



## Resolution

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December 2021

FOI\_5250

The following information was requested on 15 November 2021:

*The total number of claims against NHS defendants where the primary injury is Cerebral Palsy or Brain Damage which settled between January 2012 and October 2021 with a damages payment over £15 million or where the capitalised value is over £15 million*

### Our Response

Please find attached the requested information. The information provided covers the financial period 2012/13 - 2020/21.

The information disclosed includes Periodical payment order (PPO), which are an agreement between the parties, to pay an initial lump sum and regular future payments covering the injured party's ongoing care needs, usually for life. The amount reserved against the claim will include an estimate of the capitalised value of future payments based on the injured party's life expectancy as at the date of settlement.

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 Clinical Claims closed or settled as PPO's between financial years 2012/13 and 2020/21, where the primary injury is Cerebral Palsy or Brain Damage, with damages paid or where the capitalised value is over £15m

**Table 1: Number of Clinical Claims closed or settled as PPO's between financial years 2012/13 and 2020/21, where the primary injury is Cerebral Palsy or Brain Damage, with damages paid or where the capitalised value is over £15m**

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|                      |          |
|----------------------|----------|
| Clinical_NonClinical | Clinical |
| Scheme               | (All)    |
| Closed_Settled       | Y        |

| No. of Claims |
|---------------|
| 158           |