



Resolution

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July 2021

FOI_5069

The following information was requested on 21 May 2021 and clarified on 8 June 2021:

I would like to request the following;

- 1. The number of negligence claims that include the words coronavirus/Covid 19 since January 2020 to the most recently available month please.*
- 2. A brief categorisation of the claim i.e. wrong medication/ failure to treat for the above numbers please.*
- 3. The number of claims relating to coronavirus that have already been settled, with the approximate total cost of those settlements.*
- 4. The number of unsettled claims relating to corona virus that are awaiting settlement or rejection.*

[Clarification received on 8 June 2021]

Yes please let me know about claims where it [coronavirus/Covid 19] is included as a factor.

Our Response

In our e-mail to you of 2 June 2021 we explained that we cannot provide data in relation to your original specific request without reviewing every claim received in the period because we do not record claims where the words 'coronavirus' and/or 'Covid-19' appear in the presenting claim.

We do however try to identify claims for review where we believe the pandemic may have been a factor in the circumstances leading to the claim.

This does not mean that the words 'coronavirus' and/or 'Covid-19' appear in the presenting claim, nor that the pandemic is mentioned by the NHS organisation reporting the claim, it is simply that the nature of the allegations of negligence have alerted us to the possibility that the pandemic may have been a factor in any harm caused.

One example would be a claim brought because of alleged harm caused by a delayed diagnosis where the period of delay (all or part) falls within the pandemic and we will need to review the claim to establish whether the pandemic is a contributing factor.

As at 3rd June 2021 we have so far identified 335 claims for review where it is possible that the pandemic may have been a factor in the circumstances leading to the claim. This does not necessarily mean that coronavirus or Covid-19 has been mentioned, merely that these are claims where the circumstances might suggest that the pandemic could have been a factor. These are unresolved claims still under investigation and will be reviewed to establish whether the pandemic was a factor and/or any harm caused was negligent.

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

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