

Research into the uneven distribution of pupils with SEND: privacy notice for advisory group members

The purpose of this document is to explain what personal information (data) will be collected from advisory group members as part of this project, why we are collecting it, and who is responsible for keeping it safe.

The project will run from January 2025 to May 2026. It will involve analysis of the National Pupil Database, interviews with staff in local authorities (LAs), case studies with staff and parents and carers in ten 'high SEND' schools, and a survey of leaders in schools across England. The project will be guided by an advisory group.

Further information about the project can be found on our information sheet, which is available from our [website](#).

1 Why are we collecting this data?

The [National Foundation for Educational Research](#) (NFER) is collecting personal data as part of a research project, funded by the Nuffield Foundation, which is investigating the uneven distribution of pupils with special educational needs and disabilities (SEND) across mainstream schools. In England, pupils with SEND are disproportionately concentrated in a small number of schools, particularly at the secondary level. This includes both those with and without an Education, Health and Care Plan (EHCP). However, little is currently known about the factors driving this pattern or its impact.

The findings from the study will be shared through a series of accessible research reports, providing recommendations for policy and practice. The research aims to inform government decisions on SEND, funding, and accountability, supporting a fairer and more inclusive education system.

As part of the project, an advisory group will be formed to provide advice, support, challenge and constructive criticism at various points of the research or development processes.

For the purposes of data protection legislation, NFER is the data controller, meaning NFER is responsible for deciding how any personal data is used.

2 What is the legal basis for processing activities?

The legal basis for processing personal data is covered by GDPR Article 6 (1) (f), which states that:

‘processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of the personal data’.

We have carried out a legitimate interest assessment, which demonstrates that the project fulfils one of NFER’s core business purposes (undertaking research, evaluation and information activities). The research has broader societal benefits, and the project will provide new insights into how pupils with SEND are currently distributed across mainstream schools in England, the factors driving this distribution, and the implications of this distribution. It cannot be done without processing personal data, but processing does not override the data subject’s interests.

3 How will personal data be obtained?

We will use publicly available information to contact potential advisory group members and invite them to participate. Their views and feedback will be gathered during meetings and through ongoing interactions between meetings.

4 What personal data is being collected by this project?

We plan to collect the following information from advisory group members:

- name, email address, telephone number and role
- views on the topics under discussion, including:
 - the main drivers behind certain schools having above-average proportions of pupils with SEND
 - the perceived impacts on schools and pupils of differing proportions of pupils with SEND, including implications for resource provision and for pupils’ academic and non-academic outcomes
 - how schools approach the identification of SEND, and the perceived reasons for any variation in practice.
- views on emerging findings and research methodology.

5 Who will personal data be shared with?

All advisory meetings will be undertaken remotely using Microsoft Teams. The privacy notice for Microsoft Teams can be found here: <https://docs.microsoft.com/en-us/microsoftteams/teams-privacy>.

The meetings may be recorded so the research team can ensure the notes they produce are accurate. The recording will not be watched by anyone outside of the research team/advisory group and research participants’ permission to record will be asked at the start of the interview.

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We may share advisory group members' names, roles, and professional contact details with other members of the advisory group to support collaboration and networking as part of the group's activities.

With the permission of advisory group members, we will credit them in our reports.

6 Is personal data being transferred outside of the United Kingdom (UK)?

NFER only stores personal data in the UK.

7 How long will personal data be retained?

NFER will retain personal data for up to 12 months after the publication of the final report in spring/summer 2026.

8 What rights do I have over my personal data?

Advisory group members can withdraw their data from being processed at any time during the project. Should you withdraw from the research, any personal data you have provided up to that point will still be used unless you indicate otherwise.

Under certain circumstances, you have the right:

- to request access to information that we hold about you (subject access request)
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (for example, permitting its storage but no further processing)
- to object to our processing
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If at any time you wish to exercise any of these rights and/or withdraw your data from the project, please contact the Project Leader Matt Walker (m.walker@nfer.ac.uk).

If you wish to make a subject access request, restrict or object to processing, please contact our Compliance Officer (compliance@nfer.ac.uk).

9 Who can I contact about this project?

NFER is responsible for the day-to-day management of this evaluation. Contact the Project Leader Matt Walker (m.walker@nfer.ac.uk) with any queries.

If you have a concern about the way this project processes personal data, we request that you raise your concern with us in the first instance (see the details above). If you are still dissatisfied, 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/>.

10 Last updated

We keep this privacy notice under review to make sure it is up to date and accurate. Any changes will be noted.