

Privacy notice for pupils receiving tuition

National Tutoring Programme – Tuition Partners

1 Why are you receiving this privacy notice?

Your school is participating in the National Tutoring Programme – Tuition Partners (the TP programme) and your data is being used for the TP programme evaluation

This privacy notice sets out how your personal data, information like your name and date of birth, which can be used to identify individuals, is collected and used to deliver and evaluate the programme.

The Tuition Partner providing support in your school will also process your personal data as part of their work. This activity will be covered by their privacy information available here [TP to attach or insert link to TP’s privacy notice].

2 What is the TP programme?

The TP programme is a government-funded initiative to support schools to address the impact of COVID-19 schools closures on pupils’ learning. Schools are able to access subsidised high-quality tutoring from an approved list of providers, known as Tuition Partners.

The TP programme is:

- Funded by the Department for Education (DfE)
- Managed and administered by the Education Endowment Foundation (EEF)
- Implemented in schools by a network of 33 approved organisations, known as Tuition Partners
- Evaluated by a consortium led by the National Foundation for Educational Research (NFER) along with Kantar and the University of Westminster (‘the Evaluator’).

3 Why are we collecting personal data?

Your school has selected [insert name of TP] to provide catch-up tuition in the school. They use information about pupils to deliver that tuition.

The Department for Education and EEF are interested in learning which types of tutoring are most effective and have commissioned an evaluation. The Evaluator will investigate the programme’s impact on pupil attainment and how this varies by different tutoring approaches, pupil and school characteristics. The evaluation will also look into the experiences of schools, tutors and pupils in

order to improve the delivery of tutoring in the future. Information about you will be used to carry out the evaluation.

As the government’s full catch-up package is implemented, further research to assess the effectiveness of the National Tutoring Programme, or analyse the effect of COVID-19 restrictions on pupils’ attainment and other outcomes may be commissioned. Some of this research will use the data that has been archived (see Section 9 of this privacy notice). To reduce the burden on schools, the DfE and EEF reserve the right to re-use personal data for research deemed compatible with the purposes outlined in this privacy notice.

4 What personal data is being collected?

If your school has selected you to receive tuition, the following types of information about you will be collected:

- Data to understand which pupils have been selected for tutoring including: name, date of birth, Unique Pupil Number (UPN), pupil premium eligibility, whether you have special educational needs, and information about your attendance at tutoring sessions. This will be matched to the National Pupil Database (NPD) (see below).

When matching to the NPD, the following types of information about you will be collected:

- Background characteristics such as gender*, ethnicity*, socio-economic status and household proximity to school
 - Information on pupil performance / attainment
 - Special educational needs*
 - School attendance / exclusion
 - Whether you are a child in care or a child in need
- *considered special category data

If you are receiving tutoring, you may also be asked to participate in a focus group to share your views and experience.

Some schools will decide to become TP School Research Champions and this entails additional data being collected. Additional information on data collection for pupils from TP School Research Champion is available at a separate Privacy Notice at <https://www.nfer.ac.uk/for-schools/participate-in-research/evaluation-of-tuition-partners/tuition-partners-school-research-champions/>

5 Who is responsible for deciding how your information is processed for the evaluation?

The DfE, the EEF and the Evaluator are joint data controllers for the evaluation. They decide how and what data will be collected and used.

6 What do we do with the information about you?

The data collected from the school and the NPD will be used to deliver and evaluate the TP programme. Data will be analysed with those of other participants in the evaluation and used to write a report. No automated decisions will be taken about you when using your personal data. No individuals will be identifiable in any data tables or quotes reported.

For the special data we are processing about you (see section 7), we do not believe this will cause damage or distress. Processing this data will not result in any decisions being made about you.

7 What is the legal basis for these activities?

To make the use of your data in the evaluation lawful, the Evaluator has identified specific grounds, known as a legal basis, for its processing. The legal basis available depends on the type of organisation so we have listed three below.

EEF, the NFER and Kantar have identified the following legal basis for processing personal data:

GDPR Article 6 (1) (f) which states:

Legitimate interests: the processing is necessary for your (or a third party's) legitimate interests unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

We have carried out a legitimate interest assessment, which demonstrates that the evaluation fulfils the Evaluator's core business purposes (undertaking research, evaluation and information activities). It has broader societal benefits and will contribute to improving the lives of learners by providing evidence about the most effective ways of providing catch-up tuition. The evaluation cannot be done without processing personal data but processing does not override the data subject's interests.

The University of Westminster have identified the following legal basis:

GDPR Article 6 (1) (e) which states:

Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

A separate legal basis is identified for processing special data. The legal basis for processing special data for the evaluation of Tuition Partners is:

GDPR Article 9 (2) (j) which states:

Archiving, research and statistics (with a basis in law): processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

8 How will your personal data be collected?

If you have been selected to receive tuition, the Tuition Partner will collect some personal data about you directly from your school, including name, date of birth, UPN, if you are eligible for pupil premium and whether you have special educational needs. They will also record any attendance at tutoring sessions. The Evaluator will use your UPN to match your data into the NPD.

The Evaluator will use short focus groups to gather pupils' views and perceptions of the programme.

9 Who will personal data be shared with?

No individual will be named in any report for this project.

Pupils' personal data will be shared between the organisations mentioned in this privacy notice. The school will provide their chosen Tuition Partner with information about you. The Tuition Partner will share your data with the Evaluator.

The Evaluator will be using a secure online portal to collect pupil data electronically. Your full name, date of birth and UPN will be shared with the NPD team to request your background characteristics.

If data collected for the evaluation of the TP programme is to be used in other COVID-19 related research, it will be shared with the research organisations appointed to carry out that research.

Three months after the publication of the evaluation report, pseudonymised¹ matched data will be added to the EEF archive, which is managed by FFT on behalf of EEF and hosted by the ONS. This will enable the EEF and other research teams to use the pseudonymised data as part of subsequent research through the ONS Approved Researcher Scheme, including analysing long-term outcomes of the TP programme through the NPD. The pseudonymised data may also be linked to other relevant datasets after archiving. Further information about the EEF archive is available from:

<https://educationendowmentfoundation.org.uk/projects-and-evaluation/evaluating-projects/evaluator-resources/archiving-evaluation-data/>

10 How is the security of your data maintained?

All partners have put in place appropriate measures to prevent pupils' personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, each organisation involved will limit access to pupil's personal information to their staff members who have a business need to see it.

¹ Pseudonymisation is a technique that replaces or removes information (like names or other meaningful identifiers) in a data set that identifies an individual. In this example names and dates of birth are replaced with a reference number.



Any data shared between the school, the Tuition Partners, EEF, the Evaluator and DfE will be via secure portal.

11 How long will pupils’ personal data be kept?

The Evaluator will securely delete any personal data relating to the evaluation one year after the publication of the final report, currently expected to be December 2021.

The Tuition Partner will securely delete any personal data collected for the evaluation alone at the end of the TP programme, when final grants have been paid (expected to be August 2021). The Tuition Partner may keep personal data collected as part of the delivery of their tuition services for longer – this is covered in the privacy notice they provide.

Once data has been archived, it is held in the EEF archive until it is no longer needed for research purposes.

12 Is personal data being transferred outside of the European Economic Areas (EEA)?

To be completed by the Tuition Partner, as appropriate:

No personal data is being transferred outside of the EEA for the delivery or evaluation of TP programme.

OR

Data protection legislation prohibits transfer of personal data outside of the EEA without appropriate safeguards. [insert TP name] transfers personal data outside of the EEA and safeguards it in the following ways [please complete].

13 What rights do I have over my personal data?

You can withdraw from the programme and/or from your data being processed, until it is added to the EEF archive. The DfE, the EEF, all the Tuition Partners and the Evaluator appreciate schools’, staff’s’, pupils’ and parents’ support in collecting this data since it is very important for the validity of the results. Should you withdraw from the programme or evaluation (i.e. decide not to engage with Tuition Partners or the evaluation), the Evaluator will still use the evaluation data that the school has provided up to that point and link it to NPD unless you indicate otherwise.

Under data protection legislation, 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 pupil’s 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 the pupil

If at any time you wish us to withdraw your data or correct errors in it, please contact TuitionPartners@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.

14 Who can I contact about this project?

Your school’s chosen Tuition Partner is responsible for the day-to-day delivery of catch-up tuition, if you have any queries about this element of the TP programme, please contact [TP to add email].

The EEF and the Evaluator determine the purposes and means of processing personal data for the evaluation of the programme. If you have concerns about the way this evaluation processes personal data, we request that you raise your concern with NFER in the first instance (see the details in Section 13 above). If you remain 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/>.

15 Updates

We keep this privacy notice under review to make sure it is up to date and accurate. Any changes will be noted. The date when this privacy notice was last updated is shown in the footer at the bottom of this document.

This privacy notice was updated in December 2020 to clarify how the pupil data is being used in schools which are participating in the TP programme only, that is, those who have not become TP School Research Champions.