

NHS Grampian and NHS Scotland Health Boards

Information Governance – Data Protection

Maternity Services – NHS Grampian

What is happening and how is my data being used?

NHS Grampian's (NHSG) Maternity Services provides care for women and their babies throughout pregnancy, birth and the postnatal period. As part of this service we process your personal and health and social care data as part of the provision of health care and treatment to patients. Whenever you use NHS Grampian's health service, important information about you and/or or child or children is collected to help us provide you with the best possible care and treatment. Your records will be used to plan your child's care and/or treatment by doctors, nurses or any other professionals, such as social care staff, as well as administrative staff and clinicians and therapists in other health care settings.

In order to provide safe and effective care to you and your baby it is necessary to collect information about you, your partner and family. This information is used by the professionals involved in your care to plan appropriate appointments and provide relevant information.

Personal data and Special categories of personal data

Your personal information is held in medical records we began to store electronically as of January 2017. Previous to this medical records were kept in a paper format, which are kept in a secure area.

Only those staff who require access as part of their role will have access to these files.

NHS Grampian's Maternity Service uses a digital platform called BadgerNet to store your electronic maternity health and social data, data relating to the birth of your child and neonatal care provided to your child. BadgerNet Maternity is designed as a full end-to-end maternity system. It allows real-time recording of all events wherever they occur: in the hospital, community, or home. This includes both high risk and low risk pregnancy pathways. Based on a woman-centred care model, the BadgerNet Maternity system comes with a portal for women to view and access their own maternity records online called Maternity Notes (will be called Badger Notes from

10.05.21). It also includes other functionality such as the Single Pregnancy Record. Further information on BadgerNet system and its functionality can be found below.

The information processed by our maternity service may include but is not limited to the following: the mother's full name; address, postcode, date of birth; gender; CHI number, telephone number; email address (if supplied) country of origin; ethnicity; religion; GP; NOK details; maternity health data and previous pregnancy history which is not limited to consultations and contacts, CTG's, imaging, diagnosis, diagnosis, tests and results; medical history; medication history; previous pregnancy history; social history; family/partners personal details and medical and social history; lifestyle history, such as smoking / alcohol / drug use. We also store social data relating to you which relates to your social circumstances and protection data.

Information processed which relates to the child is: name, address, postcode, date of birth, CHI, gender, ethnicity, health data, any social work involvement.

We may also process data relating to family members which may include family medical history, siblings to the child/other children in family e.g. step children, any individuals who assist with child care.

Personal data refers to data demographic data i.e. name; DOB; address; contact telephone no/email; country of origin and unique identifiers such as your CHI number.

Special Category data refers to:

1. Personal data revealing racial or ethnic origin.
2. Religious or philosophical beliefs.
3. Data concerning health.
4. Data concerning a natural person's sex life or sexual orientation.

We may also use your information to:

- Carry out clinical audits to monitor and improve the quality of care and treatment provided;
- Train new doctors and midwives and other relevant staff;
- Undertake patient/service user satisfaction surveys;
- Manage and plan services, make improvements, public health purposes
- You may also be asked if you would be willing to take part in an approved research project but you do not have to agree if you do not want to.

Data controller

NHS Grampian is the data controller for the maternity and neonatal information stored in paper records and within the Badgernet System. The data is retained in the same way as the other medical information we hold about you.

Please see our full privacy notice for more information -

https://foi.nhsgrampian.org/globalassets/foidocument/foi-public-documents1---all-documents/nhs_grampian_data_protection_notice.pdf.

We retain your personal data securely and in accordance with the [Scottish Government Records Management Code of Practice for Health and Social Care \(Scotland\) 2020](#) or its successor.

BadgerNet System

The Badgernet platform is developed and provided by Clevermed Ltd who is our Data Processor. They provide the platform for the collection, storage, and reporting of maternity and neonatal patient data which is hosted securely on Microsoft's Azure cloud platform. The system can only be accessed via a NHSG device using a unique username and password. Clevermed does not routinely access your personal data. Clevermed's support staff may however access personal data for the purposes of delivering system support.

NHS Grampian have a contract with Clevermed which includes protection of personal data. It sets out the responsibilities and T&Cs are bound to keep the data secure. Clevermed does not own maternity data, and does provide data analysis services.

Any new functionality in the system is considered by NHS Grampian before implementation and requires to be signed off by our Caldicott Guardian.

Clevermed's Privacy Notice for BadgerNet can be accessed at the following link: <https://www.badgernotes.net/Privacy>

Lawful processing

We assert that it is lawful for us to process your personal data in this way as:

- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

- processing necessary in order to protect the vital interests of the data subject or of another natural person;
- processing is necessary for compliance with a legal obligation to which the controller is subject.

We assert that it is lawful for us to process special categories of your personal data in this way as:

- processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards...;
- processing necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- processing [may be] necessary for reasons of public interest in the area of public health...
- processing [may be] necessary for the establishment, exercise or defence of legal claims...

Badger Notes

In 2018 NHS Grampian ceased to use the hand held pregnancy record called the Scottish Women Held Maternity Record (SHWMR). This was a unified, handheld record in which all professionals sharing responsibility for a woman's maternity care documented their information and test results. This has been replaced with Badger Notes, whereby you can log in and see your health information relating to your current pregnancy.

Badger Notes allows you to record information that clinicians involved in your care will be able to view in the clinical BadgerNet platform e.g. your birth plan and questions you may have during the pregnancy and in the postnatal period. There is also an area within Badger Notes that you can enter information into but this is not viewable anywhere else, this allows you to keep a pregnancy diary that is private.

For more information on how your personal data is processed in Badger Notes please see the privacy notice below:

<https://www.badgernotes.net/Privacy>

Blood Pressure Monitoring

In instances where the obstetric team have assessed that you are suitable for home blood pressure monitoring (HBPM) you will have the ability to enter the BP recording and results of a urinalysis test into your BadgerNotes directly.

Single Pregnancy Record (SPR)

The Single Pregnancy Record is functionality within the system which allow continuity of care. It allows clinicians on other NHS Scotland Boards to access your pregnancy record via break glass functionality in the event you present to that Board for health care or treatment. It is also possible to transfer your care to another NHS Scotland Board if you were to move to another geographic Board area. This prevent multiple records of your pregnancy to be created if you were to be seen in another Board and keeps the records of your pregnancy in one complete record.

The majority of NHS territorial Boards are using SPR and have signed up to an Information Sharing Agreement to facilitate the sharing of personal data.

NHS Scotland Boards are also able to share your personal data under a high level Agreement known as the [Intra NHS Scotland Information Sharing Accord \(2020\)](#).

Push Notifications

Push notifications is another piece of functionality in the system which allows NHS Grampian to make available to various information. This can range of various leaflets offering advice on your pregnancy or specific pregnancy conditions. It can also send you tailored messages around your pregnancy, requests for blood pressure readings, drop-in clinics, and research projects which you may be eligible to participate in, if you wish to.

The messaging functionality requires you to opt in to receive notifications, and you can opt out at any time. You can opt in or opt out within the Maternity Notes section of the system.

You will be able to access any relevant pregnancy leaflets/information regardless of if you opt in or out to the push notification functionality.

Who do we share your information with?

To ensure you receive the best possible care, we sometimes need to share your personal data in accordance with the 'The Health and Social Care Act' and the 'NHS Act'. Only information that is relevant will be shared with (if necessary or required) and in accordance with Data Protection Act 2018 (DPA 2018), and the UK General Data Protection Regulation (UK GDPR):

Personal data which may be shared but is not limited to the following:

- You, your family, associates and/or representatives
- Your GP
- NHSG Smoking Cessation Services
- Health Visiting Service
- Family Nurse Partnership
- Children's Social Care.

On occasions we may receive requests to share your personal data for non-direct care purposes; however, in these circumstances, Maternity Services would only share your personal data with your consent. Only in very exceptional circumstances will we disclose information to a third party without your consent, for instance, when the health and safety of others, or yourself, are at risk or if the law requires us to. Where we need to share your personal data, Maternity Services will only ever do so in a secure manner to protect the confidentiality of your information.

Statistical Reporting

Statistical data is shared with the following organisations in relation to births and provision of maternity services.

Health Improvement Scotland

[MCQIC \(Maternity and Children Quality Improvement Collaborative\)](#) as part of the SPSP (Scottish Patient Safety Programme) [UKARCOG \(UK Audit and Research Collaborative in Obstetrics and Gynaecology\)](#)

Public Health Scotland/NHS National Services Scotland/ ISD Scotland

- [SMR02 data \(maternity data\)](#)
- [Scottish Birth Record](#)
- Covid-19 wider impacts on health care system dashboard (patient identifiable data shared- CHI, forename, surname, DOB and postcode among other info) this is transferred directly to PHS by Clevermed on our behalf. [COVID-19 wider impacts \(shinyapps.io\)](#)

EROSS (Enhanced Recovery for Obstetric Surgery in Scotland)

The aim of the EROSS Programme is to get you back to 'you' as quickly as possible after your caesarean section, and we encourage you to play an active part.

More information can be found at the link below:

<https://www.birthingrampian.scot.nhs.uk/enhanced-recovery-following-caesarean-section-eross/>

Surgical Conditions Affecting Newborns (SCANS)

The Surgical Conditions Affecting Newborns in Scotland Network formerly known as Surgical Congenital Anomalies Network Scotland (SCANS) is a nationally supported network of professionals working throughout Scotland involved in treating and caring for patients with various congenital anomalies requiring surgery as well as supporting their families.

More information can be found at the link below:

<https://www.scans.scot.nhs.uk/>

National Surveillance Projects

MBRRACE-UK (Mothers and Babies: Reducing Risk through Audits and Confidential Enquiries across the UK) Reporting of Maternal and Perinatal deaths.

'MBRRACE-UK' is the collaboration appointed by the Healthcare Quality Improvement Partnership (HQIP) to run the national Maternal, Newborn and Infant clinical Outcome Review Programme (MNI-CORP) which continues the national programme of work conducting surveillance and investigating the causes of maternal deaths, stillbirths and infant deaths.

More information can be found at the link below:

<https://www.npeu.ox.ac.uk/mbrrace-uk>

UKOSS (UK Obstetric Surveillance System)

This is a national system to study rare disorders of pregnancy.

More information can be found at the link below:

<https://www.npeu.ox.ac.uk/ukoss>

Research Projects

As a NHS organisation we may use personally-identifiable information to conduct research to improve health, care and services. All research projects are reviewed through the appropriate governance channels whether locally and/or national prior to any participation by the Board.

UoA Maternity Data Bank (AMND)

NHS Grampian shares data around maternity and fertility data with University of Aberdeen for the purposes of research. The AMND has a governance structure which is made up of both UoA and NHSG professionals, clinical, academic and specialist in governance. This committee is set up to review any research proposals which wish to use maternity data in a research project. There are established policies and processes which govern and safeguard the use of data in this domain.

If you are eligible to participate in a research study you may be contacted for your consent if your data is personally identifiable. If the study wishes to use only high level statistical data, then you may not be contacted as it is not possible for the researcher to identify your pregnancy case.

If you wish to opt out of your data being used in research, please contact your midwife or contacting the AMND at amnd@abdn.ac.uk. Further information on the AMND at the following link:

<https://www.abdn.ac.uk/iahs/research/obsgynae/amnd/>

Your rights

We respect your rights and preferences in relation to your data. If you wish to update, access, erase, limit, or complain about the use of your information, please let us know by emailing gram.infogovernance@nhs.scot in the first instance and we will consider your questions. You may also wish to contact the Health Board under which your care is being delivered or the Information Commissioner's Office.

Further information on how NHS Grampian processes your personal data across our services can be found at the following link:

<https://www.nhsgrampian.org/about-us/data-protection/>