



## Department of Health & Social Care

*From the Rt Hon Wes Streeting MP  
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Layla Moran MP  
Chair, Health and Social Care Select Committee  
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*By email only*

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Dear Chair,

I understand from your Clerks that you would appreciate an update on the Department's work on NHS clinical negligence, further to the Committee's 2022 report on NHS litigation reform.

As noted within the report, and more recently in the Independent Investigation of the NHS by Lord Darzi, the costs incurred through clinical negligence claims to the NHS are rising significantly. Costs have more than quadrupled in the last 17 years and are forecast to continue rising. This is of great concern to me at a time when we should not be putting further pressure on NHS finances. As the Committee's report outlined, the causes of the overall cost rise *"are not related to a decline in patient safety, rather they are the result of a steep increase in the value of awards and claimant legal fees"*.

While it is right that we consider the cost to the taxpayer of clinical negligence, it's also right to acknowledge that any one of these cases can have a devastating personal impact on individuals and families. We approach this issue through both a financial lens and with an eye to improving patients' experiences and patient safety.

There is already some work going on in this space. NHS Resolution is committed to helping the NHS learn from claims. It is working directly with providers of healthcare services, alongside other national and local bodies working on patient safety, to share learning and best practice across the NHS to drive safety improvement.

Nevertheless, recognising the importance of this issue, I have asked my officials to consider where there may be opportunities to make further improvements to the clinical negligence system. I will update the Committee further at the earliest opportunity.

**RT HON WES STREETING MP**