



Health Research Authority

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Email: cag@hra.nhs.uk

05 February 2025

Dear Jenny King,

Survey Coordination Centre
Suite 6, Fountain House
1200 Parkway Court
John Smith Drive
Oxford OX4 2JY

Application title: 2025 Maternity Survey
CAG reference: 25/CAG/0012

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 17 January 2025 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

Number	Condition required	Response from the applicant
1.	The CAG request that in future surveys the sample return checklist should include the Trust confirming that all relevant patient notification steps have been undertaken. Please confirm to CAG if this is possible, within one month.	
2.	Revise the briefing note to include a statement explaining that this application was supported by the Secretary of State for Health and Social Care, after review by CAG, and provide to CAG within one month.	
3.	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 23/24 DSPT reviews for Patient Perspective, Quality Health Limited & Picker Institute Europe were confirmed as 'Standards Met' on the NHS England DSPT Tracker (checked 05 February 2025)	No response required

This letter provides confirmation of final support, and all the above conditions are expected to be met within the stated timeframe. 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 05 February 2026 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.

Document	Version	Date
CAG application from (signed/authorised) [MAT25_cag section 251 form non research applications]		
Confidentiality policy [Confidentiality Policy - Picker - June 2017 - V1.2]	1.2	
Other [MAT25_Survey handbook_v1.0_PROTECT]	1	
Other [MAT25_Trust Press Release_V1.0_PROTECT]	1	
Other [MAT25_Website banner_V1.0_PROTECT]	1	
Other [MAT25_Briefing note for 16-17-year-olds leaflet_V1.0_PROTECT]	1	
Other [MAT25_Data flow chart - post codes_V1_PROTECT]	1	
Other [MAT25_Dissent paper_V1.0_PROTECT]	1	
Other [MAT25_Dissent poster English_V1.0]	1	
Other [MAT25_GDPR declaration for additional data analysts_V1.0_PROTECT]	1	
Other [MAT25_GDPR declaration of data compliance_V1.0_PROTECT]	1	
Other [MAT25_GDPR Model service contract_V1.0_PROTECT]	1	
Other [MAT25_Information flowchart_V1.0_PROTECT]	1	
Other [MAT25_Mailing Letter 1_V1.0_PROTECT]		
Other [MAT25_Mailing Letter 2_V1.0_PROTECT]		
Other [MAT25_Mailing Letter 3_V1.0_PROTECT]		
Other [MAT25_Mailing Letter 4_V1.0_PROTECT]		
Other [MAT25_Sample construction spreadsheet- for central online survey tool_V1_PROTECT]		
Other [MAT25_Sample construction spreadsheet- contractors_V1_PROTECT]		
Other [MAT25_Sample declaration form- contractor_V1.0_PROTECT]		
Other [MAT25_Sample declaration form-for central online tool_V1.0_PROTECT]		
Other [MAT25_Sampling instructions_V1.0_PROTECT]		
Other [MAT25_SMS Content and Guidance_V1.0_PROTECT]		
Patient Information Materials [MAT25_16-17-year-olds leaflet_V1.0_PROTECT]	1	
Patient Information Materials [MAT25_Maternity Cards Twitter text_V1.0_PROTECT]		
Patient Information Materials [MAT25_Multilanguage sheet_for centralised tool_V1.0_PROTECT]	1	
Patient Information Materials [MAT25_Multilanguage sheet_for	1	

contractors_V1.0_PROTECT]		
Patient Information Materials [MAT25_Questionnaire_V1.0_PROTECT]		
Patient Information Materials [MAT25_Social media card 1_V1.0_PROTECT]		
Patient Information Materials [MAT25_Social media card 2_V1.0_PROTECT]		
Patient Information Materials [MAT25_Social media card 3_V1.0_PROTECT]		
Patient Information Materials [MAT25_Social media card 4_V1.0_PROTECT]		
Write recommendation from Caldicott Guardian (or equivalent) of applicant's organisation [MAT25_S251 Caldicott Guardian recommendation letter]		

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

Wangari Njiiri
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 Precedent Set meeting 17 January 2025

Members present:

Group Members:

<i>Name</i>	<i>Profession</i>	<i>Present</i>	<i>Notes</i>
Dr Martin Andrew		Yes	
Dr Joanne Bailey	CAG Expert Member	Yes	
Professor William Bernal	Reader in Liver Intensive Care Medicine & Assistant Medical Director	Yes	
Mrs Sarah Palmer-Edwards	CAG Expert Member	Yes	
Mr Dan Roulstone	Senior Manager Public Services	Yes	

Also in attendance:

<i>Name</i>	<i>Position (or reason for attending)</i>
Ms Katy Cassidy	HRA Confidentiality Advisor
Wangari Njiiri	HRA Approvals Administrator

Appendix A – Summary of Scope of Support

Summary of application

This application from the Care Quality Commission set out the purpose of service evaluation which will be achieved through a patient survey in order to build up a national picture of women's experiences of maternity care.

The 2025 Maternity Survey will be managed and coordinated by the Picker Institute Europe in their role as the Survey Coordination Centre. The survey will follow the same mixed method approach as the 2024 Maternity survey, which was completed in 2024 with a response rate of 41.2%, similar to the 2023 response rate. 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 2025 Maternity Survey will be the twelfth carried out to date, and this will be the fifth time that the survey will be completed using a mixed method approach, following a successful pilot of the approach in 2020 and the first mainstage during 2021. The NHS Patient Survey programme helps CQC understand what patients think of the NHS healthcare services that they use. The results from the Maternity Survey will help assess NHS performance and CQC will use the findings for regulatory activities such as monitoring ongoing compliance and reviews. At a local level, trusts will use the findings to monitor performance and drive improvements and initiatives at a local level.

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 2025. All those who gave birth during that month for each trust will be invited (except for those who fall into the exclusion groups listed in the application form).
Data sources	Electronic patient records within all eligible Trusts in England (120-130 trusts)
Identifiers required for linkage purposes	<ul style="list-style-type: none">• Name• Date of birth• NHS Number of mother• NHS Number of infant• Address and unit level postcode
Identifiers required for analysis purposes	<ul style="list-style-type: none">• Name• Date of birth• NHS Number of mother• NHS Number of infant• Address and unit level postcode
Additional information	<ul style="list-style-type: none">• Unique identifier• Postcode