**Counting Collections evaluation - Privacy Notice**

**Sheffield Hallam University and University of Nottingham**

**Introduction**

This document accompanies the Memorandum of Understanding and outlines the responsibilities of the University of Nottingham (UoN) and Sheffield Hallam University (SHU) in handling personal data collected from participants in the Counting Collections evaluation. Counting Collections is being funded by the Education Endowment Foundation (EEF). This EEF project is part of a wider DfE funded programme called the ‘Accelerator Fund’ which aims to increase access to evidence-informed programmes.’ Participants are Reception teachers and pupils.

From 25 May 2018 the General Data Protection Regulation (GDPR) replaces the Data Protection Act and governs the way that organisations use personal data. Personal data is information relating to an identifiable living individual.

Transparency is a key element of the GDPR and this Data Protection Statement is designed to inform participants about:

* how and why SHU and UoN will use personal data collected in this evaluation
* what participants’ rights are under GDPR, and
* how to contact us to exercise those rights

**Participants’ Rights**

One of the aims of the GDPR is to empower individuals and give them control over their personal data. The GDPR gives participants the following rights:

* the right to be **informed**
* the right of **access**
* the right to **rectification**
* the right to **erase**
* the right to **restrict** processing
* the right to **data portability**
* the right to **object**
* rights in relation to **automated decision making and profiling**

For more information about these rights please see: <https://ico.org.uk/for-the-public/> and: <https://www.shu.ac.uk/about-this-website/privacy-policy/data-subject-rights/subject-access-request>

**Participants can contact SHU/UoN at any time to:**

* withdraw from the Counting Collections evaluation and have their individual data deleted
* request copies of their own personal data held by SHU/UoN (**a subject access request**)
* exercise **other rights** (e.g. to have inaccurate data rectified, to restrict or object to processing)
* **query** how data is used by SHU/UoN
* report a **data security breach** (e.g. if there are concerns that personal data has been lost or disclosed inappropriately)
* **complain** about how SHU/UoN have used personal data.

**Details of who to contact are provided at the end of this statement.**

**Why are we processing participants’ personal data?**

It is necessary for SHU/UoN to process some personal data to evaluate the impact of Counting Collections. This will help to strengthen the evidence about early years number programmes to ultimately improve teaching and learning in schools.

**Retention**

After the evaluation with EEF is complete, SHU and UoN will retain participants’ data for research and knowledge-exchange purposes, including presentations at professional or academic conferences, or publications in professional or academic journals, for up to 25 years and for a period of no less than 7 years after the research project finishes. THIS WILL NOT INCLUDE ANY PERSONAL IDENTIFIERS. The researchers who gathered or processed the data may also store the data indefinitely and reuse it in future research. Measures to safeguard your stored data include pseudonymisation procedures; anonymisation of data; data storage within secure folders.  SHU and UoN will remain as a data controllers for this period. SHU will also submit project data to the EEF’s contractor for their data archive, once the final report has been published. At this point, EEF becomes a data controller, and EEF’s data contractor for the archive becomes a data processor. Data might also be shared in anonymised form with other researchers after this is archived.

**Respecting confidentiality**

In the production of professional or academic publications or presentations, all data will be fully anonymised and no individual or school will be identified or identifiable. Should we wish to present or publish any information where a school may be identifiable, for example an exemplar case study of how a school has improved as a result of participation in the Counting Collections evaluation, we will seek the school’s consent for this, through the headteacher. Schools will be entirely free to refuse this and we would therefore ensure the school remained anonymous in this event.

**What is the legal basis for processing activities?**

SHU and UoN are both Data Controllers for the Counting Collections evaluation. The data to be collected is specified below along with which organisation is responsible for collecting, storing and, where applicable, sharing the data. The processing of personal data through the Counting Collections evaluation is defined under GDPR as a specific task in the public interest. As data is being processed for the purpose of academic research, the main aim of which is to improve numeracy among school pupils, the legal basis for processing your personal data is as a ‘Public Task’ (Article 6 (1) (e)). <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/public-task/>

Special category data, specifically pupil Free School Meals (FSM) status, will be accessed from the National Pupil Database using Unique Pupil Numbers provided by schools and processed for the purpose of scientific research as permitted under GDPR Article 9 (j). We are processing this data to determine if the Counting Collections programme has different effects on different pupil groups. EEF was established with a remit to break the link between family background and educational attainment, and all EEF projects conduct subgroup analysis on FSM pupils.

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>

**Which Personal Data will we collect and use?**

In order to provide our services we need to collect and use some personal data. Teacher data will be collected by UoN and shared with SHU during the study period. Pupil data will be collected by SHU and shared with UoN after the evaluation report is published, although this will not include pupil identifiers, which will be deleted once data is submitted to the EEF archive. Below is a list of specific data to be collected:

|  |  |  |
| --- | --- | --- |
| **Type of personal data** | **Pupil** | **Teacher** |
| Names | X | X |
| Contact details (work email address and phone numbers) |  | X |
| Personal identifiers: Unique Pupil Number, and date of birth | X |  |
| Attitudinal survey responses |  | X |
| Attitudinal interview responses |  | X |
| Outcome test data, to be collected by external contractor and shared with SHU | X |  |
| Data on participation in the Counting Collections sessions |  | X |

|  |  |  |
| --- | --- | --- |
| **Type of special category data** | **Pupil** | **Teacher** |
| Pupil FSM status collected from the National Pupil Database | X |  |

**Who will we share personal data with?**

The privacy of personal data is paramount and will not be disclosed unless there is a justified purpose for doing so. Data may be shared between SHU/UoN and:

* **EEF** for the purposes of research and evaluation**.** This includes submitting project data to the archive managed by EEF’s data contractor at the end of the project. At this point, EEF becomes a data controller, and EEF’s data contractor becomes a data processor. The details of the member of staff signing the Memorandum of Understanding (name, job title and work email) will be shared with EEF. See EEF’s privacy notice for more information on how EEF processes and uses your data:

<https://educationendowmentfoundation.org.uk/privacy-notices/guidance-on-data-protection-for-schools-and-settings-involved-in-an-eef-funded-project>.

* **A data collection organisation** who are contracted to conduct pupil numeracy assessments in schools as part of the evaluation. They will be bound to data protection laws and obligated to delete all personal data upon completion of their role.
* **Transcribers**, who we may askto, produce transcripts of audio recordings of interviews and focus groups. If this is the case SHU and UoN will ensure that appropriate contracts and/or data sharing agreements are in place and that the transcribers process personal data in accordance with the GDPR and other applicable legislation.

**SHU and UoN NEVER sell personal data to third parties**

**Security**

SHU and UoN take a robust approach to protecting the information they hold. This includes the installation and use of technical measures including encryption of data, firewalls and intrusion detection and prevention tools on networks and segregation of different types of device; the use of tools on University computers to detect and remove malicious software and regular assessment of the technical security of SHU and UoN systems. SHU and UoN staff both monitor systems and respond to suspicious activity.

Alongside these technical measures, comprehensive and effective policies and processes are in place to ensure that SHU and UoN users and administrators of information are aware of their obligations and responsibilities for the data they have access to. Access to project data is restricted to the research teams and administrators associated with the project. Sharing of the data with other researchers would require approval by the SHU ethics committee who will ensure that all data protection requirements are met. Training is provided to new staff joining SHU and UoN. Existing staff have training and expert advice available if needed.

Data transfers from schools and between data controllers/processors will be conducted using a secure file transfer service and all files sent will be encrypted. Schools will receive full instructions on this. All personal data will be stored in locations that are only visible to specified members of the project team.

**Further Information and Support**

For further information about how SHU and UoN use personal data see:

<https://www.shu.ac.uk/about-this-website/privacy-policy/privacy-notices/privacy-notice-for-research>

<https://www.shu.ac.uk/about-this-website/privacy-policy/information-governance-policy>

<https://www.nottingham.ac.uk/utilities/privacy/privacy.aspx>

The Information Commissioner is the regulator for GDPR. The Information Commissioner's Office (ICO) has a website with information and guidance for members of the public:

<https://ico.org.uk/for-the-public/>

If there are any concerns about the way this project processes personal data, please get in touch:

**Contact details**

|  |  |  |  |
| --- | --- | --- | --- |
| **SHU** |  | **UoN** |  |
| Dr Martin Culliney (Principal Investigator) | M.Culliney@shu.ac.uk  | Dr Catherine Gripton (Principal Investigator) | Catherine.Gripton@nottingham.ac.uk |
| Data Protection Officer  | dpo@shu.ac.uk | Data Protection Officer  | dpo@nottingham.ac.uk |

If you have an ongoing concern, you can contact the Information Commissioner’s Office, the body responsible for enforcing data protection legislation in the UK, at <https://ico.org.uk/concerns/>