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11 December 2023

Jenny King
Chief Research Officer
Picker Institute Europe
Survey Coordination Centre
Suite 6
Fountain House
1200 Parkway Court
John Smith Drive
Oxford
OX4 2JY

Dear Jenny King,

Application title: 2023 Adult Inpatient Survey
CAG reference: 23/CAG/0165

Thank you for submitting a **non-research** application under Regulation 5 of the Health Service (Control of Patient Information) Regulations 2002 ('section 251 support') to process confidential patient information without consent.

This application was considered at the precedent set Confidentiality Advisory Group (CAG) meeting held on 20 October 2023, under category 11: Applications to administer patient surveys made by organisations on behalf of Care Quality Commission (CQC). This outcome should be read in conjunction with the provisional support outcome dated 06 November 2023, the [minutes](#) of the precedent set CAG meeting date 20 October 2023, and the [sub-committee minutes](#) of December 2023 (available within 2 weeks of month end).

Confidentiality Advisory Group advice and Secretary of State for Health and Social Care decision

The CAG agreed that the minimum criteria under the Regulations appeared to have been met, and therefore advised recommending support to the Secretary of State for Health and Social Care.

The Secretary of State for Health and Social Care, having considered the advice from the Confidentiality Advisory Group as set out in the minutes, has determined the following:

- The application is conditionally supported, subject to compliance with the [standard](#) and specific conditions of support.

Please note that the legal basis to allow access to the specified confidential patient information without consent is now in effect. A summary of the scope of support is provided in Appendix A.

Support provides a lawful basis to allow the information to be processed by the relevant parties for the specified purposes without incurring a breach of the common law duty of confidence only. Applicants must ensure the activity remains fully compliant with all other relevant legislation.

Specific conditions of support

1. Please provide the additional full set of communication toolkit materials that are being developed, as soon as they are ready, and confirm that Trust's will be strongly advised to use the communication toolkit.
2. Confirmation provided from the DSPT Team at NHS England to the CAG that the relevant [Data Security and Protection Toolkit \(DSPT\) submission\(s\)](#) has achieved the 'Standards Met' threshold. **Confirmed:**

The NHS England **22/23** DSPT reviews for **Picker Institute Europe, Patient Perspective, Quality Health Limited, & Explain** were confirmed as 'Standards Met' on the NHS England DSPT Tracker (checked 11 December 2023)

As the above conditions have been accepted/met, this letter provides confirmation of final support. I will arrange for the register of approved applications on the HRA website to be updated with this information.

Maintaining CAG support: Reporting requirements

Please note the following guidance on reporting requirements in order to maintain CAG support for the duration of the activity.

- **Annual review report:** It is your responsibility to submit an annual review report every 12 months for the entire duration that confidential patient information is being processed without consent. The next annual review should be provided no later than **11 December 2024** and preferably 4 weeks before this date. Further guidance and the annual review form is available on the [IRAS website](#).
- **Notifying amendments to the scope of CAG support:** Guidance on submitting CAG amendments and the amendment form is available on the [IRAS website](#).
- **Notifying the end of activity:** Guidance on notifying the end of activity and the end closure report form is available on [the IRAS website](#).
- **Register of supported applications:** It is a statutory requirement to publish all supported applications to process confidential patient information without consent. Supported applications are published on the [HRA website](#).

Approved documents

The final list of documents reviewed and approved are as follows.

Document	Version	Date
CAG application from (signed/authorised) [23CAG0165_Section 251]		

Application_2023 Adult Inpatient Survey]		
Confidentiality policy [Confidentiality Policy - Picker - June 2017 - V1]	1	
Covering letter on headed paper [IP23_Cover letter 1- aged 80+]		
Covering letter on headed paper [IP23_Cover letter 1]		
Covering letter on headed paper [IP23_Cover letter 2- aged 80+]		
Covering letter on headed paper [IP23_Cover letter 2]		
Covering letter on headed paper [IP23_Cover letter3]		
Data Protection Registration [Confidentiality Policy - Picker - June 2017 - V1]	1	
Other [IP23_Core questionnaire_V1.0]		
Other [IP23_Data flow diagram - post codes__V1.0_PROTECT]		
Other [IP23_Model Service Contract_V1]	1	
Other [IP23_Sample construction worksheet_ For in-house trusts_V1.0]	1	
Other [IP23_Sample construction worksheet_ Using approved contractor_V1.0]	1	
Other [IP23_Sample declaration form contractors_V1.0]	1	
Other [IP23_Sample declaration form inhouse trusts_V1.0]	1	
Other [Picker Employee Agreement Perm - May 2023 - V1]	1	
Patient Information Materials [IP23_Dissent poster English_V1]	1	
Patient Information Materials [IP23_Dissent_V1.0_PROTECT]	1	
Patient Information Materials [IP23_Draft Sampling_instructions_V1]	1	
Patient Information Materials [IP23_Information flowchart_V1]	1	
Patient Information Materials [IP23_Multilanguage Sheet__V1]	1	
Patient Information Materials [IP23_SMS Guidance_V1]	1	
Patient Information Materials [IP23 Draft Survey handbook_V1.0]	1	
Write recommendation from Caldicott Guardian (or equivalent) of applicant's organisation [20231012 Survey - Caldicott Guardian recommendation letter - October 2023 - V1]		

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

Caroline Watchurst
Confidentiality Advisor

On behalf of the Secretary of State for Health and Social Care

Email: cag@hra.nhs.uk

Included: List of members who considered application
Standard conditions of support

Confidentiality Advisory Group Precedent Set meeting 20 October 2023

Members present:

Name	Capacity
Dr Murat Soncul	Alternate Vice Chair
Dr Sandra Duggan	CAG Lay Member
Mr Umar Sabat	CAG Expert Member

Also in attendance:

Name	Position (or reason for attending)
Mr Dayheem Sedighi	HRA Approvals Administrator
Ms Caroline Watchurst	HRA Confidentiality Advisor

Appendix A – Summary of Scope of Support

Summary of application

This non-research application submitted by Picker Institute Europe on behalf of the Care Quality Commission, sets out the purpose of conducting the 2023 NHS Adult Inpatient Survey.

The Adult Inpatient Survey started in 2002 and falls within the NHS Patient Survey Programme (NPSP). The NPSP was initiated in 2002 by the then Department of Health, and is now overseen by the Care Quality Commission (CQC), the independent regulator of health and social care in England.

The 2023 Adult Inpatient survey will be the twenty-first carried out to date, and the fourth mainstage to be completed using a mixed method approach.

All eligible trusts (131) will be asked to conduct the survey, with preparations expected to begin in the autumn of 2023 and fieldwork expected to start from January 2024. Trusts will collect information of all eligible patients and, following suitability checks, will share confidential patient information with the coordination centre (Picker Institute Europe) and one of the approved contractors (Picker Institute Europe, Quality Health, Patient Perspective or Explain). The contractors will distribute questionnaires to patients using the approach detailed below:

	Mode of contact
Contact 1	Postal letter inviting the patient to take part online (and a paper questionnaire included for those over 80 years old)
Contact 1.1	Four days later an SMS reminder will be sent, including a direct link to the online survey
Contact 2	In week 2, a reminder letter will be sent to non-responders
Contact 2.2	Four days later an SMS reminder will be sent, including a direct link to the online survey
Contact 3	Final postal reminder sent, along with a paper questionnaire

Ahead of each reminder mailing, it will be necessary to remove all respondents who have completed the survey already, and to conduct a DBS or local check on the full sample. If anyone has requested to be opted out of further reminders, they should also be removed at these timepoints.

A recommendation for class 5 & 6 support was requested to cover access to the relevant unconsented activities as described in the application.

Confidential patient information requested

The following sets out a summary of the specified cohort, listed data sources and key identifiers. Where applicable, full datasets and data flows are provided in the application form and relevant supporting documentation as this letter represents only a summary of the full detail.

Cohort	Inpatients aged 16 years old or over who were discharged from acute and specialist NHS hospitals in November (and earlier for smaller trusts), having had at least one overnight
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	<p>stay in hospital.</p> <p>A list of reasons for exclusion, such as deceased patients and those under 16 years of age at the time of sampling, was included in the application.</p> <p>1,250 patients per Trust</p>
Data sources	<ol style="list-style-type: none"> 1. Electronic patient records with acute and specialist trusts in England (131). 2. NHS England - NHS Spine Personal Demographics Service (PDSS)
Identifiers required for contact purposes	<ol style="list-style-type: none"> 1. Name 2. Address fields including postcode 3. Mobile phone number 4. Patient unique identifier
Identifiers required for deceased check purposes	<ol style="list-style-type: none"> 1. NHS Number 2. Full date of birth
Identifiers required for analysis purposes	<ol style="list-style-type: none"> 1. Unique identifier (a three digit Trust code and 4 digital serial number related to sampled patient) 2. Postcode 3. Trust code 4. Year of birth 5. Gender 6. Ethnic category 7. Date of admission 8. Date of discharge 9. Length of Stay 10. Treatment Function Code 11. ICD-10 Chapter Code 12. Treatment Centre Admission 13. Admission method 14. NHS Site code-Admitted 15. NHS Site code-Discharged 16. 'Decided to admit' date 17. Virtual ward indicator
Additional information	<p>Trusts may also choose to collect additional sample variables outside of those detailed in the Survey Handbook. This can be valuable to trusts in enabling them to make greater use of their survey locally to target quality improvements.</p> <p>Sample and mailing data will be submitted by trusts to approved contractors in a single file. The file which contains both mailing and sample information will be split into separate files by the contractor before submitting only the sample information to the Coordination Centre for checking and approval.</p>

	Please note that the Survey Coordination Centre does not receive any names or full addresses
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