



Resolution

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August 2021
FOI_5132

The following information was requested on 29 July 2021:

[Follow up FOI_5061]

Could you please provide me with a breakdown of the average cost for damages and solicitor fees per year relating to the graph you provided earlier?

Our Response

Please find attached the requested information. Please note claims notified/received and open are not guaranteed to be settled in the same year and can take many years to be concluded. Claims notified/received in any given year will often relate to incidents that have occurred many years prior.

Many of the claims notified will have been repudiated and settled without damages paid.

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

<https://ico.org.uk/>

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NB: Number of claims fewer than 5 (and any associated values, within the same row) are masked with a "#" (in accordance with Data Protection guidelines). Accordingly, some total values may also be approximated to prevent masked values to be deduced through reverse calculation.

[Table 1: Number of claims received arising from data protection legislation breaches between 2017/18 to 2020/21](#)

[Table 2: Number of claims closed between 2017/18 and 2020/21 arising from data protection breaches with a damages payment.](#)

Table 1: Number of claims received arising from data protection legislation breaches between 2017/18 to 2020/21

Notifications	Y
Scheme	LTPS
ScheduleName	PL - Data Protection Act

Year of Notification	No. of Claims
2017/18	33
2018/19	67
2019/20	118
2020/21	249
Grand Total	467

Table 2: Number of claims closed between 2017/18 and 2020/21 arising from data protection breaches with a damages payment.

Closed_Settled	Y
ScheduleName	PL - Data Protection Act
Scheme	LTPS
Claim_Outcome_FOI	Damages Paid

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2017/18	16	121,250	7,977	120,099	249,327
2018/19	17	69,100	8,759	45,650	123,509
2019/20	50	448,451	127,218	676,601	1,252,270
2020/21	82	297,169	609,741	1,385,172	2,292,082
Grand Total	165	935,970	753,695	2,227,523	3,917,187