

Privacy notice for schools participating in the impact evaluation of Nuffield Early Language Intervention (NELI)

1 Why are we collecting this data?

The Education Endowment Foundation (EEF) has commissioned the National Foundation for Educational Research (NFER) to carry out an independent impact evaluation of the Nuffield Early Language Intervention (NELI). The aim of this evaluation is to measure the impact of NELI on participating pupils' language skills.

NELI is a government-funded 20-week initiative. It aims to develop children's vocabulary, listening and narrative skills and in the last 10 weeks also involves work to develop phonological awareness and early letter-sound knowledge as foundations for early literacy skills. The programme is managed by the Nuffield Foundation Education Limited and their delivery partner Oxford Education and Assessment Ltd (OxEd and Assessment Ltd). More information about the NELI programme can be found [here](#).

This document outlines how personal data of the school staff and pupils will be collected and processed as part of the impact evaluation.

Note: NFER is only contacting the member of school staff who agreed to be contacted about the impact evaluation when signing up for the programme.

2 Who makes decisions about how personal data is used?

The Department for Education (DfE) as the data controller makes decisions about how personal data is used for this impact evaluation. It has determined the means and purpose of the processing. EEF is the data processor and NFER is a sub-processor; it follows the instructions of DfE when processing personal data.

3 How is the use of personal data lawful?

For the use of your personal data to be lawful, the DfE as the data controller for this evaluation needs to ensure that one of the conditions in data protection legislation are met. For the impact evaluation, the relevant condition is:

Article 6 (1) (e) UK GDPR to perform a public task

The statutory basis for these tasks are set out in:

- S.10 The Education Act 1996: The Secretary of State shall promote the education of the people of England and Wales.

The legal basis for processing pupils' special personal data is covered by:

GDPR Article 9 (2) (j) which states that 'processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) (as supplemented by section 19 of the 2018 Act) based on domestic law which shall be proportionate to the aim pursued, respect the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject'.

We do not believe this processing will cause damage or distress to the data subjects. The outcomes of the evaluation will not result in the creation of measures or decisions being made about the data subjects.

4 How will personal data be obtained?

On signing up for the NELI programme in the 2021/22 academic year, schools were asked if they wanted to be contacted about being involved in the impact evaluation. Nuffield Foundation Education Limited and its delivery partner OxEd and Assessment Ltd have shared details of the staff contact at interested schools who consented to be contacted about the evaluation with NFER. Any additional personal data required by NFER will be collected directly from the staff involved when schools agree to participate.

Pupil data will also be analysed as part of the impact evaluation. NFER will not obtain this directly but will use the Secure Research Service (SRS) hosted by the Office for National Statistics (ONS).

5 What personal data is being collected by this project?

NELI Programme Signatory

OxEd and Assessment Ltd will share the following personal data with NFER:

- Name of the contact in the school who signed the MOU for the school to participate in NELI (typically the Headteacher),
- their job roles or job titles and
- their contact details such as email address and/or telephone number.

The NFER will use this data to contact each school, NFER will share an MoU which will need to be signed by the headteacher to confirm the school's participation in the impact evaluation. As part of the MoU, NFER will also collect some school-level data about NELI programme delivery in each school participating in the impact evaluation.

All schools participating in the evaluation will be asked by the NFER to provide the following details:

- NELI Lead name,
- NELI Lead job role or job title
- NELI Lead contact details such as email address and/or telephone number
- School Bursar name

- their job role or job title,
- their contact details such as email address and/or telephone number

The NFER will use the contact details of the NELI Lead to remind them to complete the final LanguageScreen assessment, NELI status indicator and the NELI delivery survey. School bursar contact details will be used to collect school's payment details to send out the thank you payment after the evaluation activities are completed.

Reception pupils

For schools that have signed up to take part in the impact evaluation, OxEd and Assessment Ltd will share the following data for reception pupils registered on the LanguageScreen app (except where parents withdrew their child from data processing for this impact evaluation) with the DfE's National Pupil Database (NPD) team.

The pupil personal data will include:

- Unique Pupil Identifier (UPN)
- First name
- Last name
- Date of birth
- Gender
- School class
- Whether the pupil is a learner of English as an Additional Language (EAL)
- Whether the pupil has been selected for the NELI programme
- Initial LanguageScreen assessment results
- Final LanguageScreen assessment results

DfE's NPD¹ will match above pupil data and will add the following NPD variables to the dataset:

- Whether the pupil is a learner of English as an Additional Language (EAL) – collected again in case these data in LanguageScreen are missing
- Special Educational Needs provision
- Nature of pupils' primary special educational need
- Child's ethnic code
- Whether the pupil is part-time or not
- Free School Meals eligibility
- Early Years Foundation Stage Profile assessment data

¹ The National Pupil Database (NPD) is a collection of data relating to education in England compiled by the Department for Education (DfE). The NPD is used by the DfE to inform policy and approved users can apply for extracts of it "for the purpose of promoting the education or wellbeing of children in England". If an application is approved, pupil data extracted from the tool is shared with the NPD team and matched to the requested datasets. The NPD team then send the matched set to the Office for National Statistics (ONS) (Secure Research Service) where NFER's approved researchers perform their analysis.

The NPD team will replace pupil names and UPN with a pseudonym (such as a reference number). This process is known as pseudonymisation². NFER researchers can only access and analyse this dataset within the ONS SRS and any output will be checked to ensure that no pupils can be identified from the analysis.

Above pupil data will be matched to data about school characteristics and school-level measures that NFER derives based on the number of NELI staff attending the training and the number of NELI sessions delivered in a school. NFER will create a school-level dataset and will upload it on SRS for analysis. This is derived from programme delivery surveys fielded by Nuffield Foundation Education Limited and training data held within OxEd and Assessment Ltd’s FutureLearn platform.

NFER needs to check that its approach to the analysis will answer the research questions. It will therefore be necessary to test this on subset of pupil data detailed above. OxEd will directly provide NFER with a pseudonymised dataset (containing gender, month and year of birth, EAL status and assessment data for each pupil, which is associated with class and school) through a secure data portal to carry out this preliminary analysis.

6 Who will personal data be shared with?

No schools or individuals will be named in any report for this project.

Your school already shares data directly with OxEd and Assessment Ltd as part of the delivery of the programme. They will share these data with NFER and the NPD team at DfE as described in section 5 of this privacy notice.

After three months from the completion of the study, pseudonymised¹ pupil data will be added to the Education Endowment Foundation (EEF) archive. The EEF archive is hosted by the ONS and managed by the EEF archive manager. This will enable DfE and other research teams to use the pseudonymised data as part of subsequent research. The pseudonymised data may also be linked to other relevant datasets after archiving.

The staff personal data collected for the evaluation will not be archived and will be deleted once the evaluation activities have been completed.

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

No personal data being processed as part of this evaluation is being transferred outside of the EEA.

² Pseudonymisation is a technique that replaces or removes information (like names or other meaningful identifiers) in a data set that identifies an individual.

8 How long will personal data be retained?

The NFER will securely delete any personal data relating to the evaluation one year after the publication of the final report, currently expected to be June 2023.

Pupil names and UPN will be deleted after the data is linked to the NPD, expected to be November 2022. The pseudonymised data set will be stored indefinitely in the EEF archive to enable researchers to track the impact of the programme on attainment at subsequent educational stages.

9 How is the security of data maintained?

NFER has measures in place to prevent personal data being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. NFER will limit access to personal data to staff members who have a business need to see it.

Arrangements for protection of personal data processed for the evaluation are below.

NFER has been certified to ISO27001 (GB17/872763) the internal standard for information security and holds Cyber Essentials Plus (IASME-CEP-004922). NFER operates Microsoft Windows Operating Systems and industry standard enterprise software such as databases and email, all managed to recognised industry standards with a full patching regime. All NFER laptops and mobile storage devices are encrypted and accessed with PIN-codes and strong passwords. Annual penetration tests are carried out by a CHECK-accredited supplier and remediation undertaken. We use a replicated disaster recovery service (RDRS) which allows the business to continue to operate in the event of failure. Any personal data which is shared with us is transferred using our secure portal and is encrypted in transit (HTTPS and TLS 1.2).

10 What rights do I have over my personal data?

Any school or individual can withdraw from their data being processed. DfE, EEF and the NFER appreciate schools' and staff's support in collecting this data since it is very important for the validity of the results. Should you withdraw from the evaluation, the DfE and NFER 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, individuals have the right:

- to request access to information that we hold about them (subject access request)
- to have their 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 from the evaluation or correct errors in it, please contact ImpactNELI@nfer.ac.uk

DfE determines the purposes and means of processing personal data as part of this project. Please see the DfE's [Personal Information Charter](#) for further information and contact details for their Data Protection Officer.

11 Who can I contact about this project?

The NFER is responsible for the day-to-day management of this impact evaluation. Contact ImpactNELI@nfer.ac.uk with any queries.

If you have any questions about how we use your personal information, please contact DfE and quote 'Impact evaluation of NELI' as a reference.

If you want to contact the Data Protection Officer (DPO), please contact DfE and mark it 'for the attention of the DPO'. If you have a concern about the way this project processes personal data, we request that you raise your concern with the DfE in the first instance. 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/>.

12 Updates

We keep this privacy notice under review to make sure it is up to date and accurate.