



Resolution

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February 2026
FOI_7690

The following information was requested on 27 January 2026:

*I am writing to you under the Freedom of Information Act 2000 to request information regarding injuries, adverse incidents, and clinical negligence claims associated with **home births** in England.*

*I would be grateful if you could provide the following information for the past **10 financial years** (or the longest period for which data is available):*

1. Claims Related to Home Births

- *The number of clinical negligence claims received by NHS Resolution **where the birth took place at home** (planned or unplanned).*
- *For each claim, please categorise whether the incident involved:*
 - **Maternal injury**
 - **Neonatal injury**
 - **Stillbirth**
 - **Early neonatal death**
 - **Emergency transfer from home to hospital**

2. The number of incidents by region and by year. (England only)

3. Financial Data

For each financial year:

- *The total value of damages paid out (including interim payments) for claims arising from home births.*
- *The number of claims settled, pending, and withdrawn involving home births.*

4. Contextual or Aggregated Data

If available:

- *Any existing NHS Resolution analyses, reports, or summaries that specifically address **home birth safety**, or trends relating to claims arising from home births.*

If clarification is required to process this request, please let me know.

Our Response

We only hold claims data for England (our schemes only cover England), not the rest of the UK. Please note that we would only hold the details of claims and incidents notified to us, we would not hold the details of all incidents relating to home births.

Although NHS Resolution may hold some information relating to claims such as what you have requested, due to the way claims are recorded on our claims database, we will not be able to identify such specific cases. It might be helpful to explain that when claims are notified to NHS Resolution they are categorised against pre-defined cause, injury and speciality [codes](#). We do not have codes for: “Home births”. Therefore, while there may be information held in our records, we are not readily able to identify the

relevant files by searching the database. To do so would involve a manual review of all Obstetrics cases to identify which ones relate to claims involving: “*Home births*”. This would be a time-consuming exercise. For example, in the financial year 2024/25 alone we received over 1000 claims relating to Obstetrics.

Therefore, we estimate that the cost of complying with the request in its entirety would exceed the ‘appropriate limit.’ Section 12(1) of the FOIA is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit (known as the ‘appropriate limit’). The ‘appropriate limit’ for NHS Resolution is £450. This equates to 18 hours of work at the rate of £25 per hour set out in the ‘Fees Regulations’.

We estimate that it would take on average 20 minutes to locate, retrieve and extract the requested information from an individual file. It may therefore be the case that we would be able to examine only 54 files within 18 hours.

In addition, given the complexity of negligence claims and their litigation, it is possible for a single electronic or paper-based file to contain hundreds of documents in a variety of formats.

It may be worthwhile reviewing our pre-defined cause, injury and speciality [codes](#) to see which codes may be relevant to your request. You may want to check [NHS England](#).

In regard to **Question 4**, we do not readily have reports, analyses or summaries that specifically addresses or relates to home births safety.

For details of the claims data that we publish please refer to our [Annual Report Statistics](#).

Further to our obligations to provide advice and assistance, you may find it helpful to review the work of the [Getting It Right First Time team](#) with whom NHS Resolution has been working with to undertake in-depth analysis of our claims data. They have produced a number of [reports](#) from analysing our claims data which has been shared following approval of the confidentiality advisory group to the use of confidential patient information for this purpose.

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 [Joanne Appleby](#), Deputy Data Protection Officer 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:

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