Privacy notice for parents and carers of pupils

National Tutoring Programme – Tuition Partners

1 Why are you receiving this privacy notice?

Your son/daughter's school is participating in the National Tutoring Programme – Tuition Partners (the TP programme). Their data is being used for the TP programme evaluation and they may also be receiving tutoring.

This privacy notice sets out how your son/daughter's personal data, information like their name and date of birth, which can be used to identify them, is collected and used to deliver and evaluate the programme.

The Tuition Partner providing support in your son/daughter's school will also process your child's personal data as part of their work.

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 32 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 son/daughter's school has selected Tutor Trust to provide catch-up tuition in the school. They use information about pupils to deliver that tuition.

The Departmenf 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 your son/daughter 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 Some of this research will use the data that has been archived (see section 9 of this privacy notice).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 the school has selected your child's year group to receive tuition, or if your child is in Year 6 or Year 11, the following types of information about your son/daughter will be collected:

- Data for matching to National Pupil Database (NPD), including: name, date of birth, Unique Pupil Number (UPN)
- 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
- Interactions with social services
- Reasons for programme eligibility
- Information about participation in the TP programme including attendance at tutoring sessions.

*considered special category data

The evaluation will use pupil attainment data to measure the effectiveness of tuition. The Evaluator will request permission from the school to access your child's assessment data (if your child's school uses external assessments). This data will be collected in the autumn or spring term and again in the summer. If your child is in Year 6 or Year 11, their national test results (KS2 assessments or GSCEs) will be obtained by the Evaluator from the NPD.

If your child is receiving tutoring, they may also be asked to participate in a focus group about their views and experience.

5 Who is responsible for deciding how your son/daughter's 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 your son/daughter?

The data collected from the school, test providers 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 your child when using their personal data. No individuals will be identifiable in any data tables or quotes reported.

For the special data we are processing about your child (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 your son/daughter.

7 What is the legal basis for these activities?

To make the use of your child's 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 for 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 Partner 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 son/daughter's personal data be collected?

The Tuition Partner will collect some personal data about your son/daughter directly from their school, including name, date of birth, UPN, if your child is eligible for pupil premium and whether your child has special educational needs. They will also record any attendance at tutoring sessions.

The Evaluator will also collect pupil background details, tutoring attendance, and assessment data from the school or the school's commercial test provider. The Evaluator will use your son/daughter's UPN to obtain further background information (for example their gender, ethnicity, household proximity to school and whether they are eligible for Free School Meals) from 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 your child. The Tuition Partner will share your child's data with the Evaluator.

The Evaluator will be using a secure online portal to collect pupil data electronically. Your child's full name, date of birth and UPN will be shared with the NPD team to request their 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, pseudonymised[1] 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/

[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.

10 How is the security of your son/daughter's data maintained?

All partners have put in place appropriate measures to prevent pupil's' 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.

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)?

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

13 What rights do I have over my child's personal data?

Parents can withdraw their child from the programme and/or from their 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 your son/daughter 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 your son/daughter (subject access request)

- to have your son/daughter's 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 child's 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 son/daughter's 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 mail@thetutortrust.org

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.