Evaluation Capacity Building
in Widening Participation Practice

Evaluation Practicalities Websites: Sharing Data 6B

The following websites provide answers to Frequently Asked Questions about sharing data. The sites provide links to legislation and other sources of support. This document directs you to some of the more relevant material. Other ECB Toolkit resources which may be useful include:

Evaluation Preparation: Mapping onto Student Lifecycle 2D

Evaluation Practicalities Activity: Issues about collecting core participant data 6A

Evaluation Practicalities Information: Categories for collecting data 6C

Legislation

There are two pieces of legislation influencing data sharing, the Data Protection Act (1998) and the Freedom of Information Act (2000).

Data protection Act: http://www.opsi.gov.uk/acts/acts1998/ukpga_19980029_en_1

Freedom of Information Act:
http://www.opsi.gov.uk/Acts/acts2000/ukpga_20000036_en_1

Information Commissioners Office

The Information Commissioner's Office is the UK's independent authority set up to promote access to official information and to protect personal information. The Commissioner is responsible for administering the provisions of the Data Protection Act 1998 and the Freedom of Information Act 2000.

It includes a wealth of information including answers to FAQ, and links to other relevant documents, and good practice notes, some of which we list below.

http://www.ico.gov.uk/

Good practice notes

- Data Protection Good Practice Note: Publication of examination results by schools
  http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/disclosure_of_examination_results_to_the_media_final_web_version.pdf

- Data Protection Good Practice Note: Individuals' rights of access to examination records
  http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/data_protection_good_practice_note_access_to_exam_results.pdf

- Disclosure of exam results to the media
  http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/schools_-_exam_results_disclosure_to_the_media.pdf

- Data Protection Good Practice Note: Collecting personal information using websites
  This information is often included as part of a privacy notice or statement. Your privacy notice should describe what you do and don't do with the personal information, as well as telling individuals about their rights and how to exercise them. For example, individuals have a right to be told if personal information about them is being processed, and to have a copy of this information. You should also tell them how to go about doing this.
  http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/collecting_personal_information_from_websites_v1.0.pdf

Technical Guidance

- Data Protection Technical Guidance Determining what is personal data
  This technical guide is likely to be of most use for your Data Protection Officer, however, it includes a series of questions with helpful explanations about what data is covered under the

Data Protection Act. The same data can have different status under the Act according to its intended use and purpose, see page 11 for details about use of photographs.
http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/personal_data_flowchart_v1_with_preface001.pdf

Fair Processing Notice

Under the Data Protection Act (1998) schools, Local Authorities, the DCSF and other educational bodies that process personal data about pupils are required to issue parents with a Fair Processing Notice that explains to them and their child/children the purposes for which that personal data may be held and used. The website includes sample letters and information sheets that schools and others can use to explain what and how they will process personal data. The link provides an introduction for those new to data collection.
http://www.teachernet.gov.uk/management/ims/datamanagement/fpnpupils/

Connexions

As noted below Connexions have a role in tracking young people. A number of Aimhigher partnerships have negotiated access to data and worked with Connexions to record details of Aimhigher participants. This can be very effective, but requires careful planning and negotiation and a clear statement or fair processing notice. As noted below parents or pupils aged 16 or over have the right to opt out and withhold permission for data exchange.

> For pupils of 13 years and over, the school is legally required to pass on certain information to Connexions services providers on request. This information includes the name and address of the pupil and parent, and any further information relevant to the Connexions services' role. However parents, or the pupils themselves if aged 16 or over, can ask that no information beyond name and address (for pupil and parent) be passed on to Connexions. If as a parent, or as a pupil aged 16 or over, you wish to opt-out and do not want Connections to receive from the school information beyond name and address, then please contact the school.
>
> The LA and DCSF may supply to Connexions services providers information which they have about children, but will not pass on any information they have received from the school if parents (or the children themselves if aged 16 or over) have notified the school that Connexions should not receive information beyond name and address.
>
> Extract from 'Fair Processing Notice – Schools Census 2008 – Layer 3'
> http://www.teachernet.gov.uk/_doc/11516/FPN%20SC2008%20LAYER%203%20v2.doc

Department of Constitutional Affairs (DCA) and Ministry of Justice

The DCA developed a Toolkit for Data Sharing that was aimed at service providers, such as local authority and other public sector employees, who have to grapple with data sharing issues. Although their work and responsibilities have been taken over by the Ministry of Justice their toolkit contains some case studies explaining how partnerships worked together to share data.

The Toolkit for sharing data http://www.foi.gov.uk/sharing/toolkit/index.htm

Case Studies for sharing data http://www.foi.gov.uk/sharing/toolkit/casestudies.htm
- Case Study 3: The Connexions Service
- Case Study 4: Bolton Information Sharing and Assessment (ISA) Pilot Project

> If you have examples of good practice for sharing data please contact Ann-Marie Houghton to discuss disseminating your approach in the ECB toolkit

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