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12 January 2021

Tamatha Webster
151 Buckingham Palace Road
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Dear Ms Webster

Application title: 2020 Children and Young People's Patient Experience Survey
CAG reference: 20/CACG/0145

Thank you for your amendment request to the above non-research application, submitted for support under Regulation 5 of the Health Service (Control of Patient Information) Regulations 2002 to process confidential patient information without consent. Supported applications enable the data controller to provide specified information to the applicant for the purposes of the relevant activity, without being in breach of the common law duty of confidentiality, although other relevant legislative provisions will still be applicable.

The role of the Confidentiality Advisory Group (CAG) is to review applications submitted under these Regulations and to provide advice to the Secretary of State for Health and Social Care on whether an application should be supported, and if so, any relevant conditions.

Secretary of State for Health and Social Care support decision

The Secretary of State for Health and Social Care, having considered the advice from the Confidentiality Advice Team as set out below, has determined the following:

1. The amendment, to allow the sampling period to be extended to between 1st November 2020 and 31st January 2021 and the inclusion of patients' month and year of birth in the sample file, is fully supported, subject to compliance with the standard conditions of support.

Amendment request

The applicants have existing support to undertake the Children and Young People's Patient Experience Survey 2020. In the original application, the sampling period was described as including people aged between 15 days and 15 years who were admitted as inpatients, day-cases and emergencies to an acute hospital and discharged between 1st November and 31st December 2020.

The applicants are seeking to revise the sampling period to People aged between 15 days and 15 years who were admitted as inpatients, day-cases and emergencies to an acute hospital and discharged between 1st November 2020 and 31st January 2021.

The applicants had determined that this extension was required as, after carrying out extensive analysis and modelling of the reduction in children and young people's hospital admissions due to COVID-19 in November 2020 and the expected reduction in admissions in December 2020, it was

anticipated that that far fewer trusts are likely to be able to draw full samples of 1250 than for the previous survey of this kind in 2018 and nearly five times as many trusts will not be able to draw the minimum number of 400. The applicants hoped that extending the sampling period would help to mitigate against the impact of reduced admissions to hospital.

The applicants also sought to include each sampled patient's 'month of birth' in the sample file, as well as 'year of birth' as specified in the original application. The sample file is used to link demographic data to the survey responses, to aid analysis and to enable checks to be carried out for any errors in how the sample was drawn. The month of birth data will be used to aid trusts, contractors and the Survey Co-ordination Centre for Existing Methods in determining whether patients are eligible for inclusion when drawing the sample and which age specific questionnaire should be sent to each patient.

Confidentiality Advice Team advice

The amendment requested was considered by the Confidentiality Advice Team. The Team agreed that the revisions made were in the public interest.

Confidentiality Advice Team conclusion

In line with the considerations above, the CAT agreed that the minimum criteria under the Regulations appeared to have been met for this amendment, and therefore advised recommending support to the Secretary of State for Health and Social Care.

Specific conditions of support

1. Confirmation provided from the IG Delivery Team at NHS Digital to the CAG that the relevant Data Security and Protection Toolkit (DSPT) submission(s) has achieved the 'Standards Met' threshold. See section below titled 'security assurance requirements' for further information.:
- **Confirmed – Picker Institute Europe has a confirmed 'Standards Met' grades on DSPT 2019/20 (by NHS Digital email dated 31 December 2020).**
 - **Confirmed – Patient Perspective has a confirmed 'Standards Met' grades on DSPT 2019/20 (by check of the NHS Digital DSPT tracker on 06 January 2021).**
 - **Confirmed - Quality Health has a confirmed 'Standards Met' grades on DSPT 2019/20 (by NHS Digital email dated 11 January 2021).**

Reviewed documents

<i>Document</i>	<i>Version</i>	<i>Date</i>
P101572_CYP20 CAGSF6-Amendment-request_20201208		04 December 2020
20201203 CYP20 sampling projections and january sampling assessment V2		02 December 2020

Please do not hesitate to contact me if you have any queries following this letter. I would be grateful if you could quote the above reference number in all future correspondence.

Yours sincerely

Kathleen Cassidy
Confidentiality Advisor
On behalf of the Secretary of State for Health and Social Care

Email: cag@hra.nhs.uk

Enclosures: Standard conditions of support

Standard conditions of support

Support to process confidential patient information without consent, given by the Secretary of State for Health and Social Care, is subject to the following standard conditions of support.

The applicant and those processing the information will ensure that:

1. The specified confidential patient information is only used for the purpose(s) set out in the application.
2. Confidentiality is preserved and there are no disclosures of information in aggregate or patient level form that may inferentially identify a person, nor will any attempt be made to identify individuals, households or organisations in the data.
3. Requirements of the Statistics and Registration Services Act 2007 are adhered to regarding publication when relevant, in addition to other national guidance.
4. All staff with access to confidential patient information have contractual obligations of confidentiality, enforceable through disciplinary procedures.
5. All staff with access to confidential patient information have received appropriate ongoing training to ensure they are aware of their responsibilities.
6. Activities remain consistent with the General Data Protection Regulation and Data Protection Act 2018.
7. Audit of data processing by a designated agent is facilitated and supported.
8. The wishes of patients who have withheld or withdrawn their consent are respected.
9. Any significant changes (for example, people, purpose, data flows, data items, security arrangements) must be supported via formal amendment prior to changes coming into effect.
10. An annual review report is submitted to the CAG every 12 months from the date of the final support letter, for the duration of the support.
11. Any breaches of confidentiality around the supported flows of information should be reported to CAG within 10 working days of the incident, along with remedial actions taken / to be taken. This does not remove the need to follow national/legal requirements for reporting relevant security breaches.