

House of Lords

Written answer

9 February 2021

NHS: Negligence

Asked by Lord Hunt of Kings Heath

To ask Her Majesty's Government, further to the Written Answer by Lord Bethell on 6 August 2020 (HL7091), what assessment they have made regarding the payment of clinical negligence damages in 2019/20 with regard to (1) the value for money, and (2) the quality, of the legal representation used by the NHS. [HL12504]

Lord Bethell: NHS Resolution has continued to increase the use of mediation and alternative dispute resolution to avoid the need for formal proceedings. NHS Resolution settles a majority of claims without court proceedings - in 2019/20, this was 75.1%. Less than 1% of all claims proceed to trial and NHS Resolution achieves a judgement in favour of the National Health Service in 75.3% of that subset of claims. NHS Resolution also negotiates large-scale contracts for its legal services, including fixed and capped fee arrangements, competitive hourly rates and performance management, ensuring value for money and a high quality service.