

## **Privacy Notice for the Whole School Special Educational Needs and Disability (SEND) Review Process Evaluation Project**

Your school has chosen to take part in the Whole School SEND (WSS Review) Process Evaluation Project. This notice should be read alongside the Parent Information Sheet provided to you and will explain everything that you need to know about the project and how the data collected as part of the project will be processed. You should read these documents carefully and make sure that you fully understand them. If you require any further information, contact details are available at the end of this notice.

### **How will the study work?**

The project involves the evaluation of the WSS Review process. WSS Review is a scheme which looks to improve support and services for all students but especially those with special educational needs and disability. Schools participating in the research will be split into two groups, with one group implementing the WSS Review Process and the other group not. This is so that we can compare what happens in schools that do and do not implement the WSS Review.

Data from those students in Year 9 and Year 8 in September 2020 will be collected by FFT Education (FFT, part of the Fischer Family Trust) and accessed by Manchester Metropolitan University (Manchester Met, the researchers). We are also leaving open the possibility of Year 7. For the purpose of research, the data from all participating schools will be shared with FFT who will archive the data on behalf of the Education Endowment Foundation (EEF). It will also potentially be shared in an anonymised form with the Office for National Statistics and with other research teams. Further matching to the National Pupil Database and other administrative data may take place during subsequent research. Data will be shared under the terms of a Data Sharing Agreement which defines use, and agrees confidentiality and information security provisions.

Your child's data will be treated with the strictest confidence and following the data protection policies of the parties listed below, in line with GDPR compliance. We will not use your child's name or the name of the school in any report arising from the research. We expect that your child will benefit from being part of the project. Your child may withdraw at any time. If you would prefer your child not to complete the Strengths and Difficulties Questionnaire or their attainment and behaviour data not to be processed as described in the Parent Information Sheet, please complete the withdrawal form attached to the Parent Information Sheet and return it to your school. If you would like more information, please contact either the National Association of Special Educational Needs (nasen) or Manchester Met, again using the contact details provided on the Parent Information Sheet.

### **Details of parties who have access to the data and their roles**

There are several parties involved in this project.

- The funder – **The Education Endowment Foundation (EEF)** – who will receive the results of the evaluation but does not receive data. At the end of the trial, the researchers will submit the data to the EEF Archive Manager, see below.
- The developer – **The National Association of Special Educational Needs (nasen)** – who will recruit schools to the project and deliver training to schools on the WSS Review process and provide additional support to participating schools.
- The data collectors - **FFT Education (FFT)** who will collect data and personal data on behalf of Manchester Met.

- The researchers – **Manchester Metropolitan University (Manchester Met)** – who will evaluate the effectiveness of the nasen delivery using data, personal data and special category data collected by FFT.
- The data archive manager – which is currently managed by FFT. At the end of the project, the researchers will be securely submitting data to the EEF archive for storage to be made available for future research.

### **What categories of personal data will be collected and analysed by the project**

The following pupil data will be collected by FFT on behalf of Manchester Met:

- (i) Unique Pupil Number;
- (ii) Pupil's full name;
- (iii) Date of birth;
- (iv) Sex;
- (v) Ever-FSM status (whether your child has ever received free school meals);
- (vi) SEND (ECHP or support) (whether your child has special educational needs);
- (vii) Primary identification of need;
- (viii) Current class for English (at September 2020);
- (ix) Results in English and mathematics at Key Stage 2;
- (x) Number of temporary exclusions in a school year;
- (xi) Number of authorised absences in a school year;
- (xii) Number of unauthorised absences in a school year;
- (xiii) Your child's GCSE results in English and mathematics;
- (xiv) Responses to the Strengths and Difficulties Questionnaire, which is a measure of well-being.

### **How and why the personal data will be processed**

The researchers (Manchester Met and FFT) will process the data to evaluate the effectiveness of the WSS Review process that is delivered by nasen. FFT will pass the data they collect from schools via secure means to Manchester Met. Manchester Met will assess the data from Year 9 students in autumn 2023 and if this data is robust then will assess data from Year 8 students in autumn 2024. Manchester Met will make comparisons between the schools implementing the WSS Review, and those who are not implementing the WSS Review in order to determine how effective the intervention is. Results will be written up in the form of a report.

A sample of ten schools will participate as case studies. During case study visits, the researchers may interview students and/or ask students to complete a short questionnaire. Separate participant information sheets and ethical consent forms will be issued to parents and students at these schools.

Throughout this process your child's data will be treated in strictest of confidence and in accordance with the law. At no stage during the evaluation will your child's identity be apparent to anyone other than to members of the research team, who will process your child's data entirely lawfully, and it will not be possible to identify your child or their school in the results. No information identifying students or the school will be in any report arising from the research.

### **How personal data will be stored**

We will only retain your child's personal data for as long as is necessary to achieve the research purpose. Data will be transferred from FFT to Manchester Met via a secure transfer site. All research data will be held within a secure research area agreed with Manchester Met's Head of Information Security. Any information identifying students collected via surveys, interview or observation will be given a unique code for each participant immediately after collection and prior to analysis in order to reduce risk.

### **Identities of the Data Controllers and Data Processors**

- **The National Association of Special Educational Needs (nasen)** are a Data Processor as they will collect the data specified by Manchester Met during recruitment;
- **FFT Education (FFT)** are a Data Processor as they will collect the data specified by Manchester Met at baseline and after the WSS Review process has been delivered;
- **Manchester Metropolitan University (Manchester Met)** will be a Data Controller in respect of any personal data of students/and or teachers which they process for the purposes of the project;
- **The Education Endowment Foundation (EEF)** becomes the Data Controller at the end of the project once the data is submitted to the EEF Data Archive, currently managed by FFT (Data Processor for the archive).

### **Legal basis for processing**

The data processing is necessary for the parties to undertake a research project into the effectiveness of the WSS Review process with a focus on its impact on students currently in Year 9 and Year 8 (as of September 2020). This project is **in the public's interest** as the results will help assess the performance of the WSS Review process on student achievement and well-being.

Specifically, Manchester Met relies on the below processing conditions under the GDPR in order to process personal data (data which identifies someone such as name or date of birth) and special category personal data (sensitive data, in this project SEND status) under this agreement;

- Personal data: The processing is necessary for the performance of a public task (namely the performance of the University's research functions) (article 6(1)(e));
- Special category personal data: The processing is necessary for research purposes in the public interest (article 9(2)(j)).

The other parties rely on the below processing condition to process personal data under this agreement

- The processing is necessary for purposes of legitimate interests (article 6(1)(f));
- The processing is necessary for research purposes in the public interest (article 9(2)(j)).

Data collected will not be used for any automated decision making or profiling.

### **Retention period for the data**

Personal data will be used throughout the duration of the project, including the analysis and main reporting phase which will end in January 2024. A further analysis and reporting phase may be undertaken in January 2025. The researchers will send data and personal data to the EEF's Archive Manager, currently FFT, at the end of the project to be archived and will destroy all personal data they hold by July 31<sup>st</sup> 2025.

### **Consequences for the subject of failing to provide the data**

We very much hope that you will allow your child to participate in the research project and for their data to be collected and processed. If you choose to withdraw your child from the project their data will not be shared with the researchers.

### **Subject's rights under GDPR**

If you do not want your child to take part in this project you can sign the withdrawal letter. You can also notify your school at any time during the research project if you no longer want your child to participate in data processing. Please be aware that withdrawing from the study will not affect the lawfulness of any processing we conducted prior to your withdrawal. If your child withdraws from the study after the study has commenced, any personal data collected prior to this point will be destroyed.

The GDPR provides data subjects with the following data subject rights:

- The right to be informed – this privacy notice assists with fulfilling these obligations;
- The right of access;
- The right to rectification;
- The right to erasure;
- The right to restrict processing;
- The right to object.

No personal data for this project will be stored or transferred outside of the EEA.

Please note, that these rights apply in certain circumstances, for example according to the lawful basis utilised by the Controllers. The right of access to personal information held about you exists in order to be aware of, and verify, the lawfulness of the processing. Please use the contact information below to exercise these rights.

### **Contacting us**

For questions or concerns about this Privacy Notice, or our use of your personal information, please contact Professor Cathy Lewin at Manchester Met in the first instance. Please contact her at [c.lewin@mmu.ac.uk](mailto:c.lewin@mmu.ac.uk), or telephone 0161 247 5191, or in writing to: Faculty of Education, Manchester Metropolitan University, Brooks Building, 53 Bonsall Street, Manchester, M15 6GX.

**Manchester Met** – Manchester Met's Data Protection Officer can be contacted at [dataprotection@mmu.ac.uk](mailto:dataprotection@mmu.ac.uk), or telephone 0161 247 3884 or in writing to: Data Protection Officer, Legal Services, All Saints Building, Manchester Metropolitan University, Manchester, M15 6BH.

### **Right to lodge a complaint with the supervisory authority**

You have the right to lodge a complaint with the Information Commissioner's Office (ICO) as the supervisory authority in respect of the processing of your personal data. We would encourage you to expend our internal complaints procedure through our initial contact and the University Data Protection Officer, prior to contacting the ICO. Please contact: [casework@ico.org.uk](mailto:casework@ico.org.uk) or telephone: 0303 123 1113. For any further contact information please see: <https://ico.org.uk/global/contact-us/>.

### **Updates to this privacy notice**

We may update this privacy notice from time to time in response to changing legal, technical or business developments. When we update our Privacy Notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make.