



Resolution

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August 2025

FOI_7331

The following information was requested on 21 July 2025:

I would like to request the following information,

What is the total payout for claims made in the period 2012-2014 for allegations of medical negligence at Brighton and Sussex University Hospital.

If possible please also give a breakdown of claims by medical procedure such as vascular/ general surgery/ cardiology/ etc.

Our Response

Thank you for your request for information. We record claims against Member Trusts, not hospitals. We are therefore able to provide you with the clinical claims data for Brighton Sussex University Hospitals NHS Foundation Trust for the financial years 2011/12 - 2014/15.

We are unable to provide you with the precise medical procedure without interrogating individual claims which would likely exceed the FOI cost limit. We have instead provided a breakdown of the specialty associated with the claim. We hope this assists.

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 unsuccessful), 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.

We have provided data based on our [Clinical Negligence Scheme for Trusts - NHS Resolution](#).

Please find attached the following information we are able to provide:

Table 1 shows: - Number of Clinical Claims and/or Incidents received between financial years 2011/12 and 2014/15, where the member is **University Hospitals Sussex NHS Foundation Trust**.

Table 2 shows: - Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2011/12 and 2014/15 with a damages payment, where the member is **University Hospitals Sussex NHS Foundation Trust**, broken down by specialty. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

Table 3 shows: - Number and Cost of Clinical Claims Closed between financial years 2011/12 and 2014/15 with **NIL** damages paid where the member is **University Hospitals Sussex NHS Foundation Trust**, broken down by specialty.

PPOs

The information disclosed includes damages and costs paid up to the end of the settlement year (in Periodical payment order (PPO) cases) and up to the end of the closure year in non-PPO cases.

PPOs are an agreement between the parties, to pay an initial lump sum and regular future payments (PPO damages) related to the injured party's ongoing needs, usually care for life i.e., a percentage of the full value of the claim is paid at the point of settlement (lump sum damages) with the balance paid at regular intervals over subsequent years. The information disclosed includes lump sum damages, costs and any PPO damages paid up to the end of the year of settlement. It does not include PPO damages, which have been committed to but due to be paid after the settlement year.

Low figures

We have not provided the information for low figures involved 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.

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 [Joanne Appleby](#), Deputy 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 2011/12 and 2014/15, where the member is where the member is University Hospitals Sussex NHS Foundation Trust.

Table 2: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2011/12 and 2014/15 with a damages payment, where the member is University Hospitals Sussex NHS Foundation Trust, broken down by specialty. The data includes the damages and legal costs

Table 3: Number and Cost of Clinical Claims Closed between financial years 2011/12 and 2014/15 with NIL damages paid where the member is University Hospitals Sussex NHS Foundation Trust, broken down by specialty.

Table 1: Number of Clinical Claims and Incidents received between financial years 2011/12 and 2014/15, where the member is where the member is University Hospitals Sussex NHS Foundation Trust.

Notified	Y
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Year of Notification	No. of Claims
2011/12	129
2012/13	141
2013/14	163
2014/15	147
Grand Total	580

Table 2: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2011/12 and 2014/15 with a damages payment, where the member is University Hospitals Sussex NHS Foundation Trust, broken down by specialty. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

ClosedSettled	Y
ClaimOutcome	Damages Paid

Year of Closure (Settlement Year for PPOs) ---Specialty	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid	Total Paid
2011/12	73	6,231,663	597,315	2,202,360	9,031,338
Obstetrics	11	923,057	107,875	579,987	1,610,919
Emergency Medicine	11	243,750	49,262	171,674	464,685
Orthopaedic Surgery	9	612,717	70,250	241,734	924,701
General Surgery	6	225,000	53,680	212,637	491,318
General Medicine	5	76,000	10,271	77,550	163,821
Cardiology	#	#	#	#	#
Gastroenterology	#	#	#	#	#
Neurology	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
Nuclear Medicine	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
Geriatric Medicine	#	#	#	#	#
Urology	#	#	#	#	#
Gynaecology	#	#	#	#	#
Anaesthesia	#	#	#	#	#
Renal Medicine	#	#	#	#	#
Paediatric Surgery	#	#	#	#	#
General Practice	#	#	#	#	#
Oncology	#	#	#	#	#
Paediatrics	#	#	#	#	#
Ophthalmology	#	#	#	#	#
Haematology	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Microbiology/ Virology	#	#	#	#	#
2012/13	83	6,409,299	664,519	3,206,103	10,279,922
Emergency Medicine	12	747,524	152,384	441,107	1,341,014
Orthopaedic Surgery	11	292,342	35,187	224,770	552,299
Obstetrics	10	950,181	109,551	495,954	1,555,686
General Surgery	10	980,044	110,477	283,000	1,373,521
General Medicine	6	1,223,750	78,876	592,031	1,894,657
Gynaecology	6	299,933	37,911	155,791	493,634
Oncology	#	#	#	#	#
Cardiology	#	#	#	#	#
Gastroenterology	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
Radiology	#	#	#	#	#
Paediatric Surgery	#	#	#	#	#
Urology	#	#	#	#	#
Geriatric Medicine	#	#	#	#	#
Ophthalmology	#	#	#	#	#
Genito-Urinary Medicine	#	#	#	#	#
Other	#	#	#	#	#
Rheumatology	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Pharmacy	#	#	#	#	#
Anaesthesia	#	#	#	#	#
Otorhinolaryngology/ ENT	#	#	#	#	#
Renal Medicine	#	#	#	#	#
2013/14	109	27,241,200	1,406,174	5,976,445	34,623,818
Orthopaedic Surgery	20	1,876,675	132,234	735,009	2,743,918
Emergency Medicine	20	5,661,121	240,656	1,375,661	7,277,438
Obstetrics	16	12,891,250	500,607	1,496,265	14,888,122

Table 2: Number and cost of Clinical Claims Closed (or settled with a periodical payment order) between financial years 2011/12 and 2014/15 with a damages payment, where the member is University Hospitals Sussex NHS Foundation Trust, broken down by specialty. The data includes the damages and legal costs paid up until the end of each relevant financial year of closure, or for PPO matters, year of settlement.

ClosedSettled	Y
ClaimOutcome	Damages Paid

Year of Closure (Settlement Year for PPOs) ---Specialty	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Costs Paid	Total Paid
General Surgery	11	1,418,809	191,699	562,545	2,173,053
General Medicine	6	231,000	30,990	179,300	441,290
Radiology	5	44,972	11,636	98,047	154,656
Gynaecology	5	93,685	5,160	56,693	155,538
Anaesthesia	#	#	#	#	#
Ophthalmology	#	#	#	#	#
Gastroenterology	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
Urology	#	#	#	#	#
Neurology	#	#	#	#	#
Oncology	#	#	#	#	#
Dermatology	#	#	#	#	#
Geriatric Medicine	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Cardiology	#	#	#	#	#
Intensive Care Medicine	#	#	#	#	#
2014/15	86	9,872,515	693,558	3,430,262	13,996,335
Emergency Medicine	16	302,884	28,904	291,635	623,423
Orthopaedic Surgery	16	1,263,912	112,970	616,757	1,993,639
Obstetrics	16	6,664,214	293,640	1,314,870	8,272,725
General Surgery	5	126,908	10,513	54,700	192,122
Gynaecology	5	110,500	7,577	91,961	210,038
General Medicine	5	773,300	152,726	579,750	1,505,776
Anaesthesia	#	#	#	#	#
Oncology	#	#	#	#	#
Paediatric Surgery	#	#	#	#	#
Gastroenterology	#	#	#	#	#
Radiology	#	#	#	#	#
Urology	#	#	#	#	#
Otorhinolaryngology/ ENT	#	#	#	#	#
Cardio Surgery	#	#	#	#	#
Respiratory Medicine/ Thoracic Medic	#	#	#	#	#
Radiotherapy	#	#	#	#	#
Histopathology	#	#	#	#	#
Neurology	#	#	#	#	#
Paediatrics	#	#	#	#	#
Ophthalmology	#	#	#	#	#
Grand Total	351	49,754,677	3,361,566	14,815,170	67,931,413

Table 3: Number and Cost of Clinical Claims Closed between financial years 2011/12 and 2014/15 with NIL damages paid where the member is University Hospitals Sussex NHS Foundation Trust, broken down by specialty.

ClosedSettled	Y
ClaimOutcome	Nil Damages

Year of Closure ---Specialty	No. of Claims	NHS Legal Costs Paid	Claimant Costs Paid
2011/12	40	138,666	0
Obstetrics	6	14,568	0
Orthopaedic Surgery	6	#	0
Emergency Medicine	#	#	#
Neurosurgery	#	#	#
Gynaecology	#	#	#
General Medicine	#	#	#
Gastroenterology	#	#	#
Otorhinolaryngology/ ENT	#	#	#
General Surgery	#	#	#
Anaesthesia	#	#	#
Audiological Medicine	#	#	#
Dentistry	#	#	#
Urology	#	#	#
Plastic Surgery	#	#	#
Community Medicine/ Public Health	#	#	#
Psychiatry/ Mental Health	#	#	#
Radiology	#	#	#
Oral & Maxillo Facial Surgery	#	#	#
2012/13	43	86,858	0
Orthopaedic Surgery	10	38,048	0
Obstetrics	7	19,207	0
Emergency Medicine	6	#	0
General Surgery	#	#	#
Gynaecology	#	#	#
Paediatrics	#	#	#
Urology	#	#	#
Ophthalmology	#	#	#
Oncology	#	#	#
Gastroenterology	#	#	#
Radiology	#	#	#
General Medicine	#	#	#
Rheumatology	#	#	#
Haematology	#	#	#
Cardio Surgery	#	#	#
Neurosurgery	#	#	#
2013/14	47	225,997	#
Orthopaedic Surgery	9	54,082	0
Emergency Medicine	9	14,511	0
Obstetrics	6	64,310	0
General Surgery	5	11,977	0
Gynaecology	#	#	#
Otorhinolaryngology/ ENT	#	#	#
General Medicine	#	#	#
Anaesthesia	#	#	#
Oncology	#	#	#
Radiology	#	#	#
Geriatric Medicine	#	#	#
Renal Medicine	#	#	#
Gastroenterology	#	#	#

Table 3: Number and Cost of Clinical Claims Closed between financial years 2011/12 and 2014/15 with NIL damages paid where the member is University Hospitals Sussex NHS Foundation Trust, broken down by specialty.

ClosedSettled	Y
ClaimOutcome	Nil Damages

Year of Closure ---Specialty	No. of Claims	NHS Legal Costs Paid	Claimant Costs Paid
Rheumatology	#	#	#
Microbiology/ Virology	#	#	#
2014/15	38	127,789	#
Orthopaedic Surgery	10	21,789	0
Obstetrics	7	38,207	0
Gynaecology	5	#	0
General Medicine	#	#	#
Emergency Medicine	#	#	#
General Surgery	#	#	#
Paediatrics	#	#	#
Oncology	#	#	#
Rehabilitation	#	#	#
Audiological Medicine	#	#	#
Urology	#	#	#
Geriatric Medicine	#	#	#
Gastroenterology	#	#	#
Radiology	#	#	#
Grand Total	168	579,311	#