



East and North Hertfordshire
NHS Trust

Our ref: JA/JM/18.405

Jude Archer
Company Secretary
East and North Hertfordshire NHS Trust
Coreys Mill Lane
Stevenage
Hertfordshire
SG1 4AB

20 September 2018

Telephone 01438 285454
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Dear Miss Sara Spary

Freedom of Information Request – 18.405

I write regarding your request for information under the Freedom of Information Act.

I am writing to you to ask for information regarding Bounty representatives being given access to hospital wards.

In the 12 months to date (23.08.18) please confirm the following:

1) Whether the Trust currently is, or has been in the past 12 months, engaged in a contract or written agreement with Bounty UK Limited. If the Trust is currently engaged in a contract please attach a copy of it, making necessary redactions in order to comply with the Act. Please provide the date that the contract began and/or ended. Please provide an overview of the terms of payment. (i.e. per mother visited / per photo pack purchased).

I can confirm that the Trust is currently engaged in a contract with Bounty UK Limited. However, The Trust considers that the content of the contract is commercially sensitive and the release of the information would be likely to prejudice the commercial interests of Bounty. Section 43(2) of the Freedom of Information Act is therefore engaged in relation to this information.

Section 43(2) of the FOI Act exempts information where disclosure would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity). This is a 'qualified exemption', meaning that the Trust is required to consider the public interest test in relation to the potential release of this information.

Under section 10(3) of the FOI Act the Trust is extending the 20 working day limit as more time is required to determine whether or not the balance of the public interest lies in maintaining the exemption. We estimate that our final decision will be made by approximately 28 September. Once the final decision has been reached, the Trust will either disclose the information to you or issue a second refusal notice explaining why it has found the public interest to be in favour of maintaining the exemption.

2) Please confirm how much money has been paid to the Trust by Bounty UK Limited in the past 12 months and how many new mothers are recorded as having been approached by Bounty representatives (if held).

Please see the answer provided to question 1, above.

3) Please provide details of the policies the Trust has in place with regards to protecting new mothers (i.e are representatives allowed on any ward at any time, or do they have restricted access? Are mothers given the option to opt out of being visited?)

The Trust's Information Governance Manager met with Bounty to discuss and agree changes to their processes to ensure compliance with GDPR. Further discussions were also held with the Head of Midwifery to agree how this would work in practice. Bounty Ltd have been actively engaged with the Trust and Maternity Team to ensure their compliance with GDPR and implemented the agreed changes in May 2018.

Bounty commenced a new 'opt in' consent process on 25 May 2018 and reviewed and implemented a new leaflet for parents which describes their services and data privacy. In order to facilitate parents being able to review and consider the information the 'guide to your data privacy' and opt in consent form are both now available at the bedside on admission to the Maternity unit.

In discussion with the Maternity team Bounty have also:

- revised their script for their Bounty Staff to use once they have the mum's consent for their service
- developed and agreed to a set of standards and behaviours for the Bounty Staff which is being set out in a code of conduct.
- Bounty staff will of course continue to always wear a Bounty branded blouse uniform and clearly visible name badge at all times and they must introduce themselves each day at the maternity ward reception.

Bounty's privacy statement can be viewed on the following link
<http://www.bounty.com/info/privacy-policy-app>

We will periodically undertake an audit of the service offered by Bounty through a 'mystery shopper' and review of any feedback from the parents through our surveys.

4) Please confirm the number of complaints made to the Trust by new parents. If not time prohibitive, please provide details of the complaints.

No formal complaints have been made regarding Bounty. However, the Trust Board received a question from a member of the public at its meeting in May 2018. The summary of this can be found recorded in the minutes of the meeting. These are available on the Trust's website, here:

<http://www.enherts-tr.nhs.uk/files/2018/07/2018-07-04-Board-Pack-v1.1-1.pdf>

I hope that this information has helped you. If you are dissatisfied with the way in which your request has been handled please contact me in the first instance. Ultimately, of course, you have the right of appeal to the Information Commissioner.

Yours sincerely



Jude Archer
Freedom of Information Officer / Company Secretary