

House of Lords

Written answer

21 January 2021

NHS: Negligence

Asked by **Lord Hunt of Kings Heath**

To ask Her Majesty's Government, further to the Written Answers by Lord Bethell on 25 February 2020 (HL793) and 17 December 2020 (HL11131) and the payment of damages in the majority of litigated clinical negligence claims, what assessment they have made of (1) the value for money, and (2) the quality, of the legal representation used by the NHS in such claims. [HL11878]

Lord Bethell: NHS Resolution negotiates large-scale contracts for legal services, using its position as a bulk purchaser to obtain the best expertise, including some of the recognised leaders in their field. The contracts include fixed and capped fee arrangements and competitive hourly rates, ensuring value for money. NHS Resolution manages their legal panel through service level agreements, which ensures a high quality of service is provided to the National Health Service. Most claims are settled without court proceedings or going to trial. Less than 1% of claims proceed to trial and in the majority of those claims, 75.3%, NHS Resolution successfully achieves a judgement in favour of the NHS.