

Teaching and Leadership Innovation Fund (TLIF) Evaluation NFER and Sheffield Hallam University Fair Processing Notice

Introduction

On 25 May 2018 the General Data Protection Regulation (GDPR) replaced the Data Protection Act and now 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 you about:

- how and why NFER and the Sheffield Institute of Education (SIOE) at Sheffield Hallam University (SHU) will use your personal data
- what your rights are under GDPR, and
- how to contact us so that you can exercise those rights.

Data Subject Rights

One of the aims of the General Data Protection Regulation (GDPR) is to empower individuals and give them control over their personal data. The GDPR gives you 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-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-be-informed/> and: <https://www.shu.ac.uk/about-this-website/privacy-policy/data-subject-rights>

You can contact us if you would like to:

- request copies of your personal data held by the NFER/SHU (**a subject access request**)
- exercise **your other rights** (e.g. to have inaccurate data rectified, to restrict or object to processing)
- **query** how your data is used by the NFER/ SHU
- report a **data security breach** (e.g. if you think your personal data has been lost or disclosed inappropriately)
- **complain** about how the NFER/SHU has used your personal data.

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

Why are we processing your personal data?

It is necessary for NFER/SHU to process your personal data on behalf of the Department for Education (DfE) (the TLIF Data Controller) in order to evaluate the effectiveness, both of the TLIF fund, and of the individual projects resourced through the fund. This will enable DfE to strengthen the evidence base about effective Professional Development in schools in order to inform future policy development. DfE have produced a privacy notice explaining how they will process personal data for the TLIF evaluation, which you can find [here](#).

After the evaluation with DfE is complete, NFER and SHU will retain your data for research and knowledge-exchange purposes, including presentations at professional or academic conferences, or publications in professional or academic journals, for a period of ten years after the last publication arising from the evaluation. After this period, NFER and SHU will review the longer-term archival value of the data.

What is the legal basis for processing activities?

DfE, as a public body, is the Data Controller for the TLIF evaluation. Therefore the processing of personal data through the TLIF evaluation is defined under GDPR as a specific task in the public interest. The legal basis for processing your personal data is 'Public Task' (Article 6 (1) (e)).

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 you or your school may be identifiable, for example an exemplar case study of how a school has improved as a result of participation in a TLIF project, we will seek your consent to process your personal data.

Which Personal Data will we collect and use?

In order to provide our services we need to collect and use your personal data. Below is a list of what this may include:

Type of personal data	Teachers and leaders who have participated in training and/or received support from a TLIF project provider	Teachers and leaders in schools which have participated in a TLIF project but who have not themselves received direct training and/or support. Some additional stakeholders (e.g. project leaders)	Pupils
Names and contact details	✓	✓	
Personal characteristics data including: Teacher Reference Number (TRN), gender, date of birth, role in school, details of school worked at, and TLIF programme/s enrolled on	✓		
Attitudinal survey responses	✓		
Attitudinal interview responses	✓	✓	✓
Attitudinal focus group responses	✓	✓	✓
Progress, achievement and attainment data held by your school, and in the National Pupil Database			✓
Employment data held on the School Workforce Census	✓	✓	

We will gather attitudinal data directly from you. In addition we will receive your contact details and personal characteristics data from your project provider and/or DfE. Using the information we receive from you or the project provider we will also source progress and employment data from national databases such as the School Workforce Census and the National Pupil Database.

Who will we share your data with?

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

- **DFE** for the purposes of research and evaluation (we will share personal characteristic data only; not attitudinal data such as that collected via interviews or surveys).

- **TLIF project providers.** We may share school-level aggregated data (in which no individuals are identified) about some survey responses. We may also share headline interim evaluation findings, to support the development of the TLIF projects. None of the survey response data shared will include data from questions that ask for your opinions on the delivery of TLIF projects.
- **Transcribers,** who we may ask to produce transcripts of audio recordings of interviews and focus groups. If this is the case NFER and SHU 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.

NFER and SHU NEVER sell personal data to third parties

Security

NFER has all appropriate technical and organisational measures in place to protect personal data. We maintain a full Information Security Management Strategy (ISMS). The ISMS details the policies, practices, procedures, organisational structures and system functions to maintain the confidentiality, integrity and availability of information. The ISMS is translated into guidance for all staff via our Data Security Policy which is updated annually.

Data uploaded to the NFER school portal is encrypted in transit using HTTPS/TLS. All files stored on the portal are individually encrypted using AES encryption. The files are only decrypted once they are transferred to our storage array (which itself has full disk encryption). Any data you send to us is encrypted on a NetApp Storage Area Network (SAN) using AES 256 bit encryption. All NFER laptops and mobile devices are encrypted to FIPS 140-2 and accessed with pin-codes and strong passwords (minimum 9 character with alphanumeric and special character, changed every 60 days). Laptops have TPM chips installed to help further secure the encryption in the event of loss.

We conduct an annual penetration test on our IT systems to ensure that they are secure. This penetration test is carried out by a CHECK-accredited supplier. We have a full patching regime; servers and staff devices are patched within 14 days of patch release (both Microsoft OS and standard third party applications). The Network is protected at the perimeter with dual firewalls in high configuration in high availability mode. Network monitoring takes place internally, primarily using a SIEM system.

SHU takes a robust approach to protecting the information it holds. This includes the installation and use of technical measures including firewalls and intrusion detection and prevention tools on the SHU network 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 systems. SHU staff monitor systems and respond to suspicious activity. SHU has Cyber Essentials certification.

Alongside these technical measures there are comprehensive and effective policies and processes in place to ensure that users and administrators of SHU information are aware of their obligations and responsibilities for the data they have access to. Access to project data

is restricted to the evaluation team and administrators associated with the project. Any sharing of the data with other researchers would require approval by the SHU Faculty of Development and Society ethics committee who will ensure that all data protection requirements are met. Training is provided to new staff joining the SHU and existing staff have training and expert advice available if needed.

Retention

For the purposes of research and knowledge exchange, the retention period for your personal data will be 10 years after the last publication arising from the evaluation. After this period, NFER and SHU will review the longer-term archival value of the data. For the purposes of ongoing research, NFER will use the legal basis of 'Legitimate Interest' for processing your data (Article 6 (1) (f)), and SHU will use the legal basis of 'Public Task' (Article 6 (1) (e)).

Further Information and Support

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

<https://www.nfer.ac.uk/privacy/>

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

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 you have a concern about the way this project processes personal data, we request that you raise your concern with the project team, or with DfE in the first instance.

Contact details

NFER:

Suzanne Straw (NFER TLIF Project Director)
Deputy Head of Centre for Evaluation and Consultancy
National Foundation for Educational Research, Unit G3, IT Centre
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SHU

Dr Bronwen Maxwell (SHU TLIF Project Director)
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OR

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DfE

Natasha Rose-Williams

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Sheffield

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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/make-a-complaint/>