



Health Research Authority

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19 March 2024

Jenny King
Chief Research Officer
Picker Institute Europe
Suite 6, Fountain House
1200 Parkway Court
John Smith Drive
Oxford
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Dear Jenny King,

Application title: Maternity Survey 2024
CAG reference: 24/CAG/0038

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 01 March 2024 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 the [minutes](#) of this meeting.

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 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. Provide an ongoing patient and public involvement plan and ensure continuous engagement with the public involvement groups. This should be reported back to CAG at first annual review.
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 review for Picker Institute, Quality Health, Patient Perspective, Explain Market Research Ltd was confirmed as ‘Standards Met’ on the NHS England DSPT Tracker (19/03/2024)

As the above conditions have been accepted or 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 **19/03/2024** 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 list of documents reviewed and approved at the meeting are as follows.

<i>Document</i>	<i>Version</i>	<i>Date</i>	
CAG application from (signed/authorised) [MAT24_cag section 251 form non research applications]			
Confidentiality policy [Confidentiality Policy - Picker - June 2017 - V1.2]	1.2	01 June 2027	
Other [MAT24_ Sample construction spreadsheet- in house trusts_V1.0_PROTECT]	1.0		
Other [MAT24_Briefing note for 16-17 year olds leaflet_V1.0_PROTECT]	1.0		

Other [MAT24_Data flow chart - post codes_V1.0_PROTECT]	1.0		
Other [MAT24_Dissent paper_V1.0_PROTECT]	1.0		
Other [MAT24_GDPR declaration for additional data analysts_V1.0_PROTECT]	1.0		
Other [MAT24_GDPR declaration of data compliance_V1.0_PROTECT]	1.0		
Other [MAT24_GDPR Model service contract_V1.0_PROTECT]	1.0		
Other [MAT24_GDPR Model service contract_V1.0_PROTECT]	1.0		
Other [MAT24_Questionnaire_V1.0_PROTECT]	1.0		
Other [MAT24_Sample construction spreadsheet-contractors_V1.0_PROTECT]	1.0		
Other [MAT24_Sample declaration form-contractor_V1.0_PROTECT]	1.0		
Other [MAT24_Sample declaration form- in house_V1.0_PROTECT]	1.0		
Other [MAT24_Sampling instructions_V1.0_PROTECT]	1.0		
Other [MAT24_SMS Guidance_V1.0_PROTECT]	1.0		
Other [MAT24_Survey handbook_V1.0_PROTECT]	1.0		
Other [precedent - 19CAG0021 Fully Supported Outcome]		15 September 2019	
Other [precedent - 19CAG0181 s251 non-research conditional outcome]		18 November 2019	
Other [precedent - 20CAG0139 non-research fully supported outcome]		24 November 2020	
Other [precedent - 22CAG0016 SofS Fully supported outcome letter]		07 February 2022	
Other [precedent - 23CAG0014_CAG Fully Supported]		30 January 2023	
Patient Information Materials [MAT24_16-17 year olds leaflet_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Dissent poster_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Mailing Letter 1_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Mailing Letter 2_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Mailing Letter 3_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Mailing Letter 4_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Multilanguage sheet_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Social media cards 1-4 accompanying text_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Trust Press Release_V1.0_PROTECT]	1.0		
Patient Information Materials [MAT24_Website banner_V1.0_PROTECT]	1.0		
Write recommendation from Caldicott Guardian (or equivalent) of applicant's organisation [MAT24_Caldicott Guardian recommendation letter]		18 January 2024	

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

William Lyse

Approvals Administrator

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

Email: cag@hra.nhs.uk

Included: List of members who considered application
Summary of scope of support

Confidentiality Advisory Group meeting 01 March 2024

Members present:

Group Members:

<i>Name</i>	<i>Profession</i>	<i>Present</i>	<i>Notes</i>	
Professor Lorna Fraser	CAG Member (Expert)	Yes		
Dr Harvey Marcovitch	CAG Member (Expert)	Yes		
Ms Rose Payne	CAG Member (Lay)	Yes		
Mr Umar Sabat	CAG Member (Expert)	Yes		
Dr Murat Soncul	CAG Member (Alternate Vice Chair)	Yes		

Also in attendance:

<i>Name</i>	<i>Position (or reason for attending)</i>	
Mr Dayheem Sedighi	HRA Application Administrator	
Mr William Lyse	HRA Application 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 2024 NHS Maternity Survey.

The Maternity Survey started in 2007 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 2024 Maternity Survey will be the eleventh carried out to date, and the fourth using a mixed method approach, following a successful pilot of the approach in 2020 and the first mainstage during 2021. The 2024 Maternity Survey will be managed and coordinated by the Survey Coordination Centre, for the NPSP, based at Picker Institute Europe. The survey will follow the same mixed method approach as the 2021- 2023 Maternity Surveys.

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 three approved contractors (Patient Perspective, Quality Health or Explain Market Research Ltd). For the first time for the Maternity Survey, approved contractors will have the option to run centralised DBS checks, rather than each NHS trust, prior to each mailing/ contact attempt. NHS Trusts will still be required to undertake an initial DBS check as part of sample preparation. The DBS enables contractors to submit and receive an electronic file containing relevant patient records, using dedicated software. The patient records in the file are matched against the NHS Spine Personal Demographics Service (PDSS).

The contractors will distribute questionnaires to patients using the same methodology as used in previous applications since 2021, following the successful pilot in 2020.

	Mode of contact
Contact 1	Postal letter inviting the mother to take part online
Contact 1.1	SMS reminder timed to arrive with the initial letter including a link to the survey
Contact 2	Postal reminder letter inviting the mother to take part online
Contact 2.2	SMS reminder timed to arrive with the second letter including a link to the survey
Contact 3	Postal reminder letter along with a paper questionnaire
Contact 4	Postal reminder letter inviting the mother to take part online
Contact 4.4	SMS reminder timed to arrive with the initial letter including a link to the survey

A recommendation for class 5 and 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	Mothers aged 16 years or over at the time of delivery, who gave birth under the care of an NHS trust (including home births), in February 2024. All those who gave birth during that month for each trust will be invited.
Data sources	1. Electronic patient records within all eligible Trusts in England (120-130 trusts)
Identifiers required for contact purposes	<ol style="list-style-type: none"> 1. Name 2. Date of birth 3. NHS Number of mother 4. NHS Number of infant 5. Address and unit level postcode
Identifiers required for linkage purposes	<ol style="list-style-type: none"> 1. Name 2. Date of birth 3. NHS Number of mother 4. NHS Number of infant 5. Address and unit level postcode
Identifiers required for analysis purposes	<ol style="list-style-type: none"> 1. Unique identifier 2. Postcode
Additional information	The applicants anticipate that the sampling period will only span one month (February 2024) for the majority of trusts. However, where a trust had fewer than 300 eligible mothers give birth in that month, they may be asked to go back through January until a sample of 300 is achieved.