



Resolution

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December 2018
FOI_3552

The following information was requested on 3 December 2018:

In relation to the Jimmy Savile cases could you please state:

1. *How many cases have been settled where a payment was made to the claimant?
What has been the total value of the compensation paid out in these cases?*
2. *How many cases are still to be resolved?*
3. *What has been the sum of the biggest payout made in these cases?*

Our Response

In 2013 NHS Resolution was directed by the Secretary of State for Health and Social Care 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 and Cost of Claims Closed/Settled with damages paid relating to incidents involving Jimmy Saville.

We are unable to provide the details of the biggest pay out 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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[Table 1: Number and Cost of Claims Closed/Settled with damages paid between financial years 2015/16 and 2017/18 relating to incidents involving Jimmy Saville.](#)
[NB: There is no data prior to 2015/16.](#)

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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