



# Resolution

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FOI\_5504

The following information was requested on 29 July 2022:

*I have been reading the latest NHSR Report with interest. I cannot find the number of cases that have been settled by mediation.*

*Can you please tell me how many cases have been settled on an annual basis by mediation since the claims mediation service began in December 2016?*

## Our Response

The table below shows the number of claims mediated in each of the last six financial years and the percentage of those claims, which were resolved at the mediation or within 28 days of the mediation date.

Financial year	Number of claims	Percentage
2016/17	20	55%
2017/18	189	80%
2018/19	397	74%
2019/20	427	81%
2020/21	299	77%
2021/22	275	75%

Total completed mediations from inception of service to 31 March 2022= **1,607**

Claims mediation data can also be found in the *Annual Report and Accounts* for 2020/21. Please see here: [NHS Resolutions Annual Report 2021](#) and specifically pages 21 and 58. You may also be interested in our publication *Mediation in healthcare claims – an evaluation*, which you can find here: [Mediation in healthcare claims - an evaluation - NHS Resolution](#).

The data for 2021/22 was not published. Mediation is mentioned on pages 12 and 38 of *Annual Report and Accounts for 2021/22*: [NHS Resolution - Annual report and accounts 2021/22](#).

One of our priorities is fair resolution and wherever possible keeping patients and healthcare professionals out of formal processes, including litigation. To achieve this aim we utilise a wide range of dispute resolution techniques to settle claims, of which mediation is only one such technique. Not all claims are suitable to be considered for mediation. Figure 8 and the accompanying text on page 38 of *Annual Report and Accounts for 2021/22*: [NHS Resolution - Annual report and accounts 2021/22](#), provides

information on the volumes of cases settled and the percentage of those which were resolved pre litigation. In 2021/22, 77% of claims were settled without court proceedings.

**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](#), Deputy Director 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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