



## Hampshire Hospitals NHS Foundation Trust

Freedom of Information Office  
Basingstoke and North Hampshire Hospital  
Aldermaston Road  
Basingstoke Hampshire RG24 9NA

Date: 8<sup>th</sup> November 2023  
Ref: 741/2023

Email: [REDACTED]  
Name: [REDACTED]

Dea [REDACTED]

Thank you for your request for information under the Freedom of Information Act 2000, which was received by the Trust on 07/10/2023. For convenience of response, the Trust has set out the requested information below in the order it has been requested.

### Hampshire Hospitals NHS Foundation Trust's spending on services by law firms and external reviews.

**1. Please disclose the total amount of trust spending on services by law firms since 2019, including non-legal services such as investigations and reviews.**

Hampshire Hospitals NHS Foundation Trust employs more than 7500 people across three main hospitals sites, including two district general hospitals where we provide a broad range of health services to a population of more than 600,000 people. In the performance of our duties, it is occasionally necessary for the Trust to seek external advice where specialist skills and knowledge are necessary. This can be in relation to a wide variety of matters such as property, contracts, litigation, inquests, capital projects or employment matters.

Since 2019 the Trust's total spending with external legal advisors has been £1,497,697.11 (including VAT).

**2. Please indicate which law firms have supplied these services and give the total spending on each of the law firms from which the trust has purchased these services.**

The total spending with each law firm used by the Trust since 2019 is set out below. These are the total amounts, inclusive of VAT but will include all additional costs and disbursement such as counsels' fees along with some unbilled but agreed work in progress.

Law Firm	Spend
DAC Beachcroft LLP	£353,474.70
Mr Julian Allsop	£1,500.00
Paris Smith LLP	£444,672.18
Bevan Brittan LLP	£429,697.45
Capsticks Solicitors LLP	£137,988.18
Clyde & Co	£142,323.94
Harrison Clark Rickerbys Ltd	£3,683.20
<b>Total</b>	<b>£1,497,697.11</b>

**3. Please give a list of all trust payments to Bevan Brittan LLP since 2019 and the dates of each of these payments**

The payments made to the Trust's external lawyers were billed on a monthly basis and include legal advice and all elements of legal cost, including counsel fees, court fees and other disbursements (inclusive of VAT). These relate to more than one case.

<b>Date</b>	<b>Payments</b>
29-Sep-23	£12,706.92
31-Aug-23	£8,634.84
31-Aug-23	£27,328.44
21-Aug-23	£1,057.80
31-Jul-23	£1,640.88
31-Jul-23	£14,563.44
30-Jun-23	£1,189.20
30-Jun-23	£18,591.48
31-May-23	£5,977.08
31-May-23	£17,281.68
28-Apr-23	£3,618.36
28-Apr-23	£18,665.28
31-Mar-23	£11,598.12
31-Mar-23	£23,206.80
28-Feb-23	£14,342.99
28-Feb-23	£12,443.48
01-Feb-23	£7,164.00
31-Jan-23	£8,134.37
31-Jan-23	£7,671.56
29-Dec-22	£1,461.26
29-Dec-22	£3,669.66
30-Nov-22	£487.10
30-Nov-22	£1,729.19
31-Oct-22	£1,948.37
31-Oct-22	£10,758.96
30-Sep-22	£8,153.54
26-Sep-22	£12,779.92
31-Aug-22	£3,296.64
31-Aug-22	£8,722.24
29-Jul-22	£5,795.83
11-Jul-22	£26,190.00
01-Jul-22	£4,335.31
31-May-22	£4,680.26
31-May-22	£6,741.79
29-Apr-22	£5,636.16
29-Apr-22	£1,363.82
29-Apr-22	£351.89
05-Apr-22	£9,874.68
31-Mar-22	£4,540.25
31-Mar-22	£3,646.68
28-Feb-22	£9,878.53
28-Feb-22	£1,722.44

Date	Payments
28-Jan-22	£7,186.90
20-Dec-21	£2,230.49
02-Dec-21	£9,719.89
30-Nov-21	£20,066.57
25-Nov-21	£900.77
25-Oct-21	£414.05
18-Oct-21	£4,521.43
27-Sep-21	£1,037.64
27-Sep-21	£9,719.89
25-Jul-21	£292.25
27-Apr-21	£1,875.30
25-Mar-21	£2,508.49

**4. Please give the date when the trust first engaged Bevan Brittan LLP to advise the trust in the matter of Mr Martyn Pitman’s employment issues at the trust**  
Bevan Brittan were first engaged to provide advice in this matter in July 2021.

**5. Please give the date when the trust engaged Bevan Brittan to represent it in the matter of Mr Martyn Pitman’s Employment Tribunal claim against the trust**  
Although the complaint raised by Mr Pitman had been ongoing for some time, the formal notification that Mr Pitman had made an Employment Tribunal claim was received by the Trust in November 2021.

**6. Please give the total trust spending to date on Bevan Brittan’s services in the case of Mr Martyn Pitman, both on legal and any non-legal services, such as investigations or advisory services on pre litigation strategy.**  
Since the outset of this matter, Bevan Brittan have submitted invoices to the trust amounting to £310,060 (plus vat) in respect of their fees.

The cost of litigation is significant. The Trust has followed a number of routes to avoid the need for litigation or to reduce its scope. Unfortunately, however the Trust has been unsuccessful in this respect.

**7. Please disclose the cost of each external review commissioned by the trust to date in the case of Mr Martyn Pitman, the dates on which the reviews were commissioned and the parties from whom the reviews were commissioned. Please include the investigation by Gary Hay former Capsticks Partner.**  
In seeking to reach an early resolution with Mr Pitman the following investigations were conducted:

The investigation conducted by Gary Hay (Law2Business) amounted to £8,099.91 plus VAT. This report was commissioned in June 2021, as a result of concern’s raised by Mr Pitman.

The review conducted by Simon Devonshire KC amounted to £21,825 plus VAT. This investigation was commissioned in June 2022 following a request by Mr Pitman to consider the appropriateness of the Maintaining High Professional Standards investigation conducted by the Trust.

The cost of the investigation and resultant report completed by Ibex Gale has previously been the subject of a Freedom of Information request where the Trust has confirmed the costs to have been between £30,000 and £40,000. The Trust was concerned that the publication of the detailed cost information would be prejudicial to the commercial interests

of Ibx Gale and specific information is withheld in accordance with section 43 (2) of the Freedom of Information Act.

The Ibx Gale report was commissioned in June 2021.

**8. Please disclose if any of these external review reports have been shared with:**

- **NHS England**
- **Care Quality Commission**
- **CCG (or the ICB)**

The reports referred to were shared between Mr Pitman and the Trust. They were commissioned by the Board of Directors and reviewed by the Board of Directors. The reports relate to a confidential employment and were not shared more widely by the Trust.

Please accept this letter as completion of your request. Please note that copies of this request will be held on file for three years before being confidentially destroyed.

If you are dissatisfied with the outcome of your request, please contact the Freedom of Information Officer on [FOI@hhft.nhs.uk](mailto:FOI@hhft.nhs.uk) or write to the above address and we will conduct an internal review.

Upon review, if you are still dissatisfied, you may appeal our decision by contacting the Information Commissioner's Office; for more information, please visit the ICO's website [www.ico.gov.uk](http://www.ico.gov.uk) or they can be contacted at the following address: Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or via website.

Yours sincerely,

**Freedom of Information Officer  
Hampshire Hospitals NHS Foundation Trust**