



Resolution

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February 2025
FOI_6965

The following information was requested and clarified on 14 January 2025:

[On 14 January 2025 you requested the following information]

The total number of legal claims at the Royal Sussex County Hospital, Brighton and the Princess Royal Hospital, Haywards Heath related to venous thromboembolism (pulmonary embolism or deep vein thrombosis) in the financial years 2018/19, 2019/20, 2020/21, 2021/22, 2022/23 and 2023/24.

The total number of legal claims at Worthing Hospital, Worthing and St.Richard's Hospital, Chichester related to venous thromboembolism (pulmonary embolism or deep vein thrombosis) in the financial years 2018/19, 2019/20, 2020/21, 2021/22, 2022/23 and 2023/24.

The total number of settled claims at the Royal Sussex County Hospital, Brighton and the Princess Royal Hospital, Haywards Heath related to venous thromboembolism (pulmonary embolism or deep vein thrombosis) in the financial years 2018/19, 2019/20, 2020/21, 2021/22, 2022/23 and 2023/24.

The total number of settled claims at Worthing Hospital, Worthing and St.Richard's Hospital, Chichester related to venous thromboembolism (pulmonary embolism or deep vein thrombosis) in the financial years 2018/19, 2019/20, 2020/21, 2021/22, 2022/23 and 2023/24.

The total number of settled claims in University Hospitals Sussex NHS Foundation Trust related to venous thromboembolism (pulmonary embolism or deep vein thrombosis) in the financial years 2018/19, 2019/20, 2020/21, 2021/22, 2022/23 and 2023/24.

*[We sought clarification on 14 January 2025]
Thank you for your request for information.*

We are able to provide claims data for Trusts, not hospitals. We are able to provide the claims data for: University Hospitals Sussex NHS FT. Are you interested in this information?

Please also refer to:

- 1. Claims Data: [read our guidance on how Claims Data is held](#) and please refer to the learning [Codes](#) used in our Claims management database.*

We can provide you with the following information:

Claims Data relating to:

*Injury code – **Thrombosis/Embolism**.*

Our codes are not as specific as stated in your request. Are you interested in the claims data we are able to provide?

We look forward to hearing from you.

[You replied on 14 January 2025]

Yes- I would be interested in the data for the trust, although the period in question does cover a couple of years before the trusts merged to form university hospitals Sussex trust.

Our Response

Please note: We have recently changed the way we report on our FOIs to align better with our published documents. Streamlining our reporting on FOIs with our annual published reports may mean a variation in snapshot dates. This means this data may not align with previous similar requests and it may not be possible for you to compare this information with a previous request. For further information, please refer to: <https://resolution.nhs.uk/resources/understanding-nhs-resolution-data> .

Claims notified/received in any given year will often relate to incidents that have occurred many years prior. Due to the nature of clinical negligence claims and the level of investigation needed to bring them to a resolution, claims received and notified in a specific year may take years to settle and close. They are not guaranteed to be settled and closed in the same year. As such, there will be a time gap between incident and claim closure.

Due to the way in which data is extracted, it is also possible that the same claim may appear more than once in a dataset, across different year groups e.g. where the case has been closed (as nil damages payment), challenged, reopened and closed again at conclusion.

The data shows variation in numbers of cases received, closed per year and costs attributed to those claims. This is a reflection of the nature of individual claims received and resolved by NHS Resolution, which can vary significantly. As such, these fluctuations cannot be interpreted as trends.

Please find attached the requested information. The data covers our clinical scheme. For information about our Clinical Negligence Schemes, please visit our website here: [Clinical schemes - NHS Resolution](#)

Table 1 shows: - Number of Clinical Claims and Incidents received between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust where the Primary Injury is 'Thrombosis/Embolism'.

Table 2 shows: - Number and Cost of Clinical Claims Closed between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust with a damages payment, where the Primary Injury is 'Thrombosis/Embolism'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Table 3 shows: - Number and Cost of Clinical Claims Closed between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust with **NIL** damages paid where the Primary Injury is 'Thrombosis/Embolism'.

Where a financial year is missing from the above tables between 2018/19 – 2023/24 this mean that there were no claims closed meeting the above criteria during that time period.

Low numbers

We have suppressed low figures as we believe that disclosure of information with this level of granularity is exempt under Section 40(2) by virtue of section 40(3A) (a) of the FOI Act, where disclosure to a member of the public would contravene one or more of the data protection principles. The data protection principles are set out in Article 5 of the General Data Protection Regulation. We take the view that it would not be fair or lawful (given the sensitive and confidential nature of the information held) to disclose such information, and any disclosure would therefore contravene the first data protection principle.

In some instances, the low numbers of claims (fewer than 5) in each category, the likelihood exists that individuals who are the subject of this information may be identified either from this information alone, or in combination with other available information. In addition to this, as this information is considered to be sensitive personal data (the data subjects' medical condition); NHS Resolution believes it has a greater responsibility to protect those individuals' identities, as disclosure could potentially cause damage and/or distress to those involved. Where we are in the territory of such small numbers in the attached, we have used a '#' symbol in the relevant field. You should still be able to see aggregate/total details for higher level fields containing this data.

Further to our obligations to provide advice and assistance, you may find it helpful to review the work of the [Getting It Right First Time team](#) with whom NHS Resolution has been working with to undertake in-depth analysis of our claims data. They have produced several [reports](#) from analysing our claims data which has been shared following approval of the confidentiality advisory group to the use of confidential patient information for this purpose.

Please refer to [Understanding NHS Resolution data](#) guidance for further details on how our Claims database is categorised.

This concludes our response to your request.

If you are not satisfied with the service that you have received in response to your information request, it is open to you to make a complaint and request a formal review of our decisions. If you choose to do this, you should write to [Tinku Mitra](#), Deputy Director of Corporate and Information Governance, Data Protection Officer for NHS Resolution, within 28 days of your receipt of this reply. Reviews of decisions made in relation to information requests are carried out by a person who was not involved in the original decision-making about the request.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a review of the decision. Generally, the Information Commissioner will not make a decision unless you have exhausted the local complaints procedure. The address of the Information Commissioner's Office is:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/>

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NB: Number of claims fewer than 5 (and any associated values, within the same row) are masked with a "#" (in accordance with Data Protection guidelines). Accordingly, some total values may also be approximated to prevent masked values to be deduced through reverse calculation.

Table 1: Number of Clinical Claims and Incidents received between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust where the Primary Injury is 'Thrombosis/Embolism'.

Table 2: Number and Cost of Clinical Claims Closed between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust with a damages payment, where the Primary Injury is 'Thrombosis/Embolism'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

Table 3: Number and Cost of Clinical Claims Closed between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust with NIL damages paid where the Primary Injury is 'Thrombosis/Embolism'.

Table 1: Number of Clinical Claims and Incidents received between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust where the Primary Injury is 'Thrombosis/Embolism'.

Notified	Y
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Year of Notification	No. of Claims
2018/19	#
2019/20	#
2020/21	#
2021/22	6
2022/23	#
2023/24	#
Grand Total	15

Table 2: Number and Cost of Clinical Claims Closed between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust with a damages payment, where the Primary Injury is 'Thrombosis/Embolism'. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure.

ClosedSettled	Y
Claim_Outcome	Damages Paid

Year of Closure	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2018/19	#	#	#	#	#
2019/20	#	#	#	#	#
2021/22	#	#	#	#	#
2022/23	#	#	#	#	#
Grand Total	12	477,445	82,253	366,425	926,123

Table 3: Number and Cost of Clinical Claims Closed between financial years '2018/19' and '2023/24' for University Hospitals Sussex NHS Foundation Trust with NIL damages paid where the Primary Injury is 'Thrombosis/Embolism'.

ClosedSettled	Y
Claim_Outcome	Nil Damages

Year of Closure	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2019/20	#	#	#	#
2021/22	#	#	#	#