

Shared Insights: Claims update and look ahead to the issues that will shape the approach to claims in the NHS in 2021

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Procedure

The [COVID 19 Clinical Negligence Protocol](#) agreed by NHS Resolution, is still in force. This does not require individual claimants to sign up to the protocol, but it does provide a framework for how cases should progress throughout the COVID-19 pandemic, and includes provisions with regard to limitation, and remote consultations etc.

It is important that parties continue to embrace remote working, in particular with regards to remote mediation and remote settlement meetings. These have proved to be successful and have been embraced by both defendants and claimants across the board and our view is that during 2021 they will continue and may well continue beyond the end of the pandemic given the success.

In addition to this, remote meetings in relation to expert consultations, conferences with counsel and witness/ clinicians' meetings have again been useful in allowing matters to progress.

Practice Direction 51 Z A expired on 3 October 2020. This was brought in by the Coronavirus Act 2020 and allowed an extension of time to be agreed between the parties up to 56 days. However,

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