



Resolution

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London
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December 2018
FOI_3532

The following information was requested on 12 November 2018:

1. Please disclose the number of **successful** claims relating to Jimmy Savile made in the last 10 years.

For each successful claim, please provide:

- a) amount paid in damages*
- b) amount paid in defence costs*
- c) amount paid in claimant costs*
- d) sum of total amount paid*
- e) date claim first made*
- f) date final claim payment made*
- g) brief details of claim and/or incident description including name of NHS hospital/clinic/premises*
- h) date/s of alleged incident*

2. Please disclose the number of **outstanding** claims relating to Jimmy Savile made in the last 10 years.

For each outstanding claim, please provide

- a) legal status of claim*
- b) brief details of claim and/or incident description including name of NHS hospital/clinic/premises*
- c) date the claim first made*
- d) date/s of alleged incident*

3. Please disclose the number of **unsuccessful** claims relating to Jimmy Savile made in the last 10 years.

What was the cost to NHS Resolution of these unsuccessful claims?

Our Response

In 2013 NHS Resolution was directed by the Secretary of State for Health to handle on his behalf claims arising from Jimmy Savile's connections with the National Health Service. The reasons for this were (i) these incidents occurred prior to the commencement of our Risk Pooling Scheme for Trusts in 1999, and (ii) the Secretary of State had inherited relevant liabilities from the Health Authorities which ran NHS hospitals when the incidents occurred.

Please find attached the requested information. Please note there are fewer than 5 open cases that are to be resolved and due to data protection grounds we are unable to provide you with further details about these cases.

Table 1 represents Number of Claims received between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville. There is no data prior to 2013/14.

Table 2 represents Number and Cost of Claims Closed/Settled with damages paid between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville. There is no data prior to 2015/16.

Table 3 represents the number of unsuccessful claims between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville. There is no data prior to 2015/16.

Table 4 represents Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville. There is no data prior to 2015/16.

Table 5 represents Table 5: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville. There is no data prior to 2015/16.

We are unable to provide a breakdown of individual cases and have provided an approximate total figure in some cases 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 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.

The likelihood exists that individuals who are the subject of these claims 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.

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 [Tinku Mitra](#), Head of Corporate and Information Governance 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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[Nb: There is no data prior to 2013/14.](#)

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Table 1: Number of Claims received between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville.

Nb: There is no data prior to 2013/14.

Numbers below 5 are masked with hash (#) in accordance with Data protection guidelines

Notifications	Y
Clinical_NonClinical	Non Clinical

Notification Year	No. of Claims
2013/14	35
2014/15	32
2016/17	#
2017/18	#
Grand Total	72

Table 2: Number and Cost of Claims Closed/Settled with damages paid between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville.

NB: There is no data prior to 2015/16.

Numbers below 5 are masked with hash (#) in accordance with Data protection guidelines

Closed_Settled	Y
Clinical_NonClinical	Non Clinical
Claim_Outcome	Damages Paid

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2015/16	37	293,000	20,692	369,500	683,192
2016/17	10	153,950	23,069	86,875	263,894
2017/18	#	#	#	#	#
Grand Total (approx numbers)	52	500,000	110,000	490,000	1,100,000

Table 3: Number of Claims Closed without damages paid between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville.

NB: There is no data prior to 2015/16.

Numbers below 5 are masked with hash (#) in accordance with Data protection guidelines

Closed_Settled	Y
Clinical_NonClinical	Non Clinical
Claim_Outcome	No Damages

Year of Closure (Settlement Year for PPOs)	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
2015/16	8	-	3,458	-	3,458
2016/17	14	-	9,946	-	9,946
2017/18	#	-	#	-	#
Grand Total (approx numbers)	27	-	15,000	-	15,000

Table 4: Analysis of Primary Injuries for Claims Closed/Settled with damages paid between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville.
NB: There is no data prior to 2015/16.

Numbers below 5 are masked with hash (#) in accordance with Data protection guidelines

Closed_Settled	Y
Clinical_NonClinical	Non Clinical
Claim_Outcome	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Injury Types	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
Psychiatric Damage					
2015/16	37	293,000	20,692	369,500	683,192
2016/17	10	153,950	23,069	86,875	263,894
2017/18	#	#	#	#	#
Grand Total (approx numbers)	52	500,000	110,000	490,000	1,100,000

Table 5: Analysis of Primary Causes for Claims Closed/Settled with damages paid between financial years 2008/09 and 2017/18 relating to incidents involving Jimmy Saville.

NB: There is no data prior to 2015/16.

Numbers below 5 are masked with hash (#) in accordance with Data protection guidelines

Closed_Settled	Y
Clinical_NonClinical	Non Clinical
Claim_Outcome	Damages Paid

Year of Closure (Settlement Year for PPOs) ----- Primary Causes	No. of Claims	Damages Paid	Defence Costs Paid	Claimant Costs Paid	Total Paid
Assault					
2015/16	37	293,000	20,692	369,500	683,192
2016/17	10	153,950	23,069	86,875	263,894
2017/18	#	#	#	#	#
Grand Total (approx numbers)	52	500,000	110,000	490,000	1,100,000