



Resolution

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December 2018
FOI_3551

The following information was requested on 30 November 2018:

1. *The number of clinical claims settled by NHS Resolution with a periodical payment order in 2015/16, 2016/17 and 2017/18. Please break down your response by year and, if possible, settlement tranche (e.g. £1 million - £2 million, £2 million +).*

Our Response

Please find attached the requested information. Please note that the total damages represent the capitalised values based on the life expectancy of the injured party

We have suppressed low figures and provided an approximate total figure 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 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.

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 [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

TABLE OF CONTENTS

[Table 1: Number of Clinical claims and damages Settled with 'Periodical payment order' \(PPO\) between financial years 2015/16 and 2017/18](#)

Table 1: Number of Clinical claims and damages Settled with 'Periodical payment order' (PPO) between financial years 2015/16 and 2017/18

Closed_Settled	Y
Clinical_NonClinical	Clinical
Claim_Outcome	Damages Awarded

Year of Closure (Settlement Year for PPOs)	No. of Claims	Total Damages
2015/16		
up to £ 1M	9	6,235,851
£ 1M - £ 2M	24	34,537,703
£ 2M - £ 5M	57	180,351,089
£ 5M - £ 10M	75	543,538,948
£ 10M plus	8	93,666,691
2016/17		
up to £ 1M	8	4,608,568
£ 1M - £ 2M	21	30,125,071
£ 2M - £ 5M	55	187,687,672
£ 5M - £ 10M	74	518,609,393
£ 10M plus	15	236,246,591
2017/18		
up to £ 1M	#	#
£ 1M - £ 2M	7	11,499,512
£ 2M - £ 5M	35	118,524,466
£ 5M - £ 10M	64	472,825,394
£ 10M plus	73	1,267,350,167
Grand Total (approximated values)	530	3,708,810,000