



Resolution

8th Floor,
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 020 7811 2700

September 2026
FOI_7972

The following information was requested on 8 July 2026:

This request concerns clinical negligence claims held on your Claims Management System that involve an allegation of failure to warn / informed consent (cause code "Failure/Fail to Warn – Informed Consent"), in respect of University Hospitals Sussex NHS Foundation Trust (RYR) and the predecessor organisations now consolidated within it: Western Sussex Hospitals NHS Foundation Trust (RYR) and Brighton and Sussex University Hospitals NHS Trust (RXH). Please include claims recorded under the predecessor organisation codes where the incident pre-dates the 1 April 2021 merger, so that the trust's full inherited exposure is captured.

For each financial year from 2015/16 to the most recent complete year, reported by the date each claim was notified to NHS Resolution (please confirm which date field you have used), I would be grateful for the following.

Please report two populations separately:

- A. claims where informed consent is recorded as the principal (primary) cause; and*
- B. claims where informed consent is recorded in any position (principal, secondary or contributory).*

Within each population, split by claim status (open / closed), please provide:

- 1. the number of claims;*
- 2. total damages paid to date;*
- 3. total claimant legal costs paid;*
- 4. total defendant legal costs paid;*
- 5. for open claims, the current total estimated value (payments to date plus outstanding gross reserve).*

If readily available within the appropriate cost limit, I would also welcome (6) a breakdown by clinical specialty and (7) an indication of whether each claim related to elective or emergency treatment. I recognise these last two may not be reliably coded; please treat them as severable and answer the remainder if they would cause difficulty.

I appreciate that damages and costs attach to a claim as a whole and cannot be apportioned to an individual allegation, and that a claim carrying a consent allegation may include unrelated allegations. Claim-level figures on the basis set out above are exactly what I am seeking. I also understand that recent notification years will contain a high proportion of open claims and will not yet reflect ultimate cost.

If any element of this request would exceed the section 12 cost limit, please let me know which

parts you were able to provide within the limit and I will refine accordingly. A spreadsheet would be an ideal format.

Our Response

Please find attached the information we are able to provide. The dataset presented in the response below cover:

- In respect of tables 1 - 4, University Hospitals Sussex NHS Foundation Trust's Failure/Fail to Warn - Informed Consent claims and incidents notified to NHS Resolution between 2015/16 - 2024/25.
- In respect of tables 5 – 12, University Hospitals Sussex NHS Foundation Trust's Failure/Fail to Warn - Informed Consent claims closed (or settled as a PPO) between 2015/16 - 2024/25.
- In respect of tables 13 - 14 University Hospitals Sussex NHS Foundation Trust's Failure/Fail to Warn - Informed Consent claims open as at 31/03/2025.

Please note that claims data for 2025/26 financial year will be available upon request from September 2026.

NB: 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 [Guidance-note-Understanding-NHS-Resolution-data-updated](#)

For this request we have used our Supplementary Annual Statistics (SAS) dataset to ensure the data represents the most up to date information as at the end of the financial year 31 March 2025. For further information about our SAS dataset please see: [Annual statistics \(including Factsheet 5\) - NHS Resolution](#). Therefore, our response to this request may not align with other publications on our website.

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. Not all claims received will result in an award of compensation.

The data shows variation in numbers of claims received and closed per year. 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 tables:

Table 1 shows: - Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is '**University Hospitals Sussex NHS Foundation Trust**' and the Primary Cause is '**Failure/Fail to Warn - Informed Consent**'.

Table 2 shows: - Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is '**University Hospitals Sussex NHS Foundation Trust**' and the Cause at any level is '**Failure/Fail to Warn - Informed Consent**'.

Table 3 shows: - Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is '**University Hospitals Sussex NHS Foundation Trust**' and the Primary Cause is '**Failure/Fail to Warn - Informed Consent**', broken down by **Specialty**.

Table 4 shows: - Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is '**University Hospitals Sussex NHS Foundation Trust**' and the Cause at any level is '**Failure/Fail to Warn - Informed Consent**', broken down by **Specialty**.

Table 5 shows: - Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is '**University Hospitals Sussex NHS Foundation Trust**' and the Primary Cause is '**Failure/Fail to Warn - Informed Consent**'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year.

Table 6 shows: - Number and Cost of CNST Claims Closed (or settled as PPO) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is '**University Hospitals Sussex NHS Foundation Trust**' and the Cause at any level is '**Failure/Fail to Warn - Informed Consent**'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year.

Table 7 shows: - Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is '**University Hospitals Sussex NHS Foundation Trust**' and the Primary Cause is '**Failure/Fail to Warn - Informed Consent**'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year. Broken down by **Specialty**.

Table 8 shows: - Number and Cost of CNST Claims Closed (or Settled as PPO) between financial years '2015/16' and '2024/25' with a damages payment, where the

Trust is **'University Hospitals Sussex NHS Foundation Trust'** and the Cause at any level is **'Failure/Fail to Warn - Informed Consent'**. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year. Broken down by **Specialty**.

Table 9 shows: - Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with **NIL** damages, where the Trust is **'University Hospitals Sussex NHS Foundation Trust'** and the Primary Cause is **'Failure/Fail to Warn - Informed Consent'**. The data includes the legal costs paid up until the end of the 2024/25 financial year.

Table 10 shows: - Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with **NIL** Damages, where the Trust is **'University Hospitals Sussex NHS Foundation Trust'** and the Cause at any level is **'Failure/Fail to Warn - Informed Consent'**. The data includes the legal costs paid up until the end of the 2024/25 financial year.

Table 11 shows: - Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with **NIL** damages, where the Trust is **'University Hospitals Sussex NHS Foundation Trust'** and the Primary Cause is **'Failure/Fail to Warn - Informed Consent'**. The data includes the legal costs paid up until the end of the 2024/25 financial year. Broken down by **Specialty**.

Table 12 shows: - Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with **NIL** Damages, where the Trust is **'University Hospitals Sussex NHS Foundation Trust'** and the Cause at any level is **'Failure/Fail to Warn - Informed Consent'**. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year. Broken down by **Specialty**.

Table 13 shows: - Number of CNST Claims and Incidents open as at 31/03/2025 where the Trust is **'University Hospitals Sussex NHS Foundation Trust'** and the Primary Cause is **'Failure/Fail to Warn – Informed Consent'**.

Table 14 shows: - Number of CNST Claims and Incidents open as at 31/03/2025 where the Trust is **'University Hospitals Sussex NHS Foundation Trust'** and the Cause at any level is **'Failure/Fail to Warn – Informed Consent'**.

PPOs

The information disclosed includes damages 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 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.

Section 12 refusal notice

Although NHS Resolution may hold some information relating to claims such as what you have requested, due to the way claims are recorded on our claims database, we will not be able to readily identify such specific cases. It might be helpful to explain that when claims are notified to NHS Resolution, they are categorised against pre-defined cause, injury, and speciality [codes](#). Unfortunately, as we do not have a code for “*elective treatment*” or “*emergency treatment*”. To do so would involve a manual review of University Hospitals Sussex NHS Foundation Trust' between 2015/16 – 2024/25 cases to identify which ones relate to elective treatment” or “emergency treatment claims. This exercise would be very time consuming.

Therefore, we estimate that the cost of complying with this request in its entirety would exceed the ‘appropriate limit’ as set out in the [ICO's guidance](#). Section 12(1) of the FOIA is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit (known as the ‘appropriate limit’). The ‘appropriate limit’ for NHS Resolution is £450. This equates to 18 hours of work at the rate of £25 per hour set out in the ‘Fees Regulations’.

We estimate that it would take on average 20 minutes to locate, retrieve and extract the requested information from an individual file. It may therefore be the case that we would

be able to examine only 54 files within 18 hours. We have provided the information that is readily available within the cost limit.

Refusal Notice – Question 5

Although we have provided information on the number of open claims, NHS Resolution does not disclose information relating to claim reserves. As part 5 of your request seeks information on outstanding gross reserves, this element of the request is being withheld under **s.43(2)** of the Freedom of Information Act 2000 (FOIA), which exempts information where disclosure would, or would be likely to, prejudice the commercial interests of any person.

In consideration of this request, NHS Resolution concludes that the disclosure of this information would prejudice commercial interests (s.43 (2)). Disclosure of the reserves against a claim would be likely to encourage claims to become anchored to reserve estimates rather than being assessed and resolved according to the facts of the case and the conventional civil liability principles.

NHS Resolution has given due consideration to the public interest test when relying on this exemption, s.43(2) and concludes that the factors in favour of non-disclosure outweigh the factors in favour of disclosure under the public interest test.

The reserve values held are internal estimates used for financial and claims management purposes and do not represent the final value of a claim. Actual experience may differ considerably from these estimates, as it will be several years before we are likely to be able to confirm the actual values, due to the time lag between incidents occurring, claims being received, and then being settled, particularly for clinical negligence claims.

NHS Resolution has considered all the relevant factors in favour of disclosure, including:

- The public interest in favour of disclosure inherent in FOIA.
- Transparency and accountability around NHS Resolution's potential costs.

NHS Resolution has weighed these against the factors in favour of maintaining the exemption, including:

- The strong public interest in the proper and effective discharge of NHS Resolution's statutory duties and responsibilities, which include ensuring that claims are managed and resolved efficiently and economically,
- The public interests in the timely and cost effective resolution of complaints and claims;
- The public interest in the costs of any claims not being compounded by 'anchoring' claims to reserved amounts.

In light of all of the factors, NHS Resolution concludes that the public interest favours non-disclosure of the requested information.

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/>

TABLE OF CONTENTS

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 CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'.](#)

[Table 2: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'.](#)

[Table 3: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent', broken down by Specialty.](#)

[Table 4: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent', broken down by Specialty.](#)

[Table 5: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year.](#)

[Table 6: Number and Cost of CNST Claims Closed \(or settled as PPO\) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year.](#)

[Table 7: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty](#)

[Table 8: Number and Cost of CNST Claims Closed \(or Settled as PPO\) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty](#)

TABLE OF CONTENTS

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 9: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year.](#)

[Table 10: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL Damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year.](#)

[Table 11: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty](#)

[Table 12: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL Damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty](#)

[Table 13: Number of CNST Claims and Incidents open as at 31/03/2025 where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'.](#)

[Table 14: Number of CNST Claims and Incidents open as at 31/03/2025 where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'.](#)

Table 1: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'.

Notified Cause1L1	Y Fail To Warn-Informed Consent
Year of Notification	No. of Claims
2015/16	#
2016/17	#
2017/18	#
2018/19	8
2019/20	10
2020/21	14
2021/22	9
2022/23	13
2023/24	#
2024/25	14
Grand Total	84

Table 2: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'.

Notified	Y
Year of Notification	No. of Claims
2015/16	10
2016/17	5
2017/18	7
2018/19	12
2019/20	12
2020/21	16
2021/22	14
2022/23	23
2023/24	8
2024/25	18
Grand Total	125

Table 3: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent', broken down by Specialty.

Notified Cause1L1	Y Fail To Warn-Informed Consent
-------------------	------------------------------------

Specialty	No. of Claims
Gynaecology	28
Orthopaedic Surgery	14
Urology	8
Obstetrics	8
Oral & Maxillo Facial Surgery	#
General Medicine	#
Vascular Surgery	#
General Surgery	#
Ophthalmology	#
Emergency Medicine	#
Genito-Urinary Medicine	#
Oncology	#
Paediatric Surgery	#
Surgical Speciality - Other	#
Cardio Surgery	#
Anaesthesia	#
Cardiology	#
Otorhinolaryngology/ ENT	#
Grand Total	84

Table 4: Number of CNST Claims and Incidents received between financial years '2015/16' and '2024/25' where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent', broken down by Speciality.

Notified	Y
----------	---

Specialty	No. of Claims
Gynaecology	33
Orthopaedic Surgery	20
General Surgery	13
Urology	10
Obstetrics	10
Neurosurgery	#
Otorhinolaryngology/ ENT	#
Oral & Maxillo Facial Surgery	#
Vascular Surgery	#
General Medicine	#
Ophthalmology	#
Emergency Medicine	#
Gastroenterology	#
Cardiology	#
Oncology	#
Anaesthesia	#
Genito-Urinary Medicine	#
Podiatry	#
Surgical Speciality - Other	#
Rheumatology	#
Cardio Surgery	#
Paediatric Surgery	#
Grand Total	125

Table 5: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year.

ClaimOutcome	Damages Paid
ClosedSettled	Y
Cause1L1	Fail To Warn-Informed Consent

Closure Year	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2015/16	#	#	#	#	#
2016/17	#	#	#	#	#
2017/18	#	#	#	#	#
2018/19	#	#	#	#	#
2019/20	#	#	#	#	#
2020/21	#	#	#	#	#
2021/22	5	585,326	86,980	474,692	1,146,998
2022/23	#	#	#	#	#
2023/24	#	#	#	#	#
2024/25	#	#	#	#	#
Grand Total	26	1,718,292	381,388	1,695,773	3,795,453

Table 6: Number and Cost of CNST Claims Closed (or settled as PPO) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year.

ClaimOutcome	Damages Paid
ClosedSettled	Y

Closure Year	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2015/16	#	#	#	#	#
2016/17	#	#	#	#	#
2017/18	#	#	#	#	#
2018/19	#	#	#	#	#
2019/20	9	1,371,420	187,999	670,250	2,229,669
2020/21	#	#	#	#	#
2021/22	8	4,637,587	271,299	1,249,692	6,158,578
2022/23	#	#	#	#	#
2023/24	5	234,298	29,256	140,880	404,434
2024/25	8	2,572,700	288,736	823,250	3,684,687
Grand Total	47	9,487,899	934,278	3,550,993	13,973,170

Table 7: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty

ClaimOutcome	Damages Paid
ClosedSettled	Y
Cause1L1	Fail To Warn-Informed Consent

Specialty	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Obstetrics	6	801,657	121,385	586,942	1,509,984
Gynaecology	5	308,793	61,936	314,350	685,079
Urology	#	#	#	#	#
Orthopaedic Surgery	#	#	#	#	#
Otorhinolaryngology/ ENT	#	#	#	#	#
General Medicine	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
General Surgery	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
Genito-Urinary Medicine	#	#	#	#	#
Grand Total	26	1,718,292	381,388	1,695,773	3,795,453

Table 8: Number and Cost of CNST Claims Closed (or Settled as PPO) between financial years '2015/16' and '2024/25' with a damages payment, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the damages and legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty

ClaimOutcome	Damages Paid
ClosedSettled	Y

Specialty	No. of Claims	Damages Paid	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Obstetrics	8	830,657	127,968	659,942	1,618,567
Gynaecology	7	336,293	64,979	355,090	756,362
Orthopaedic Surgery	6	93,642	40,119	130,650	264,411
General Surgery	6	505,159	112,309	351,380	968,848
Urology	5	991,362	95,026	296,431	1,382,820
Otorhinolaryngology/ ENT	#	#	#	#	#
Neurosurgery	#	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#	#
General Medicine	#	#	#	#	#
Cardiology	#	#	#	#	#
Emergency Medicine	#	#	#	#	#
Vascular Surgery	#	#	#	#	#
Gastroenterology	#	#	#	#	#
Genito-Urinary Medicine	#	#	#	#	#
Grand Total	47	9,487,899	934,278	3,550,993	13,973,170

Resolution

Table 9: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year.

ClaimOutcome	Nil Damages
ClosedSettled	Y
Cause1L1	Fail To Warn-Informed Consent

Closure Year	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2015/16	#	#	#	#
2017/18	#	#	#	#
2018/19	5	36,991	0	36,991
2019/20	#	#	#	#
2020/21	#	#	#	#
2021/22	6	15,830	0	15,830
2022/23	6	5,432	0	5,432
2023/24	#	#	#	#
2024/25	#	#	#	#
Grand Total	33	161,948	0	161,948

Table 10: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL Damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year.

ClaimOutcome	Nil Damages
ClosedSettled	Y

Closure Year	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
2015/16	#	#	#	#
2017/18	#	#	#	#
2018/19	5	36,991	0	36,991
2019/20	#	#	#	#
2020/21	5	19,041	0	19,041
2021/22	7	17,609	0	17,609
2022/23	7	25,232	0	25,232
2023/24	6	227,149	0	227,149
2024/25	#	#	#	#
Grand Total	42	411,609	0	411,609

Table 11: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty

ClaimOutcome	Nil Damages
ClosedSettled	Y
Cause1L1	Fail To Warn-Informed Consent

Specialty	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Gynaecology	11	15,368	0	15,368
Orthopaedic Surgery	8	27,278	0	27,278
Urology	#	#	#	#
Emergency Medicine	#	#	#	#
Obstetrics	#	#	#	#
Cardio Surgery	#	#	#	#
Surgical Speciality - Other	#	#	#	#
General Medicine	#	#	#	#
Dermatology	#	#	#	#
General Surgery	#	#	#	#
Oncology	#	#	#	#
Ophthalmology	#	#	#	#
Grand Total	33	161,948	0	161,948

Table 12: Number and Cost of CNST Claims Closed between financial years '2015/16' and '2024/25' with NIL Damages, where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'. The data includes the legal costs paid up until the end of the 2024/25 financial year. Broken down by Specialty

ClaimOutcome	Nil Damages
ClosedSettled	Y

Specialty	No. of Claims	NHS Legal Costs Paid	Claimant Legal Costs Paid	Total Paid
Gynaecology	12	19,962	0	19,962
Orthopaedic Surgery	10	245,486	0	245,486
Urology	#	#	#	#
Emergency Medicine	#	#	#	#
General Surgery	#	#	#	#
Obstetrics	#	#	#	#
Podiatry	#	#	#	#
General Medicine	#	#	#	#
Surgical Speciality - Other	#	#	#	#
Dermatology	#	#	#	#
Otorhinolaryngology/ ENT	#	#	#	#
Cardio Surgery	#	#	#	#
Rheumatology	#	#	#	#
Ophthalmology	#	#	#	#
Neurosurgery	#	#	#	#
Oral & Maxillo Facial Surgery	#	#	#	#
Oncology	#	#	#	#
Grand Total	42	411,609	0	411,609

Table 13: Number of CNST Claims and Incidents open as at 31/03/2025 where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Primary Cause is 'Failure/Fail to Warn - Informed Consent'.

CurrentStatusFlag	(Multiple Items)
Cause1L1	Fail To Warn-Informed Consent

No. of Claims
35

Table 14: Number of CNST Claims and Incidents open as at 31/03/2025 where the Trust is 'University Hospitals Sussex NHS Foundation Trust' and the Cause at any level is 'Failure/Fail to Warn - Informed Consent'.

CurrentStatusFlag	(Multiple Items)
No. of Claims	
49	