



Advice for people who have been hurt by the NHS



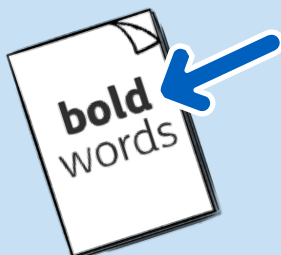
Easy Read



This is an Easy Read version of some information. It may not include all of the information but it will tell you about the important parts.



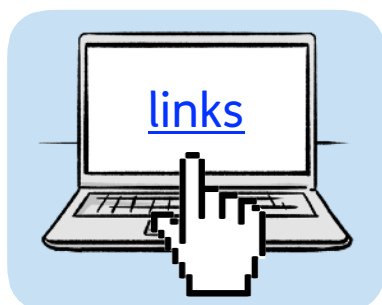
This Easy Read booklet uses easier words and pictures. Some people may still want help to read it.



Some words are in **bold** - this means the writing is thicker and darker. These are important words in the booklet.



Sometimes if a bold word is hard to understand, we will explain what it means.



Blue and underlined words show links to websites and email addresses. You can click on these links on a computer.

What is in this booklet

About this booklet	4
Who can claim compensation?	6
Before you make a claim	8
How to claim compensation	12
Types of compensation	15
What the legal teams will do.....	17
What else you need to know	19
Find out more	20
Who can help you?	21

About this booklet



Most people who have treatment from the NHS do not have any problems.



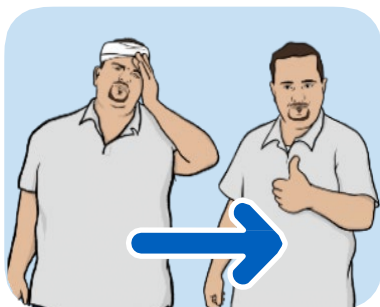
But sometimes things can go wrong.



If something has gone wrong with your treatment and you have been hurt or it takes you longer to get better, you might be able to claim **compensation**.



Compensation is money people can get when something has gone wrong which caused them harm, to help make things better.



Compensation should help you get back, as closely as possible, to how you were before you were hurt.



Asking for compensation is called **making a claim**.



Making a claim is complicated and we think you should get **help** from a lawyer or a charity. There are some organisations who can help you on page 23.



NHS Resolution is the organisation responsible for helping with claims against the NHS in England.

This booklet will tell you:



- What to think about before you make a claim.



- How to make a claim.

Who can claim compensation?

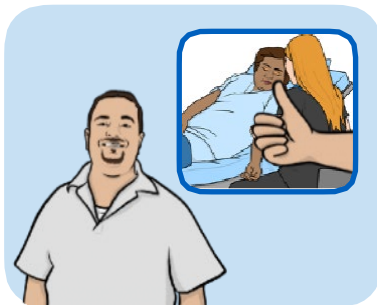
You can only claim compensation if:



- The treatment you had was not of a good enough standard, and



- The treatment meant you were hurt or it took longer to get better, and



- The injury would not have happened if your treatment was good enough, or

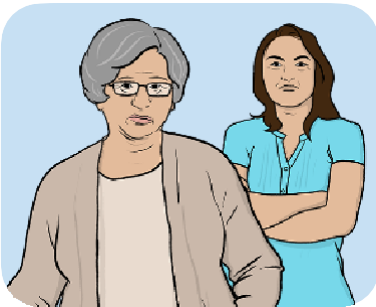


- The injury would not have been as bad if your treatment had been good enough.

You can also make a claim for someone else if:



- They have died and you needed their help for money.



- They cannot make decisions for themselves, and you are their legal carer.

Before you make a claim



It is important that we pay compensation when you have been hurt, or it takes longer to get better because something happened that shouldn't have.



The law helps us decide this.



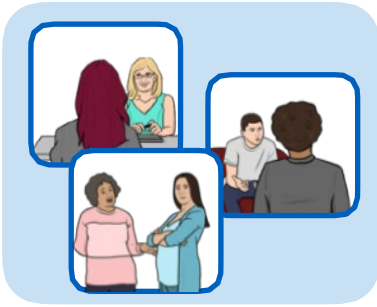
Making a claim can take a long time.



Making a claim can also be expensive and cause a lot of stress. We suggest you ask for some help.



If you make a claim, you or your carer will have to talk about what happened.



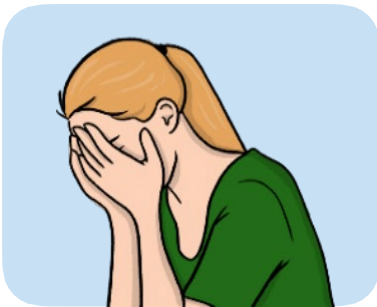
You will have to talk about what happened a few times, to different people and in different places.



Sometimes you may need to go to court to talk about what happened.



It is more likely that you will go to a meeting where lawyers will ask you about what happened.



Talking about what happened might make you stressed or upset.



Lawyers, and sometimes the court, use the law to decide how much compensation to pay.

Making a claim will not mean that:



- Anyone is told off or punished for what happened.



- Anyone is asked to do their work in a different way.



Before you make a claim, you should think about using the **NHS complaints procedure**.

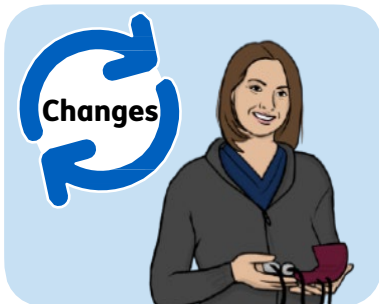
The **NHS complaints procedure** is where you ask the organisation that gave you the treatment to:



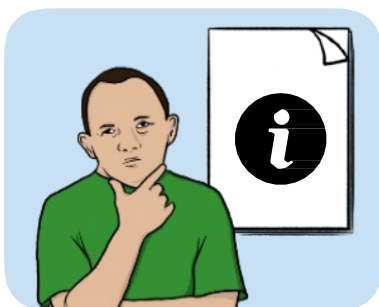
- Find out more about what went wrong.



- Tell you what went wrong and how.



- Tell you about anything that has changed because of what went wrong.



You can use the information from the NHS complaints procedure to decide if you want to claim compensation.

How to claim compensation



You must claim compensation within 3 years of the treatment that hurt you or made it take longer to get better.

You can claim compensation after more than 3 years if:

- You are under 18 years old.
- You cannot make decisions for yourself.



To claim compensation, you must send a letter to the NHS organisation that gave you your treatment.



You should try and get a lawyer or carer to help you write your letter. You can use this letter template [here](#).

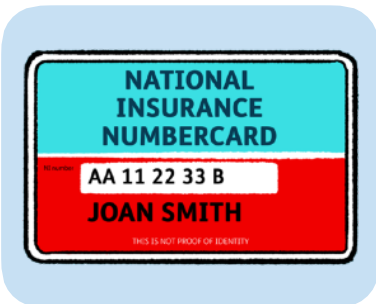
The letter must say:



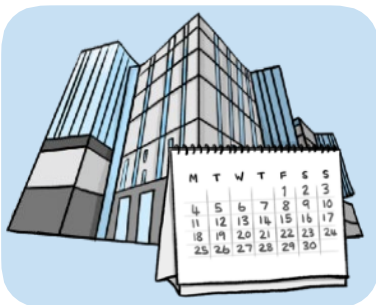
- Your full name and address.



- Your date of birth.



- Your National Insurance number.



- Where and when the treatment happened.



- The names of the people who gave you the treatment, if you know them.



If you are making a claim for someone else, you should put their information in the letter.

The letter should also say:



- Exactly what happened and when.



- How you were hurt or injured by the treatment.



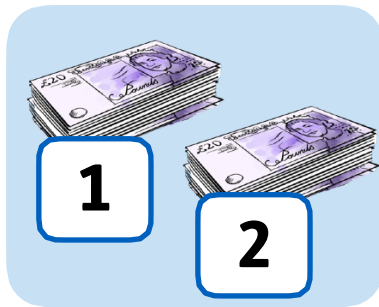
- How the treatment is making you feel now and how it is affecting your life.



An example to help you write your letter is on our website here:

<https://resolution.nhs.uk/wp-content/uploads/2018/09/Letter-of-claim-template.doc>

Types of compensation



There are 2 types of compensation you can claim.



The first is called **general damages**.



This is compensation for your pain and for not being able to do the things you usually do.



The second is called **special damages**.

Special damages is compensation for money you have:



- Lost if you could not work because of the injury.



- Spent because of the injury.



You might need to show the receipts for money you have spent.



You might get money to help you pay for things that you need in the future.

What the legal teams will do

The legal teams will think about:



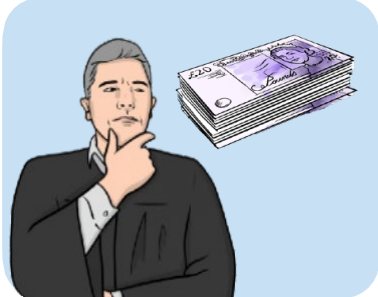
- If the treatment you got was right, and good enough.



- The type of injury you had.



- How bad the injury was.



- If the NHS should pay you compensation.



- How much compensation the NHS should pay you.



Everyone will also think about:

- If the injury will get better.

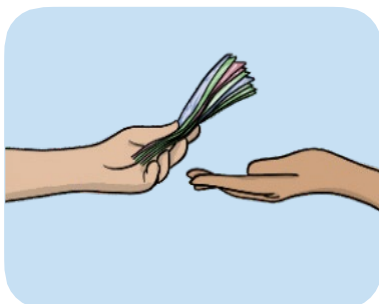


- The pain the injury has caused you.

To help the lawyers decide how much compensation to pay, they:



- Might ask you to see a doctor to find out more about the injury.



- Will look at compensation that has been paid to other people to work out how much is fair.

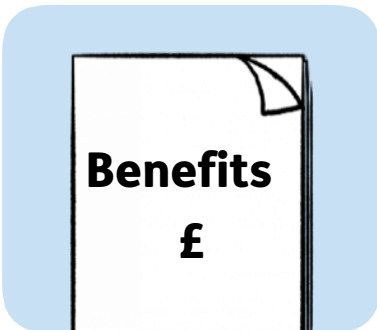


Usually the lawyers will try to agree with each other, if they cannot everyone might need to go to court to talk about it with a judge.

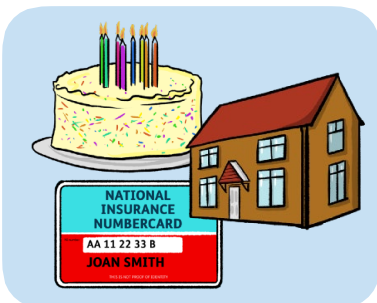
What else you need to know



We have to tell the Department for Work and Pensions (DWP) about any compensation we pay.



This is because the lawyers will think about any benefits you have been paid because of your injury when they work out how much compensation is fair to pay.



We ask for your date of birth, address and National Insurance number so we can tell the DWP about your compensation.



Remember, making a claim is complicated and we think you should get a lawyer to help you.

Find out more



You can look at our website here:
www.resolution.nhs.uk

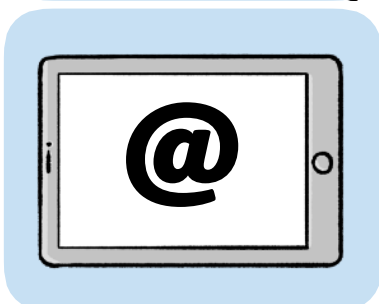
You can contact us by:



- Post:
NHS Resolution
8th Floor
10 South Colonnade
Canary Wharf
London
E14 4PU



- Phone: 020 7811 2700



- Email:
nhsr.generalenquiries@nhs.net

Who can help you?

These are some organisations who can help you to make a claim:



- Your local Citizen's Advice Bureau:
www.citizensadvice.org.uk



- Action Against Medical Accidents (AvMa): www.avma.org.uk



- The Law Society:
www.lawsociety.org.uk

This Easy Read guide has been created to help families, carers and advocates talk about making a potential clinical negligence claim. It is designed to be easier to understand for people with learning disabilities. It is not a replacement for legal advice. For more detail, please read it alongside our full guidance easy-read-online.co.uk. We also recommend speaking to a legal professional or someone with lived experience to better understand your situation.

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