



# Resolution

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February 2020  
FOI\_4347

The following information was requested on 7 February 2020:

*I am requesting the most recent available breakdown of expenditure by the NHS, similar to that which is covered in the chart used in the following article: <https://www.bbc.co.uk/news/health-37715399>.*

*It would be especially helpful if you could give me the breakdown of expenditure over the past 5 years. Please can the information be as granular as possible, so as to show the exact amount spent on clinical negligence legal fees and compensation.*

## Our Response

Please note the article you refer to above relates to Treasury funding to Department for Health and Social Care (DHSC) for the whole of the NHS and we cannot provide that data as we do not hold it. Our remit is confined to administering indemnity schemes covering the legal liabilities of the NHS in England. You will need to contact DHSC directly in this regard.

Please see the below table for the breakdown of our expenditure in respect of clinical negligence for the last 5 years. This information is also available in our [annual report](#) online.

Payments in respect of clinical negligence	Damages paid (£ million)	Claimant costs paid (£ million)	NHS legal costs paid (£ million)	Total (£ million)
2014/15	774.4	291.9	103.2	1,169.5
2015/16	950.4	418	120.1	1,488.5
2016/17	1,083	498.5	125.7	1,707.2
2017/18	1,632	466.6	128.9	2,227.5
2018/19	1,778	442.3	139.6	2,359.9

## 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