**Infant Language Link Evaluation - Privacy Notice**

**Sheffield Hallam University and Speech Link Multimedia Ltd**

**Introduction**

This document accompanies the Memorandum of Understanding signed by participating schools and outlines the responsibilities of Speech Link Multimedia Ltd (SLM) and Sheffield Hallam University (SHU) in handling personal data collected from participants as part of the Infant Language Link evaluation. Infant Language Link is being funded by the Education Endowment Foundation (EEF). Participants include: Teachers, Teaching Assistants, and pupils.

Personal data is information relating to an identifiable living individual. The UK GDPR and The Data Protection Act 2018 set out the rules that organisations must follow when processing personal data – for simplicity we’ll refer to “UK GDPR” to cover both sets of laws.

Transparency is a key element of the UK GDPR and this Privacy Notice is designed to inform participants about:

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

**Participants’ Rights**

UK GDPR gives individuals a number of rights relating to the processing of their personal data:

* 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**

Not all rights are available in all circumstances, 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 the participating school/SHU/SLM at any time to:**

* withdraw from the Infant Language Link evaluation and have their individual data deleted
* request copies of their own personal data held by SHU/SLM (**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/SLM
* report a **data security breach** (e.g. if there are concerns that personal data has been lost or disclosed inappropriately)
* **complain** about how SHU/SLM 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/SLM to process some personal data to evaluate the impact of Infant Language Link. This will help to strengthen the evidence about school-based language support programmes to inform future policy development.

**Retention**

After the evaluation with EEF is complete, SHU 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 five years after the publication of the final project report. SHU will remain as a data controller 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.

SLM will not retain any personal data beyond the project unless directly requested to by the schools.

**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 Infant Language Link 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?**

The School and SHU are independent controllers for this project; SHU and SLM are also independent controllers for the processing of school contact data and SLM also act as the school’s processor for the provision of the Infant Language Link package and the processing of pupil data.

The processing of personal data through the Infant Language Link evaluation is defined under GDPR as a specific task in the public interest. As data is being processed for the purpose of academic research by SHU, the main aim of which is to improve language ability among school pupils, the SHU’s 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/>

The primary lawful basis for the processing for SLM is that it is necessary for their legitimate interests (UK GDPR [Article 6.1 (f)](https://gdpr-info.eu/art-6-gdpr/) ), those interests being the assessment of the efficacy of their product thus informing the commercial plans of the organisation. <https://gdpr-info.eu/art-6-gdpr/>

English as an Additional Language (EAL) and Free School Meals (FSM) status will be accessed from the National Pupil Database by SHU and processed for the purpose of scientific research. Unique Pupil Numbers (UPN) provided by the school to SHU will be used to access this data., which is not classified as Special Category Data under GDPR article 9 but will be treated as such as per DfE guidance (<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/747620/Data_Protection_Toolkit_for_Schools_OpenBeta.pdf> :p22)

Specifically, we are processing this data to determine if the Infant Language Link programme has different effects on different subgroups of pupils. 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. We are also interested in the effect of the Infant Language Link programme for pupils who have EAL as we believe that it could be particularly beneficial to them.

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

In order to provide our services we need to collect and use some personal data. Below is a list of what this will include for the trial:

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of personal data** | **Pupil** | **Teacher** | **Teaching Assistant** |
| Names | X | X | X |
| Contact details (work email address) |  | X | X |
| Personal identifiers: Unique Pupil Number, and date of birth | X |  |  |
| Attitudinal survey responses |  | X | X |
| Attitudinal interview responses |  | X | X |
| Pupil progress data collected by SLM in intervention schools | X |  |  |
| Baseline and outcome test data | X |  |  |
| Data on participation in the Infant Language Link project and use of materials |  | X | X |
| Infant Language Link assessment and intervention outcome data | X |  |  |
| FSM status, EAL status, and attainment data 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/SLM 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. Also the details of the participating school staff (name, work email) will be shared with EEF. See EEF’s privacy [notice](https://educationendowmentfoundation.org.uk/privacy-notices/privacy-notice-for-schools-involved-in-accelerator-fund-scale-up-projects) for more information on how EEF processes and uses your data.
* **Rainbow Transcriptions** will be engagedto transcribe of audio recordings of interviews and focus groups. SHU will ensure that appropriate contracts and/or data sharing agreements are in place and that personal data is processed in accordance with GDPR and other applicable legislation.
* **JBS Executive Education Ltd** will be used as a processor by SLM for undertaking analysis of the evaluation data. A data processing agreement will be in place and the dataset shared will be pseudonymised so that individual pupils and schools are not identifiable.

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

**Security**

SHU and SLM 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 SLM systems. SHU and SLM 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 SLM 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 SLM. 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 SLM 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://speechandlanguage.support/auth/privacy-notice> for SLM acting as processor for the school in the context of the supply of Infant Language Link

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** |  | **SLM** |  |
| Dr Martin Culliney (Principal Investigator) | [M.Culliney@shu.ac.uk](mailto:M.Culliney@shu.ac.uk)  10101 Arundel Building  S1 1WB | Derry Patterson  (Speech and Language Therapy Team Leader) | [derry.patterson@speechlink.co.uk](mailto:derry.patterson@speechlink.co.uk)  Speech Link Multimedia Ltd  University Road  Canterbury CT2 7FG  0333 577 0784 |
| Data Protection Officer | [dpo@shu.ac.uk](mailto:dpo@shu.ac.uk)  0121 225 3361 | Data Protection Officer | dataprotection@speechlink.co.uk |

If you have an ongoing concern, which is not addressed by getting in touch with the participating school, SHU or SLM, 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/>