warn-Informed Consent Flag	Y

Year of Closure (Settlement Year for PPOs) -- Primary Specialty	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2015/16	75	6,693,244	1,266,675	5,356,173	13,316,093
General Surgery	25	2,447,114	506,879	2,013,185	4,967,179
Orthopaedic Surgery	21	2,147,892	291,095	1,228,967	3,667,954
Oral & Maxillo Facial Surgery	8	120,500	26,834	184,250	331,584
Otorhinolaryngology/ ENT	6	226,007	83,924	433,000	742,931
Ophthalmology	5	406,000	99,919	557,611	1,063,530
Plastic Surgery	5	425,000	88,710	515,469	1,029,179
Vascular Surgery	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
2016/17	89	7,592,231	1,543,654	6,297,591	15,433,475
Orthopaedic Surgery	28	2,352,093	576,331	2,032,744	4,961,168
General Surgery	23	2,240,992	395,385	1,977,495	4,613,872
Oral & Maxillo Facial Surgery	12	303,350	77,472	408,522	789,344
Vascular Surgery	7	869,880	161,219	582,919	1,614,018
Ophthalmology	6	110,600	27,493	186,856	324,949
Otorhinolaryngology/ ENT	5	52,100	23,587	206,093	281,781
Neurosurgery	#	#	#	#	#
Plastic Surgery	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
2017/18	116	7,940,339	1,679,822	7,169,320	16,789,481
Orthopaedic Surgery	60	4,168,213	1,069,374	4,194,267	9,431,855
General Surgery	24	1,717,406	315,955	1,450,184	3,483,545
Oral & Maxillo Facial Surgery	9	394,377	61,551	431,625	887,553
Otorhinolaryngology/ ENT	8	199,500	39,450	240,805	479,754
Plastic Surgery	6	430,260	52,378	303,950	786,588
Ophthalmology	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
2018/19	119	13,268,872	2,028,384	6,585,799	21,883,056
Orthopaedic Surgery	42	2,969,193	485,331	2,101,512	5,556,035
General Surgery	28	1,673,693	435,423	1,525,002	3,634,118
Oral & Maxillo Facial Surgery	18	479,776	197,393	525,800	1,202,969
Otorhinolaryngology/ ENT	12	1,881,482	344,973	1,096,462	3,322,917
Plastic Surgery	6	466,510	60,180	307,756	834,446
Ophthalmology	5	710,858	54,836	246,643	1,012,338
Neurosurgery	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
2019/20	151	19,325,714	2,783,284	9,753,698	31,862,695
Orthopaedic Surgery	52	7,029,019	1,018,611	3,200,748	11,248,379
General Surgery	45	4,455,691	498,992	2,629,085	7,583,769
Ophthalmology	12	982,148	189,740	521,355	1,693,242
Otorhinolaryngology/ ENT	10	285,920	70,338	242,000	598,258
Plastic Surgery	10	754,103	322,073	969,455	2,045,632
Oral & Maxillo Facial Surgery	8	181,627	131,699	236,850	550,176
Neurosurgery	7	4,257,778	333,222	1,087,539	5,678,540
Vascular Surgery	7	1,379,427	218,608	866,664	2,464,699
2020/21	133	20,026,832	2,732,824	9,531,371	32,291,028
Orthopaedic Surgery	53	7,448,194	1,214,037	4,118,222	12,780,453
General Surgery	31	4,269,640	619,581	2,166,424	7,055,645
Oral & Maxillo Facial Surgery	15	588,000	132,789	617,287	1,338,076
Neurosurgery	10	5,641,964	496,074	1,251,300	7,389,338
Vascular Surgery	7	640,433	78,115	356,588	1,075,136
Plastic Surgery	5	254,325	37,015	193,715	485,055

Table 4: Number and Cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years '2015/16' and '2024/25' with a damages payment, where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular 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. Broken down by Specialty and Year of Closure (Settlement Year for PPOs).

ClaimOutcome	Damages Paid
ClosedSettled	Y
Fail to Warn-Informed Consent Flag	Y

Year of Closure (Settlement Year for PPOs) -- Primary Specialty	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Ophthalmology	5	256,729	57,693	324,975	639,397
Otorhinolaryngology/ ENT	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
2021/22	120	15,539,415	2,957,529	9,125,121	27,622,065
General Surgery	39	3,098,026	528,218	1,815,471	5,441,715
Orthopaedic Surgery	38	4,676,068	998,102	2,822,646	8,496,816
Otorhinolaryngology/ ENT	11	768,302	359,243	815,362	1,942,907
Ophthalmology	9	686,389	114,810	456,865	1,258,064
Neurosurgery	8	2,566,960	426,188	1,471,866	4,465,014
Oral & Maxillo Facial Surgery	6	1,007,635	165,926	448,910	1,622,471
Plastic Surgery	5	428,536	60,323	389,000	877,859
Cardio Surgery	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
2022/23	#	#	#	#	#
Orthopaedic Surgery	50	8,743,024	947,423	3,570,732	13,261,179
General Surgery	48	9,969,475	828,231	3,052,402	13,850,108
Ophthalmology	12	541,788	68,351	418,258	1,028,397
Vascular Surgery	8	930,992	87,832	530,503	1,549,326
Oral & Maxillo Facial Surgery	7	195,931	41,217	215,950	453,098
Otorhinolaryngology/ ENT	6	7,380,729	273,018	805,000	8,458,747
Neurosurgery	6	4,116,015	424,149	1,302,998	5,843,162
Plastic Surgery	5	1,560,164	193,564	656,277	2,410,005
Cardio Surgery	#	#	#	#	#
2023/24	136	15,719,360	2,458,648	9,196,912	27,374,920
Orthopaedic Surgery	44	5,361,975	849,028	3,353,614	9,564,617
General Surgery	41	3,959,995	751,986	2,382,002	7,093,983
Otorhinolaryngology/ ENT	11	1,258,761	228,291	860,850	2,347,902
Oral & Maxillo Facial Surgery	11	499,234	61,373	308,910	869,517
Plastic Surgery	7	185,597	48,509	278,637	512,744
Ophthalmology	7	2,409,559	193,969	796,650	3,400,178
Neurosurgery	5	1,029,404	127,286	569,248	1,725,939
Vascular Surgery	5	878,126	120,499	411,000	1,409,626
Cardio Surgery	5	136,709	77,705	236,000	450,414
2024/25	154	28,184,237	3,588,423	12,160,319	43,932,979
General Surgery	63	12,184,704	1,445,809	4,394,382	18,024,895
Orthopaedic Surgery	54	4,440,153	968,389	3,556,575	8,965,116
Otorhinolaryngology/ ENT	8	2,052,000	209,833	836,070	3,097,902
Ophthalmology	7	3,548,078	146,340	600,000	4,294,418
Neurosurgery	7	4,800,909	326,971	1,301,500	6,429,380
Vascular Surgery	5	491,965	169,385	574,100	1,235,450
Plastic Surgery	5	555,928	255,214	674,250	1,485,392
Cardio Surgery	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#

Table 5: Number and Cost of Clinical Claims Closed between financial years '2015/16' and '2024/25' with NIL damages paid where the Specialty is 'Vascular Surgery'. Broken down by Primary Cause.

ClaimOutcome	Nil Damages
ClosedSettled	Y
Vascular Surgery Flag	Y

Primary Cause	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
Fail / Delay Treatment	203	1,647,000	#
Failure/Delay Diagnosis	56	376,976	0
Inappropriate Treatment	42	361,742	#
Intra-Op Problems	30	138,905	0
Inadequate Nursing Care	30	66,452	0
Fail To Warn-Informed Consent	30	176,624	0
Delay In Performing Operation	22	180,651	0
Medication Errors	14	88,754	0
Fail To Recog. Complication Of	12	59,914	0
Operator Error	12	33,195	0
Failure To Perform Tests	12	41,124	0
Failure To Perform Operation	10	33,982	0
Fail To Follow-Up Arrangements	8	44,962	0
Foreign Body Left In Situ	8	13,355	0
Fail/Delay Admitting To Hosp.	7	7,341	0
Inappropriate Discharge	7	22,238	0
Lack Of Assistance/Care	6	14,344	0
Bacterial Infection	6	15,701	0
Fail/Delay Referring To Hosp.	6	34,553	0
Equipment Malfunction	#	#	#
Unexpected Death	#	#	#
Fail To Supervise	#	#	#
Inadequate Monitoring Intra-Op	#	#	#
Failure To Interpret X-Ray	#	#	#
Other	#	#	#
Failed Sterilisation	#	#	#
Wrong Diagnosis	#	#	#
Err With Agnt/Dose/Route/Selec	#	#	#
Lack Of Pre-Op Evaluation	#	#	#
Not Specified	#	#	#
Fail To Act On Abnorm Test Res	#	#	#
Application Of Excess Force	#	#	#
Incorrect Injection Site	#	#	#
Premature Ceasure Of Treatment	#	#	#
Clinical Trial	#	#	#
Fail To Infrm Test Rslts	#	#	#
Lack Of Facilities/Equipment	#	#	#
Perform. Of Op. Not Indicated	#	#	#
Grand Total	556	3,450,300	7,782

Table 6: Number and Cost of Clinical Claims Closed between financial years '2015/16' and '2024/25' with NIL damages paid where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Closure.

ClaimOutcome	Nil Damages
ClosedSettled	Y
Fail to Warn-Informed Consent Flag	Y

Year of Closure -- Primary Specialty	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
2015/16	73	242,796	#
Orthopaedic Surgery	28	60,013	#
General Surgery	16	28,597	0
Otorhinolaryngology/ ENT	12	96,124	0
Plastic Surgery	5	5,495	0
Oral & Maxillo Facial Surgery	#	#	#
Vascular Surgery	#	#	#
Neurosurgery	#	#	#
Cardio Surgery	#	#	#
Ophthalmology	#	#	#
2016/17	82	236,668	0
Orthopaedic Surgery	34	98,609	0
General Surgery	20	36,425	0
Ophthalmology	10	12,758	0
Vascular Surgery	5	14,883	0
Oral & Maxillo Facial Surgery	#	#	#
Otorhinolaryngology/ ENT	#	#	#
Neurosurgery	#	#	#
Plastic Surgery	#	#	#
Cardio Surgery	#	#	#
2017/18	92	474,288	0
Orthopaedic Surgery	40	168,149	0
General Surgery	22	92,403	0
Otorhinolaryngology/ ENT	7	97,111	0
Plastic Surgery	6	28,049	0
Oral & Maxillo Facial Surgery	5	40,540	0
Neurosurgery	5	22,130	0
Ophthalmology	#	#	#
Vascular Surgery	#	#	#
2018/19	#	#	#
Orthopaedic Surgery	35	195,106	0
General Surgery	25	113,100	0
Neurosurgery	9	50,004	0
Oral & Maxillo Facial Surgery	7	7,457	0
Ophthalmology	6	8,648	0
Cardio Surgery	5	31,150	0
Plastic Surgery	5	33,163	0
Otorhinolaryngology/ ENT	#	#	#
2019/20	80	297,181	12,235
Orthopaedic Surgery	33	148,339	12,235
General Surgery	23	58,072	0
Vascular Surgery	5	25,880	0
Otorhinolaryngology/ ENT	5	6,440	0
Plastic Surgery	#	#	#
Oral & Maxillo Facial Surgery	#	#	#
Ophthalmology	#	#	#
Neurosurgery	#	#	#
Cardio Surgery	#	#	#
2020/21	95	558,063	#
General Surgery	32	87,265	0

Table 6: Number and Cost of Clinical Claims Closed between financial years '2015/16' and '2024/25' with NIL damages paid where the Primary Cause is 'Fail To Warn-Informed Consent' and the Specialty is one of the following; 'General Surgery', 'Cardio Surgery', 'Neurosurgery', 'Oral & Maxillo Facial Surgery', 'Ophthalmology', 'Orthopaedic Surgery', 'Plastic Surgery', 'Otorhinolaryngology/ ENT' or 'Vascular Surgery'. Broken down by Specialty and Year of Closure.

ClaimOutcome	Nil Damages
ClosedSettled	Y
Fail to Warn-Informed Consent Flag	Y

Year of Closure -- Primary Specialty	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid
Orthopaedic Surgery	31	244,661	0
Neurosurgery	8	48,513	0
Otorhinolaryngology/ ENT	7	15,269	0
Ophthalmology	7	32,068	0
Plastic Surgery	#	#	#
Oral & Maxillo Facial Surgery	#	#	#
Vascular Surgery	#	#	#
Cardio Surgery	#	#	#
2021/22	109	793,047	49,400
General Surgery	42	190,607	49,400
Orthopaedic Surgery	30	152,445	0
Neurosurgery	8	235,412	0
Ophthalmology	6	16,611	0
Cardio Surgery	6	87,843	0
Plastic Surgery	6	46,732	0
Otorhinolaryngology/ ENT	5	12,553	0
Vascular Surgery	#	#	#
Oral & Maxillo Facial Surgery	#	#	#
2022/23	106	453,997	8,300
General Surgery	38	147,493	8,300
Orthopaedic Surgery	31	98,176	0
Otorhinolaryngology/ ENT	9	12,613	0
Ophthalmology	7	29,515	0
Oral & Maxillo Facial Surgery	6	18,131	0
Neurosurgery	6	24,889	0
Vascular Surgery	5	39,322	0
Plastic Surgery	#	#	#
Cardio Surgery	#	#	#
2023/24	85	724,578	0
Orthopaedic Surgery	29	245,011	0
General Surgery	27	173,578	0
Neurosurgery	7	48,778	0
Otorhinolaryngology/ ENT	6	10,156	0
Oral & Maxillo Facial Surgery	5	29,560	0
Ophthalmology	#	#	#
Plastic Surgery	#	#	#
Cardio Surgery	#	#	#
Vascular Surgery	#	#	#
2024/25	84	636,979	0
Orthopaedic Surgery	30	113,699	0
General Surgery	23	222,436	0
Ophthalmology	10	42,465	0
Neurosurgery	6	165,639	0
Otorhinolaryngology/ ENT	6	65,982	0
Plastic Surgery	#	#	#
Cardio Surgery	#	#	#
Vascular Surgery	#	#	#
Oral & Maxillo Facial Surgery	#	#	#