

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA141218-0754

15 January 2019

Dear [REDACTED]

Thank you for your request for information which the GLA received on 14 December 2018. Your request has been dealt with under the Freedom of Information Act (2000)

Our response to your request is as follows:

1. the application for the data made to the DfE

Three data requests were made to the Department of Education for NPD data. The data request documents are appended below.

2. the data sharing agreement / license agreement with the DfE

Two of these three requests were successful. The agreements for the supply of data for these two requests are appended below.

The remaining request (related to linking Higher Education Statistics Agency data) has not at the time of writing been approved.

Please note that some names of members of staff are exempt from disclosure under s.40 (Personal information) of the Freedom of Information Act. This information could potentially identify specific employees and as such constitutes as personal data which is defined by Article 4(1) of the General Data Protection Regulation (GDPR) to mean any information relating to an identified or identifiable living individual. It is considered that disclosure of this information would contravene the first data protection principle under Article 5(1) of GDPR which states that Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.

3. Further, please list any other third-party, or GLA, held data sources linked to the data received from the National Pupil Database -- linked by the GLA or by a third party at its request, for its purposes of this project

Due to delays in receiving data from the Department, at the time of writing data processing of linked data has not commenced.

4. *Copies of the relevant or directly related data sharing agreements and MOU and/or a list of names of any other parties (not the GLA or the DfE) which whom these data may be shared, have been shared, or could be shared or have access today, or intended in future*

The data has been provided directly by the Department for Education to Mime Consulting, the GLA's appointed data analysts/processors for this project.

5. *the outcomes delivered as described in any data output or report (ie any categorisation of the pupils, profile, data inferred, or risk assessment)*

The GLA does not hold any information in scope of this part of your request. Due to delays in receiving data from the Department, at the time of writing data processing of linked data has not commenced.

6. *retention period planned (and the document(s) in which this is set out)*

Data will be retained, as per the data schedules appended in (2) above until 1 May 2019.

7. *any interventions intended, or carried out with schools or individuals as a result of the use of the data.*

The GLA does not hold any information in scope of this part of your request.

8. *where the use of these data are recorded in any register, or may be accessible to the people the data are about, and/or the privacy notice they have been provided about this project data processing.*

The GLA does not hold any information in scope of this part of your request.

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

Paul Robinson
Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>



Department
for Education

The National Pupil Database, Individual Learner Records and/or HESA Student Record

Linked data request application form

Introduction

Linked NPD, ILR and HESA Data

This application form should be used for requesting linked National Pupil Database (NPD), Individualised Learner Record (ILR) and Higher Education Statistics Agency Ltd (HESA) data. This means any combination of the following:

- NPD data linked to ILR data;
- NPD data linked to HESA data;
- NPD data linked to ILR and HESA data; or
- ILR data linked to HESA data.

Before making an application, please make sure that you have read the relevant guidance for the linked NPD, ILR and HESA data (hereafter referred to as “**Linked Data**”) you require, which is set out below:

NPD data - [GOV.UK NPD webpages](#) including the [NPD User Guide](#).

ILR data - <https://www.gov.uk/government/collections/individualised-learner-record-ilr>

HESA data - www.hesa.ac.uk/linkeddata

Please note that we will **NOT** consider applications for Linked Data more than three months in advance of the data being required by the “Requester” or applications for Linked Data more than three months in advance of its release on the Linked Data process (see ‘Timetables’ worksheet in [NPD Data Tables, HESA Data Tables and ILR Data Tables](#)). Additionally, only forms that are **completed in full** will be considered so please ensure every question is answered in full in order to avoid unnecessary delays.

This form and the [Information Security Questionnaire](#) should be filled in electronically and emailed back to the NPD requests mailbox (NPD.REQUESTS@education.gov.uk).

Applications for standalone NPD, ILR and HESA Data

If you are applying for NPD data only, you need to apply using a different form (the NPD data request application form). Further guidance about this form and how to request an extract from NPD can be found on the [GOV.UK NPD webpages](#).

If you wish to apply for ILR data only, further guidance about how to request an extract from ILR can be requested by e-mailing Data&MI@sfa.bis.gov.uk If you wish to apply for HESA data only, further guidance about how to request an extract from HESA can be found at www.hesa.ac.uk/IP.

Who can request access to the data?

There is specific legislation which allows the Department for Education (DfE) to share individual pupil data with persons named in the [Education \(Individual Pupil Information\) \(Prescribed Persons\) \(England\) Regulations 2009](#). This includes schools, local authorities and some named agencies. These regulations also allow the department to disclose individual pupil data to persons who, for the purpose of promoting the education or well-being of children in England are conducting research or analysis, producing statistics, or providing information, advice or guidance.

To enable Linked Data to be requested from and provided by DfE, the Department acts as data processor in relation to ILR and HESA data.

To be granted access to the Linked Data extracts, requesters must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements, and retention and use of the data. They will have to demonstrate that they comply with all relevant requirements of the [Data Protection Act 1998](#), including that they:

- Are registered with the Information Commissioner's Office to process personal data or fall within an exemption;
- Have appropriate security arrangements in place to process the data (by completing the Information Security Questionnaire);
- Intend to use the data only for the specified purpose in their request;
- Will keep the data only for the specified length of time;
- Will not share the data without prior written approval of DfE.
- Will not further disclose, publish or pass on the data without the prior written approval of the DfE.

Requesters will need to sign an agreement to confirm this.

Any reports, papers, statistical tables, or other products published or released, must fully protect the identity of individuals.

Processing of Linked NPD, ILR and HESA data request applications

When you make a request for Linked Data the NPD element (where applicable) will be considered by DfE's Data Requests Team with the exception of tier 1 data requests which will be assessed by DfE's Data Management Advisory Panel (DMAP). Your application will also be forwarded by DfE to the following (where applicable):

- The Department for Education ("DfE") is data controller of the ILR and the Skills Funding Agency (SFA), an executive agency of DfE, is the information asset owner; and/or
- Higher Education Statistics Agency Ltd (HESA) and the Higher Education Funding Council for England (HEFCE) who are Joint Data Controllers of the HESA data for the purposes of responding to such requests.

These bodies will decide whether to release their data to you. They will communicate their decisions to DfE (including specifying any special terms for the release of their data) who will inform you of the outcome of their decisions.

Where it is agreed to provide you with data, you will be provided with a [Schedule to the Agreement for the supply of linked data](#), which you will be required to sign and return. By signing this you will be agreeing to the terms and conditions set out in the [Agreement for the supply of linked data](#), which you will also be provided with. A signed [Linked data individual declaration form](#) will need to be signed and returned for each permitted user.

Please keep a copy of all the documents, including completed forms, for your own records.

Publication of details of requests

DfE has a policy of publishing details of all requests it receives for Linked Data on the [GOV.UK NPD webpages](#). The information published will include the following:

- Name of the requesting organisation;
- A summary of the aims of the project or research being carried out;
- Tier of NPD data requested (recorded from 1 August 2012 onwards)
- Whether or not it is a Linked Data request; and
- Details of the outcome of the application.

For the avoidance of doubt, no personal data will be published by DfE.

Application Form

1	Contact details
Contact Name (only one contact name to be provided)	
██████████	
E-mail Address	
██████████@london.gov.uk	
Please tick here if you do not want your E-mail Address to be shared with the Pupil Level User Group (PLUG) or carefully selected third parties (for the purposes of promoting research relating to education and child wellbeing).	
☐	
Telephone	
020 7983 ████████	
Name of organisation (including Department)	
Greater London Authority - Economic and Business Policy	
Position in organisation	
Principal Policy Officer	
If you are a student, please specify your supervising tutor and their telephone number and e-mail address	
N/A	
Name of organisation (or person) who will be entering into the Agreement for the supply of Linked Data (the "Requester")	
The "Requester" will be the organisation (or person) who will be entering into the Agreement for the supply of linked data and to whom it will be agreed to supply the Linked Data under this agreement.	
Greater London Authority	
Address of Requester (including postcode)	
City Hall The Queen's Walk London SE1 2AA	
Name of organisation (or person) who will be responsible for processing the data (the "Processor") (only required if different from "Requester" organisation (or person) above)	
The "Processor" will be any organisation (or person) other than an employee of the "Requester" who will be processing the data on behalf of the "Requester".	
Mime Consulting	
Address at which the data will be processed (only required if different from "Requester" address above)	

144 Clapham Manor Street
London
SW4 6BX

2 Details of DfE, SFA, HESA or HEFCE involvement

a Have you discussed your request in advance with DfE, SFA, HESA or HEFCE? (Please insert X if 'No')

Yes – provide details of the member(s) of staff who have assisted you.

No X

b Has the project or research been sponsored / commissioned by DfE, SFA, HESA or HEFCE? (Please insert X if 'No')

Yes - provide details of the DfE, SFA, HESA or HEFCE project sponsor(s) and their involvement in the project or research.

No X

c Has the project or research been sponsored / commissioned by another organisation? (Please insert X if 'No')

Yes – provide details of the individual(s), organisation(s) and their involvement in the project or research.

No X

3 Information Commissioner's Office (ICO) Registration

a ICO Registration Number or Exemption Ground

It is mandatory to provide a registration number unless you have a valid exemption.

Z4760661

b ICO Registration Expiry Date

It is mandatory to provide this where an ICO Registration Number has been provided above. Where your ICO Registration is due to expire within the next 3 months, please give details of what plans you have to renew this.

11th June 2018

4 Previous applications to use or access NPD or Linked Data

a Do you (or your organisation) currently have access to NPD or Linked Data? (Please insert X if 'No')

To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.

	DR Reference	NPD/Linked request	Name of contact (responsible for submitting request)	Summary of data provided

Yes - provide details (as shown) of previous applications.					
No		X – Although our Processors Mime Consulting do. We are also waiting on the outcomes of other NPD requests			
b	Are you requesting approval to reuse any of the NPD or Linked Data you've previously been granted access to as part of this request? (Please insert X if 'No / Not applicable')				
Yes - provide full details of what NPD or Linked Data you wish to re-use (including the DR Reference(s) under which you were granted access to the data).					
No / Not applicable		X			
c	Are you requesting any additional NPD or Linked Data to that you currently have access to? (Please insert X where relevant)				
Yes – Please insert an X and go on to section 5 (Enquiry details).		X			
No – Please insert an X and move straight onto section 6 (Intended use of Linked Data).					

5	Enquiry details	
a	NPD - Specify which NPD datasets, academic years and versions are required. Please refer to the NPD user guide and NPD data tables for what is available from NPD. Requirements relating to data linking (how NPD data will be linked to any ILR and/or HESA data) and coverage must be included in section 5f. This is a Tier 4 NPD request. We require the following for 2010/11 to 2015/16 inclusive matched to the ILR linked data: - Key Stage 4 outcomes (final). This is both the Pupil (including indicators) and Results level data - January school census for Years 10 to 14 - Alternative provision census Note that we propose to match the above data and linked ILR data with the school census and Key Stage 5 data we have requested in separate (non-linked) NPD request which is in progress with reference DR180125.01 (Tier 2).	
b	NPD - Specify which Tier 1 and/or Tier 2 NPD fields are required, explaining on a field by field basis why each item is required and why the same research outcome cannot be achieved by using less sensitive or disclosive data. Please refer to the NPD user guide and NPD data tables for further details of what Tier 1 and Tier 2 fields are available. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.	
Data item		Tier (1 or 2)
Reason data item required		

c	ILR - Specify the academic years and <u>each individual field</u> that is required. Please refer to the ILR data tables for what is available from ILR. Requirements relating to data linking (how ILR data will be linked to any NPD and/or HESA data) and coverage must be included in section 5f. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.	
	Data item	Year(s) required
	Reason data item required	
	Learner fields:	
	s.PupilMatchingRefAnonymous	2010/11 to 2015/16
	L_CURRENTPCODE	2010/11 to 2015/16
	SEX	2010/11 to 2015/16
	LLDDHEALTHPROB	2010/11 to 2014/15
	L_DISABILITY	2010/11 to 2014/15
	L_EHC	2013/14 to 2015/16
	DEST	2010/11 to 2014/15
	PRIORATTAIN	2010/11 to 2015/16
	L_FIRSTFULLLEVEL2ACH	2010/11 to 2015/16
	L_FIRSTFULLLEVEL3ACH	2010/11 to 2015/16
	PlanLearnHours	2012/13 to 2015/16
	L_FullLevel2	2010/11 to 2015/16
	L_FullLevel3	2010/11 to 2015/16
	L_Notionlev_V2	2013/14 to 2015/16
	L_EmpstatPrior	2012/13 to 2015/16
	L_LenEmp	2013/14 to 2015/16
	Aims:	
	LEARNAIMREF	2010/11 to 2015/16
	AimType	2010/11 to 2015/16
	AimSeqNumber	2010/11 to 2015/16
	FundModel	2010/11 to 2015/16
	SOF	2010/11 to 2015/16
	ProgType	2010/11 to 2015/16
	PartnerUKPRN	2010/11 to 2015/16

		progression, and also look at churn between providers
DelLocPostCode	2010/11 to 2015/16	To understand where the learner has studied and explore travel to study patterns
LEARNSTARTDATE	2010/11 to 2015/16	To understand the start and end of the course, to monitor completion/drop out etc
LEARNPLANENDDATE	2010/11 to 2015/16	To understand the start and end of the course, to monitor completion/drop out etc
LEARNACTENDDATE	2010/11 to 2015/16	To understand the start and end of the course, to monitor completion/drop out etc
COMPSTATUS	2010/11 to 2015/16	To understand course outcomes to evaluate the success of the enrolment/drop out etc
OUTCOME	2010/11 to 2015/16	To understand course outcomes to evaluate the success of the enrolment/drop out etc
OUTGRADE	2010/11 to 2015/16	To understand course outcomes to evaluate the success of the enrolment/drop out etc
WITHDRAWREASON	2013/14 to 2015/16	To remove from the dataset learners who have withdrawn for reasons out of their control
D_L2Wid	2010/11 to 2015/16	To enable us to understand the course level and subject more easily (rather than having to derive through the learning aim)
D_L3Wid	2010/11 to 2015/16	
D_L2WidAch	2010/11 to 2015/16	
D_L3WidAch	2010/11 to 2015/16	
D_Notionlev_V2	2010/11 to 2015/16	
D_SecSubjAreaTier1	2010/11 to 2015/16	
D_SecSubjAreaTier2	2010/11 to 2015/16	
d	HESA - Specify the academic years and <u>each individual field</u> that is required. Please refer to the HESA data tables for what is available from HESA. Requirements relating to data linking (how HESA data will be linked to any NPD and/or ILR data) and coverage must be included in section 5f. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.	
Data item	Year(s) required	Reason data item required
N/A		
HESA is a charity and charges for the time taken to administer requests for Linked Data. Please tick here to confirm you have read their pricing policy and understand that there will be a charge for the HESA element of the data.		☐
e	Do you require the Linked Data you are requesting be matched with any other personal data you hold? (Please insert X if 'No')	
Yes - Please give details of the personal data you hold and propose to match to the Linked Data. Additionally, please signify whether (and if so when) you will be able to provide any data to the department to enable us to match the data you hold to the Linked Data, or whether you intend to match the data yourself.		We propose to match this Key Stage 4 data and matched ILR data with the NPD school census and Key Stage 5 data we have requested in separate (non-linked) NPD request – if that other request is successful.
No		
f	Specify any requirements relating to data linking and coverage of the Linked Data you require. Examples: 1. HESA 2012/13 linked to prior attainment in ILR, KS5, KS4 and KS2.	

	- ILR 2009/10 linked to future attainment in HESA. - KS4 Candidate/Indicators 2007/08 linked to future attainment in KS5, ILR and HESA. - For a list of pupils which we will provide (as outlined in section 5e above): KS4 Candidate/Indicators 2007/08 linked to Spring School Census 2007/08 (plus the sensitive fields listed in section 5e above) and future ILR and HESA attainment
--	---

We require the school census, AP census and KS4 data requested above (i.e. for 2010/11 to 2015/16) linked to ILR data for the subsequent years. So, for example, if a learner was in Year 11 in a London school in 2010/11 and were in an FE college in the next 3 years they would be in the 2010/11 School Census and KS4 data, plus the 2011/12, 2012/13 and 2013/14 ILR datasets.

6	Intended use of Linked Data
a	What are the aims of your project or research? Is there a specific question you are seeking to answer?
	We require data to enable us, in collaboration with London Councils, to explore the education and employment trajectories of young people in London following their GCSEs. The overarching objectives of the research are: - to conduct quantitative and qualitative analysis to better understand the pathways of young people in London from GCSE through to further study and employment; and - to produce practical recommendations for how the 16-18 education and skills landscape could be reformed in London to deliver improved learning and employment outcomes for all young Londoners. Specific questions we wish to answer with this <u>linked</u> data include: - Patterns within 16-18 participation, attainment, and progression of learners in academic and technical education. This should include: - Progress and outcomes from school to colleges and other institutions covered by ILR data, grouped by those with similar intakes in terms of attainment - Analysis of which FE subject sector area pathways deliver the best progression from Level 2 to Level 3 - Analysis of which FE/other pathways deliver better progression and outcomes for those who attain below Level 2/do not attain a qualification - The attainment and progress of students re-taking Level 2 English and/or maths in colleges and other organisations covered by the ILR. This should include: - The number and percentage of those who a) start b) achieve Level 2 English and/or maths - The number of attempts taken to achieve English and/or maths - The number and percentage of those who a) start b) achieve a Level 2 functional skills qualification - The number and percentage of students who progress from Level 2 to Level 3, following retake(s) in English and/or maths or a functional skills qualification - Analysis of outcomes at different institutions in London on Level 2 English and/or maths re-takes or a functional skills qualification - Patterns of drop out and 'churn' in post-16 education across academic and technical pathways. This should include: - The number and percentage of students who drop out of key stage 5 by sector subject area and type of institution - The number and percentage of students who switch courses/start a new qualification, without completing a previous course/qualification, during this phase - The number and percentage of students who switch institution during this phase - An exploration of the above issues, broken down by student characteristic, and comparisons to elsewhere in the country.
b	Why do you need the Linked Data requested to complete the aims of your project or research? If you are requesting NPD data you must also ensure you specify whether you are conducting research or analysis, producing statistics or providing information, advice or guidance and how this work will promote the education or well-being of children in England.

We are conducting research and analysis that will provide an evidence base for policy makers and practitioners to ensure they understand what is driving outcomes for London's learners at key stage 5, and what actions might be taken to drive up standards. The NPD, and specifically its matching to the ILR, provides the longitudinal data we require to look at issues such as change between institution, courses taken, outcomes obtained, drop-out and analysis by student characteristics.

c	For processing of personal data, you must inform us of the condition(s) for processing on which you intend to rely on from Schedule 2 of the DPA. Where you also intend to process sensitive personal data, you must also inform us of the condition(s) for processing on which you intend to rely on from Schedule 3 of the DPA. <u>Please note:</u> If you require the Linked Data you are requesting be matched with any personal data you hold (section 5e), you must specifically reference how the condition(s) for processing on which you intend to rely extend to cover this. The Data Protection Act (DPA) 1998 requires that data controllers have a fair and lawful basis for processing personal data. As existing controller(s) of the data, the Linked Data organisations require an understanding of the basis on which the requester considers their processing will be fair and lawful. Part of that includes the requester explaining the condition(s) for processing on which they intend to rely. For the purposes of the Linked Data process, sensitive personal data is personal data consisting of information as to the racial or ethnic origin of the data subject, their physical or mental health or condition, or their convictions, proceedings and criminal acts.
---	---

Schedule 2:

- 6(1).The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

This is a Tier 4 request so does not require processing of sensitive data.

d	Who is the intended audience?
	The outputs will be used by strategic leaders in local authorities, the GLA, London Councils and individual institutions. It will inform the Mayor's a new agenda for education and skills in the capital that improves outcomes for all young Londoners and prepares them for life and work in a global city. The research will also seek to support the development and implementation of the London Skills Strategy and inform preparations ahead of AEB devolution as part of wider plans for skills in London.
e	If the data is to be published or reproduced (where agreed disclosure control measures (see section j below) have been applied) what format will this be in? (Please insert an X for all that apply)
Academic research paper	
Internal publication or report	x (aggregate data only)
Commercial publication for which no charge will be made	
Commercial publication for which a charge will be made	
Website general access	x (Some outputs may be shared on a general access website)
Website with restricted access for which no charge will be made	

Website with restricted access for which a charge will be made																											
Other (please give details)																											
f	DfE has a policy of publishing details of all requests it receives for Linked Data on the GOV.UK NPD webpages, including a summary of the aims of the project or research being carried out. Please summarise your responses to 6a and 6b above (in no more than 150 words) for inclusion in this publication.																										
We are carrying out a review of post-16 education in London, exploring the education and employment trajectories of young people following their GCSEs.																											
g	Details of all individuals who you propose to have access to the Linked Data extracts including their name, job title, organisation and why it is necessary for them to have access. Individuals only seeing the aggregated results of any analysis (where agreed disclosure control measures (see section j below) have been applied) do not need to be listed. Please note that for all Linked data requests which include Tier 1 or Tier 2 NPD fields, a valid 'basic disclosure' certificate is required for each individual listed. This can be requested online from the Disclosure Scotland website (you don't have to be from Scotland to do this). Each individual listed will be required to sign and return an individual declaration and a valid 'basic disclosure' certificate upon approval of a request. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'. <table border="1"> <thead> <tr> <th>Name</th> <th>Job Title</th> <th>Organisation</th> <th>Reason for access to Linked Data</th> </tr> </thead> <tbody> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Quality assurance of analysis and production of visualisations using processed data</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Quality assurance and processing of raw data in secure database and production of analysis and visualisation</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Processing of raw data in secure database and production of analysis and visualisation</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Processing of raw data in secure database and production of analysis and visualisation</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Processing of raw data in secure database and production of analysis and visualisation</td> </tr> </tbody> </table>			Name	Job Title	Organisation	Reason for access to Linked Data	██████████	██████████	MIME Consulting Ltd	Quality assurance of analysis and production of visualisations using processed data	██████████	██████████	MIME Consulting Ltd	Quality assurance and processing of raw data in secure database and production of analysis and visualisation	██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation	██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation	██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation
Name	Job Title	Organisation	Reason for access to Linked Data																								
██████████	██████████	MIME Consulting Ltd	Quality assurance of analysis and production of visualisations using processed data																								
██████████	██████████	MIME Consulting Ltd	Quality assurance and processing of raw data in secure database and production of analysis and visualisation																								
██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation																								
██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation																								
██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation																								
h	Where the individuals listed in "g" are from a different organisation to the "Requester" organisation, is there a contract in writing between the "Requester" organisation and the "Processor" organisation(s) and does this cover data protection and information security arrangements? (Please insert X if 'Not applicable') All organisations responsible for processing the Linked Data will be required to complete the Information Security Questionnaire.																										
Yes - Provide a summary of the contractual relationship and the data protection and information security arrangements in place.		Mime Consulting have been commissioned by the GLA on behalf of the project stakeholders to carry out this review. We have a specific data sharing agreement in place to cover this and have seen their Information Security Policy.																									

No - Explain why no written contract is required and provide us with a summary of the data protection and information security arrangements in place?		
Not applicable - No additional organisations are listed in "g".		
i	When will you commence using the Linked Data? How long are you seeking to retain the Linked Data for? Why is this period necessary? Please note: The maximum licence period we permit is 3 years. Should you wish to retain the data for a longer period, you can apply for an extension at the earliest a period of 3 months before the Licence End Date and this may be extended at the discretion of the Disclosing Parties.	
Commencing as soon as possible. We envisage that the analysis of the raw NPD data will be complete by December 2018. This period is set because we will be continuing to work with this data until this time and we may be required to make revisions to the model once the initial work is done. This allows for a reasonable amount of time after draft report and model is produced.		
j	Are you proposing to use the Standard Disclosure Control as set out in the NPD User Guide? (Please insert X if 'Yes')	
Yes		X
No - How will you ensure that the confidentiality of individuals is preserved in any outputs arising from your use of the Linked Data?		

7	Format of Linked data extracts	
a	What is your preferred file format for any Linked Data extracts that you may receive? (Please insert X against your preference)	
SPSS		
Tab-delimited text file		X
SQL database		
b	Which decryption / zip tool will you be using for any Linked Data extracts you may receive? (e.g. WinZip, 7-zip) Please be aware that any Linked Data extracts that are provided will be encrypted and zipped using WinZip in a .zipx file format. If this will be an issue then specify whether .zip would be a suitable alternative.	
7-zip		
c	Name and e-mail address of individual responsible for picking up Linked Data extracts (Must be a named individual in section 6g) Please be aware that once any Linked Data extracts are created, they are uploaded to DfE's secure web transfer system where individuals are then set up with the relevant permissions to gain access to these extracts.	
[Redacted] @mimeconsulting.co.uk		



Department
for Education

© Crown copyright 2015

You may re-use this document / publication (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence v2.0. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/version/2 or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to us at NPD.REQUESTS@education.gov.uk.

This document is also available from our [GOV.UK NPD webpages](#).



Department for Education

Schedule to the Agreement for supply of Linked Data

Data Sharing Approval Panel (DSAP) No: DS00089

NPD Data Request (DR) reference No: DR180226.02

DfE contact name	[REDACTED]
DfE contact e-mail address	NPD.requests@education.gov.uk
DfE Data Protection Office name, address, telephone number, email address	[REDACTED] Data Protection Officer, DfE [REDACTED]@education.gov.uk

Disclosing Parties	Department for Education
Billing address	n/a
Payment (excluding VAT)	n/a

Name of requesting organisation	Greater London Authority (GLA)
Contact name	[REDACTED]
Address	City Hall The Queen's Walk London SE1 2AA
Telephone number	020 7084 [REDACTED]
Contact e-mail address	[REDACTED]@london.gov.uk>
Data Protection Officer name, address, email address (mandatory for supply of Linked Data)	The Greater London Authority's DPO is Ian Lister. contactable via email on ian.lister@london.gov.uk [REDACTED]
Commencement date	12 October 2018
Applicant's licence end date	01 May 2019

Linked Data – add in ILR data here and NPD data and data tables	Data item	
	Learner fields:	
	s.PupilMatchingRefAnonymous 2010/11 to 2016/17	
	L_CURRENTPCODE 2010/11 to 2016/17	
	SEX 2010/11 to 2016/17	
	LLDDHEALTHPROB 2010/11 to 2016/17	
	L_DISABILITY 2010/11 to 2016/17	

L_EHC 2013/14 to 2016/17	
DEST 2010/11 to 2016/17	
PRIORATTAIN 2010/11 to 2016/17	
L_FIRSTFULLLEVEL2ACH 2010/11 to 2016/17	
L_FIRSTFULLLEVEL3ACH 2010/11 to 2016/17	
PlanLearnHours 2012/13 to 2016/17	
L_FullLevel2 2010/11 to 2016/17	
L_FullLevel3 2010/11 to 2016/17	
L_Notionlev_V2 2012/13 to 2016/17	
L_EmpstatPrior 2013/14 to 2016/17	
L_LenEmp 2013/14 to 2016/17	
Aims:	
LEARNAIMREF 2010/11 to 2016/17	
AimType 2010/11 to 2016/17	
AimSeqNumber 2010/11 to 2016/17	
FundModel 2010/11 to 2016/17	
SOF 2010/11 to 2016/17	
ProgType 2010/11 to 2016/17	
PartnerUKPRN 2010/11 to 2016/17	
DelLocPostCode 2010/11 to 2016/17	
LEARNSTARTDATE 2010/11 to 2016/17	
LEARNPLANENDDATE 2010/11 to 2016/17	
LEARNACTENDDATE 2010/11 to 2016/17	
COMPSTATUS 2010/11 to 2016/17	
OUTCOME 2010/11 to 2016/17	
OUTGRADE 2013/14 to 2016/17	
WITHDRAWREASON	
D_L2Wid 2010/11 to 2016/17	
D_L3Wid 2010/11 to 2016/17	
D_L2WidAch 2010/11 to 2016/17	
D_L3WidAch 2010/11 to 2016/17	
D_Notionlev_V2 2010/11 to 2016/17	
D_SecSubjAreaTier1 2010/11 to 2016/17	
D_SecSubjAreaTier2 2010/11 to 2016/17	



[https://education.gov.uk.sharepoint.com/sites/sa/g/NPD/5.
Data Requests 2018/DR180226.01 GLA Joel Mullan/0
2. DR180226.02 Data tablesv0.2 20180518.xlsx](https://education.gov.uk.sharepoint.com/sites/sa/g/NPD/5.Data%20Requests%202018/DR180226.01%20GLA%20Joel%20Mullan/02.DR180226.02%20Data%20tables%20v0.2%2020180518.xlsx)

	NPD data on the data tables is up to 2016/17 as well. GLA require the following NPD data for 2010/11 to 2016/17 inclusive matched to the ILR linked data: - Key Stage 4 outcomes (final). This is both the Pupil (including indicators) and Results level data - January school census for Years 10 to 14 - Alternative provision census Via Egress in Tab-delimited text file format to 1 May 2019. The plan is that this data share will be followed up with delivery to the ONS after egress delivery.
Classification of the Data Share	• De-identified personal level data (3) PMR and • Sensitivity level (D, E) English as an additional language
Expected timescale for delivery of NPD Data (from receipt of this signed Schedule)	1 – 2 weeks
Permitted use	Greater London Authority (GLA) has requested access to National Pupil Database (NPD) data linked with Individualised Learner Record (ILR) (7 years of data, including: school census and characteristics and attainment). GLA is carrying out a review of post-16 education in London, exploring the education and employment trajectories of young people following their GCSEs. GLA is conducting research and analysis that will provide an evidence base for policy makers and practitioners to ensure they understand what is driving outcomes for London's learners at 16 years of age, and what actions might be taken to drive up standards. The NPD provides the data GLA require to look at issues such as change between institution, as well as the courses taken, outcomes obtained and student characteristics. GLA already have requested, and had approved, an NPD only request for data. This is the key piece of data for their research as they are linking with ILR to see what pupils do post GCSE. (DR180125.01)
Permitted intended outputs	Internal publication or report, aggregate data only with some outputs being shared on a general access website. The outputs will be used by strategic leaders in local authorities, the GLA, London Councils and individual institutions. It will inform the Mayor's a new agenda for education and skills in the capital that improves outcomes for all young Londoners and prepares them for life and

	work in a global city. The research will also seek to support the development and implementation of the London Skills Strategy and inform preparations ahead of Adult Education Budget devolution as part of wider plans for skills in London.
Permitted user(s)	GLA, MIME Consulting Limited, MIME, MIME, MIME.
Legal gateway relevant to this data share	The legal bases for this data sharing service is the Section 537A Education Act 1996. This allows the Secretary of State for Education to share information about individual pupils to any prescribed person or person falling within a prescribed category. The Education (Individual Pupil Information) (Prescribed persons) (England) Regulations 2009 (the Regulation) prescribes who can be shared with. For the purposes of this agreement the legal basis falls under Reg 3(6)(d) of the regulation. This prescribed persons who, for the purpose of promoting the education or well-being of children in England, are: conducting research or analysis, producing statistics or providing information, advice or guidance, and require individual pupil data for that purpose. Data Subjects are aware of this via the relevant privacy notices for pupils and workforce in schools, for local authorities and for children in need and children looked after. For ILR, the legal gateways are likely to be one of the following (please delete as appropriate): • Education and Skills Act 2008 • Apprenticeships, Skills, Children and Learning Act 2009 (section 41) GLA has provided a link to their privacy notice – including details of how individuals can exercise their rights: https://www.london.gov.uk/about-us/governance-and-spending/privacy-policies/your-privacy-rights
Conditions for processing data	(1) Public task, public interest based in law There is a clear public interest in the data being processed. The Greater London Authority will use the findings of this data analysis to inform its preparations for devolution of the adult education budget from 2019. While devolution concerns the funding and accountability for post-19 further education, the Mayor is committed to a holistic and strategic approach to skills in London, which gives consideration to progression pathways from school and into further, higher and technical education, apprenticeships and/or sustained employment. This research will therefore seek to inform preparations ahead of AEB devolution as part of wider plans for skills in London. (2) Necessary for compliance with a legal obligation The data analysis will support the members of London

	Councils to fulfil their obligations under sections 15ZA and 18A of the Education Act 1996 (as inserted by the Apprenticeships, Skills and Children and Learning Act 2009) and Part 3 of the Children and Families Act 2014. This requires local authorities to “secure sufficient suitable education and training provision for all young people in their area who are over compulsory school age but under 19 or aged 19 to 25 and for whom an Education, Health and Care (EHC) plan is maintained.” The related <u>statutory guidance</u> states that local authorities are required “to have a strategic overview of the provision available in their area and to identify and resolve gaps in provision.” This data analysis will provide this overview to London Council’s member local authorities on a pan-London basis.
Use of consent (do we need this on the data schedule?)	Consent is not application for this request, however, GLA has provided the following link which details how individuals can exercise their rights: https://www.london.gov.uk/about-us/governance-and-spending/privacy-policies/your-privacy-rights
Disclosure control	Any published NPD figure(s) at a local level must be based on no fewer than 3 cases or else suppressed (e.g. replaced with an X, with a note “* in this table means the figures have been suppressed due to small numbers”. Zero is allowed). Any published NPD figure(s) at a school level from 2011 onwards must be based on no fewer than 6 cases or else suppressed (e.g. replaced with an X, with a note “* in this table means a figure less than 6”. Zero is allowed). Any published figures at school level for years prior to 2011 must be based on no fewer than 11 cases or else suppressed (e.g. replaced with an X, with a note “* in this table means a figure less than 11”. Zero is allowed). Even if only one cell requires cell suppression, you must suppress at least one other component cell (the next smallest) to avoid calculation of suppressed values from the totals.
Special conditions (if any)	There are some special conditions applied to this data schedule: The use of this data cannot be in conflict with the AED devolution DSA that already stands with the Department and GLA. The use of this data share is only for the purpose specified and should be deleted as per the terms and conditions in the agreement attached. When the research data is published it will not be in contradiction to the terms of the DSA already in place. The publication of this research will not set any precedent for an ongoing commitment to publish FE wide data for London as any intention to do that sits under the main agreement covering AEB devolution.

This document is the Schedule to the Agreement for the permitted use of Linked Data, a copy of which has been supplied to the Requester ("the Agreement"). In signing this Schedule, the parties are agreeing to the terms and conditions set out in the Agreement, including this Schedule.

Where I am in receipt of data from the DfE, I hereby declare that by the licence end date I will destroy the data and will provide evidence of compliance.

To be completed by the Requester:

SIGNED by:

[Redacted]

(Print name)

[Redacted]

(Signature)

SENIOR POLICY OFFICER - SKILLS
+ EMPLOYMENT

(Position)

25/10/18

(Date)

For and on behalf of:

GREATER LONDON AUTHORITY

(Organisation name)

To be completed by the Linked data organisations:

SIGNED by:

(Print name)

(Signature)

(Position)

(Date)

For and on behalf of:

(Linked data organisations)



Department
for Education

The National Pupil Database, Individual Learner Records and/or HESA Student Record

Linked data request application form

Introduction

Linked NPD, ILR and HESA Data

This application form should be used for requesting linked National Pupil Database (NPD), Individualised Learner Record (ILR) and Higher Education Statistics Agency Ltd (HESA) data. This means any combination of the following:

- NPD data linked to ILR data;
- NPD data linked to HESA data;
- NPD data linked to ILR and HESA data; or
- ILR data linked to HESA data.

Before making an application, please make sure that you have read the relevant guidance for the linked NPD, ILR and HESA data (hereafter referred to as “**Linked Data**”) you require, which is set out below:

NPD data - [GOV.UK NPD webpages](#) including the [NPD User Guide](#).

ILR data - <https://www.gov.uk/government/collections/individualised-learner-record-ilr>

HESA data - www.hesa.ac.uk/linkeddata

Please note that we will **NOT** consider applications for Linked Data more than three months in advance of the data being required by the “Requester” or applications for Linked Data more than three months in advance of its release on the Linked Data process (see ‘Timetables’ worksheet in [NPD Data Tables, HESA Data Tables and ILR Data Tables](#)). Additionally, only forms that are **completed in full** will be considered so please ensure every question is answered in full in order to avoid unnecessary delays.

This form and the [Information Security Questionnaire](#) should be filled in electronically and emailed back to the NPD requests mailbox (NPD.REQUESTS@education.gov.uk).

Applications for standalone NPD, ILR and HESA Data

If you are applying for NPD data only, you need to apply using a different form (the NPD data request application form). Further guidance about this form and how to request an extract from NPD can be found on the [GOV.UK NPD webpages](#).

If you wish to apply for ILR data only, further guidance about how to request an extract from ILR can be requested by e-mailing Data&MI@sfa.bis.gov.uk If you wish to apply for HESA data only, further guidance about how to request an extract from HESA can be found at www.hesa.ac.uk/IP.

Who can request access to the data?

There is specific legislation which allows the Department for Education (DfE) to share individual pupil data with persons named in the [Education \(Individual Pupil Information\) \(Prescribed Persons\) \(England\) Regulations 2009](#). This includes schools, local authorities and some named agencies. These regulations also allow the department to disclose individual pupil data to persons who, for the purpose of promoting the education or well-being of children in England are conducting research or analysis, producing statistics, or providing information, advice or guidance.

To enable Linked Data to be requested from and provided by DfE, the Department acts as data processor in relation to ILR and HESA data.

To be granted access to the Linked Data extracts, requesters must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements, and retention and use of the data. They will have to demonstrate that they comply with all relevant requirements of the [Data Protection Act 1998](#), including that they:

- Are registered with the Information Commissioner's Office to process personal data or fall within an exemption;
- Have appropriate security arrangements in place to process the data (by completing the Information Security Questionnaire);
- Intend to use the data only for the specified purpose in their request;
- Will keep the data only for the specified length of time;
- Will not share the data without prior written approval of DfE.
- Will not further disclose, publish or pass on the data without the prior written approval of the DfE.

Requesters will need to sign an agreement to confirm this.

Any reports, papers, statistical tables, or other products published or released, must fully protect the identity of individuals.

Processing of Linked NPD, ILR and HESA data request applications

When you make a request for Linked Data the NPD element (where applicable) will be considered by DfE's Data Requests Team with the exception of tier 1 data requests which will be assessed by DfE's Data Management Advisory Panel (DMAP). Your application will also be forwarded by DfE to the following (where applicable):

- The Department for Education ("DfE") is data controller of the ILR and the Skills Funding Agency (SFA), an executive agency of DfE, is the information asset owner; and/or
- Higher Education Statistics Agency Ltd (HESA) and the Higher Education Funding Council for England (HEFCE) who are Joint Data Controllers of the HESA data for the purposes of responding to such requests.

These bodies will decide whether to release their data to you. They will communicate their decisions to DfE (including specifying any special terms for the release of their data) who will inform you of the outcome of their decisions.

Where it is agreed to provide you with data, you will be provided with a [Schedule to the Agreement for the supply of linked data](#), which you will be required to sign and return. By signing this you will be agreeing to the terms and conditions set out in the [Agreement for the supply of linked data](#), which you will also be provided with. A signed [Linked data individual declaration form](#) will need to be signed and returned for each permitted user.

Please keep a copy of all the documents, including completed forms, for your own records.

Publication of details of requests

DfE has a policy of publishing details of all requests it receives for Linked Data on the [GOV.UK NPD webpages](#). The information published will include the following:

- Name of the requesting organisation;
- A summary of the aims of the project or research being carried out;
- Tier of NPD data requested (recorded from 1 August 2012 onwards)
- Whether or not it is a Linked Data request; and
- Details of the outcome of the application.

For the avoidance of doubt, no personal data will be published by DfE.

Application Form

1	Contact details
Contact Name (only one contact name to be provided)	
██████████	
E-mail Address	
██████████@london.gov.uk	
Please tick here if you do not want your E-mail Address to be shared with the Pupil Level User Group (PLUG) or carefully selected third parties (for the purposes of promoting research relating to education and child wellbeing).	
☐	
Telephone	
020 7983 ████████	
Name of organisation (including Department)	
Greater London Authority – Skills and Employment	
Position in organisation	
Senior Policy Officer	
If you are a student, please specify your supervising tutor and their telephone number and e-mail address	
N/A	
Name of organisation (or person) who will be entering into the Agreement for the supply of Linked Data (the “Requester”)	
The “Requester” will be the organisation (or person) who will be entering into the Agreement for the supply of linked data and to whom it will be agreed to supply the Linked Data under this agreement.	
Greater London Authority	
Address of Requester (including postcode)	
City Hall The Queen's Walk London SE1 2AA	
Name of organisation (or person) who will be responsible for processing the data (the “Processor”) (only required if different from “Requester” organisation (or person) above)	
The “Processor” will be any organisation (or person) other than an employee of the “Requester” who will be processing the data on behalf of the “Requester”.	
Mime Consulting	
Address at which the data will be processed (only required if different from “Requester” address above)	

144 Clapham Manor Street
London
SW4 6BX

2 Details of DfE, SFA, HESA or HEFCE involvement

a Have you discussed your request in advance with DfE, SFA, HESA or HEFCE? (Please insert X if 'No')

Yes – provide details of the member(s) of staff who have assisted you.

No X

b Has the project or research been sponsored / commissioned by DfE, SFA, HESA or HEFCE? (Please insert X if 'No')

Yes - provide details of the DfE, SFA, HESA or HEFCE project sponsor(s) and their involvement in the project or research.

No X

c Has the project or research been sponsored / commissioned by another organisation? (Please insert X if 'No')

Yes – provide details of the individual(s), organisation(s) and their involvement in the project or research.

No X

3 Information Commissioner's Office (ICO) Registration

a ICO Registration Number or Exemption Ground

It is mandatory to provide a registration number unless you have a valid exemption.

Z4760661

b ICO Registration Expiry Date

It is mandatory to provide this where an ICO Registration Number has been provided above. Where your ICO Registration is due to expire within the next 3 months, please give details of what plans you have to renew this.

11th June 2018

4 Previous applications to use or access NPD or Linked Data

a Do you (or your organisation) currently have access to NPD or Linked Data? (Please insert X if 'No')

To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.

	DR Reference	NPD/Linked request	Name of contact (responsible for submitting request)	Summary of data provided

Yes - provide details (as shown) of previous applications.					
No		X – Although our Processors Mime Consulting do. We are also waiting on the outcomes of other NPD requests			
b	Are you requesting approval to reuse any of the NPD or Linked Data you've previously been granted access to as part of this request? (Please insert X if 'No / Not applicable')				
Yes - provide full details of what NPD or Linked Data you wish to re-use (including the DR Reference(s) under which you were granted access to the data).					
No / Not applicable		X			
c	Are you requesting any additional NPD or Linked Data to that you currently have access to? (Please insert X where relevant)				
Yes – Please insert an X and go on to section 5 (Enquiry details).		X			
No – Please insert an X and move straight onto section 6 (Intended use of Linked Data).					

5	Enquiry details		
a	NPD - Specify which NPD datasets, academic years and versions are required. Please refer to the NPD user guide and NPD data tables for what is available from NPD. Requirements relating to data linking (how NPD data will be linked to any ILR and/or HESA data) and coverage must be included in section 5f. This is a Tier 4 NPD request. We require the following for 2010/11 to 2015/16 inclusive matched to the HESA linked data: - Key Stage 5 outcomes (final). This is both the Pupil (including indicators) and Results level data Note that we propose to match the above KS5 data and linked HESA data with the school census data and key stage 4 outcomes we have requested in separate (non-linked) NPD request (DR180125.01).		
b	NPD - Specify which Tier 1 and/or Tier 2 NPD fields are required, explaining on a field by field basis why each item is required and why the same research outcome cannot be achieved by using less sensitive or disclosive data. Please refer to the NPD user guide and NPD data tables for further details of what Tier 1 and Tier 2 fields are available. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.		
Data item		Tier (1 or 2)	Reason data item required

c	ILR - Specify the academic years and <u>each individual field</u> that is required. Please refer to the ILR data tables for what is available from ILR. Requirements relating to data linking (how ILR data will be linked to any NPD and/or HESA data) and coverage must be included in section 5f. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.	
Data item	Year(s) required	Reason data item required
N/A		
d	HESA - Specify the academic years and <u>each individual field</u> that is required. Please refer to the HESA data tables for what is available from HESA. Requirements relating to data linking (how HESA data will be linked to any NPD and/or ILR data) and coverage must be included in section 5f. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.	
Data item	Year(s) required	Reason data item required
HE_PUPILMATCHINGREFANONYMOUS	All available in the 10/11 to 16/17 time period	For matching to KS5
HE_UKPRN		To understand the university they went to, to help with categorisation of outcomes by university type
HE_XQUALENT01		To understand prior attainment level in case of discrepancies with NPD
HE_QUALENT3		To understand prior attainment level in case of discrepancies with NPD
HE_COMDATE		To understand when they started their course
HE_ENDDATE		To understand when they left the course
HE_YEARSTU		To understand the year of course they are on
HE_YEARPRG		To understand the year of course they are on
HE_CSTAT		To understand if they have finished their course or if they dropped out (as a measure of successful outcome)
HE_RSNEND		To identify the reason why the learner left the course, and see if this correlated with other post-16 information (e.g. course similarity)
HE_XQOBTN01		To identify if learners successfully went on to higher levels of study
HE_XCLASS01		To look at links between post-16 outcomes and HE degree class
HE_XLEV601		To understand level of study
HE_XJACS01_1 (and 2, 3 and 4)		To understand subject studied, and links to KS5 subjects
HE_XJACSA01_1 (and 2, 3 and 4)		To understand subject studied, and links to KS5 subjects
HE_XJACS201_1 (and 2, 3 and 4)		To understand subject studied, and links to KS5 subjects
HE_XFPE01_1 (and 2, 3 and 4)		To quantify proportion of time on this subject
HESA is a charity and charges for the time taken to administer requests for Linked Data. Please tick here to confirm you have read their pricing policy and understand that there will be a charge for the HESA element of the data.		☒

e	Do you require the Linked Data you are requesting be matched with any other personal data you hold? (Please insert X if 'No')	
	Yes - Please give details of the personal data you hold and propose to match to the Linked Data. Additionally, please signify whether (and if so when) you will be able to provide any data to the department to enable us to match the data you hold to the Linked Data, or whether you intend to match the data yourself.	We propose to match this Key Stage 5 data and matched HESA data with the NPD school census data we have requested in separate (non-linked) NPD request (DR180125.01).
	No	
f	Specify any requirements relating to data linking and coverage of the Linked Data you require. Examples: 1. HESA 2012/13 linked to prior attainment in ILR, KS5, KS4 and KS2. 2. ILR 2009/10 linked to future attainment in HESA. 3. KS4 Candidate/Indicators 2007/08 linked to future attainment in KS5, ILR and HESA. 4. For a list of pupils which we will provide (as outlined in section 5e above): KS4 Candidate/Indicators 2007/08 linked to Spring School Census 2007/08 (plus the sensitive fields listed in section 5e above) and future ILR and HESA attainment	
We require the KS5 data requested above (i.e. for 2010/11 to 2015/16) linked to HESA data for the subsequent years. So, for example, if a learner finished KS5 in 2010/11 and were in an HE establishment in the next 3 years they would be in the 2010/11 KS5 data, plus the 2011/12, 2012/13 and 2013/14 HESA datasets.		

6 Intended use of Linked Data	
a	What are the aims of your project or research? Is there a specific question you are seeking to answer?
We require data to enable us, in collaboration with London Councils, to explore the education and employment trajectories of young people in London following their GCSEs. The overarching objectives of the research are: • to conduct quantitative and qualitative analysis to better understand the pathways of young people in London from GCSE through to further study and employment; and • to produce practical recommendations for how the 16-18 education and skills landscape could be reformed in London to deliver improved learning and employment outcomes for all young Londoners. Specific questions we wish to answer with this <u>linked</u> HESA data include: • Participation, attainment, and progression of learners in academic and technical education, including: ○ Progress from school to higher education, grouped by those with similar levels of attainment ○ Analysis of which subject sector area pathways deliver the best progression from Level 3 to higher education • Patterns of 'churn' in post-16 education across academic and technical pathways, including: ○ The number and percentage of students who switch institution and successfully enter higher education • An exploration of the above issues, broken down by student characteristic, and comparisons to elsewhere in the country.	
b	Why do you need the Linked Data requested to complete the aims of your project or research? If you are requesting NPD data you must also ensure you specify whether you are conducting research or analysis, producing statistics or providing information, advice or guidance and how this work will promote the education or well-being of children in England.

We are conducting research and analysis that will provide an evidence base for policy makers and practitioners to ensure they understand what is driving outcomes for London's learners at key stage 5, and what actions might be taken to drive up standards. The NPD, and specifically its matching to the HESA, provides the longitudinal data we require to look at progression into higher education so we can understand the links between outcomes, student characteristics and progression, and identify the routes that are most likely to lead into higher education.

c	For processing of personal data, you must inform us of the condition(s) for processing on which you intend to rely on from Schedule 2 of the DPA. Where you also intend to process sensitive personal data, you must also inform us of the condition(s) for processing on which you intend to rely on from Schedule 3 of the DPA. <u>Please note:</u> If you require the Linked Data you are requesting be matched with any personal data you hold (section 5e), you must specifically reference how the condition(s) for processing on which you intend to rely extend to cover this. The Data Protection Act (DPA) 1998 requires that data controllers have a fair and lawful basis for processing personal data. As existing controller(s) of the data, the Linked Data organisations require an understanding of the basis on which the requester considers their processing will be fair and lawful. Part of that includes the requester explaining the condition(s) for processing on which they intend to rely. For the purposes of the Linked Data process, sensitive personal data is personal data consisting of information as to the racial or ethnic origin of the data subject, their physical or mental health or condition, or their convictions, proceedings and criminal acts.
---	---

Schedule 2:

- 6(1).The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

This is a Tier 4 request so does not require processing of sensitive data.

d	Who is the intended audience?
---	--------------------------------------

The outputs will be used by strategic leaders in local authorities, the GLA, London Councils and individual institutions. It will inform the Mayor's a new agenda for education and skills in the capital that improves outcomes for all young Londoners and prepares them for life and work in a global city. The research will also seek to support the development and implementation of the London Skills Strategy and inform preparations ahead of AEB devolution as part of wider plans for skills in London.

e	If the data is to be published or reproduced (where agreed disclosure control measures (see section j below) have been applied) what format will this be in? (Please insert an X for all that apply)
---	---

Academic research paper	
Internal publication or report	x (aggregate data only)
Commercial publication for which no charge will be made	
Commercial publication for which a charge will be made	
Website general access	x (Some outputs may be shared on a general access website)
Website with restricted access for which no charge will be made	

Website with restricted access for which a charge will be made																										
Other (please give details)																										
f	DfE has a policy of publishing details of all requests it receives for Linked Data on the GOV.UK NPD webpages, including a summary of the aims of the project or research being carried out. Please summarise your responses to 6a and 6b above (in no more than 150 words) for inclusion in this publication.																									
We are carrying out a review of post-16 education in London, exploring the education and employment trajectories of young people following their GCSEs.																										
g	Details of all individuals who you propose to have access to the Linked Data extracts including their name, job title, organisation and why it is necessary for them to have access. Individuals only seeing the aggregated results of any analysis (where agreed disclosure control measures (see section j below) have been applied) do not need to be listed. Please note that for all Linked data requests which include Tier 1 or Tier 2 NPD fields, a valid 'basic disclosure' certificate is required for each individual listed. This can be requested online from the Disclosure Scotland website (you don't have to be from Scotland to do this). Each individual listed will be required to sign and return an individual declaration and a valid 'basic disclosure' certificate upon approval of a request. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'. <table border="1"> <thead> <tr> <th>Name</th> <th>Job Title</th> <th>Organisation</th> <th>Reason for access to Linked Data</th> </tr> </thead> <tbody> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Quality assurance of analysis and production of visualisations using processed data</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Quality assurance and processing of raw data in secure database and production of analysis and visualisation</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Processing of raw data in secure database and production of analysis and visualisation</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Processing of raw data in secure database and production of analysis and visualisation</td> </tr> <tr> <td>██████████</td> <td>██████████</td> <td>MIME Consulting Ltd</td> <td>Processing of raw data in secure database and production of analysis and visualisation</td> </tr> </tbody> </table>		Name	Job Title	Organisation	Reason for access to Linked Data	██████████	██████████	MIME Consulting Ltd	Quality assurance of analysis and production of visualisations using processed data	██████████	██████████	MIME Consulting Ltd	Quality assurance and processing of raw data in secure database and production of analysis and visualisation	██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation	██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation	██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation
Name	Job Title	Organisation	Reason for access to Linked Data																							
██████████	██████████	MIME Consulting Ltd	Quality assurance of analysis and production of visualisations using processed data																							
██████████	██████████	MIME Consulting Ltd	Quality assurance and processing of raw data in secure database and production of analysis and visualisation																							
██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation																							
██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation																							
██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation																							
h	Where the individuals listed in "g" are from a different organisation to the "Requester" organisation, is there a contract in writing between the "Requester" organisation and the "Processor" organisation(s) and does this cover data protection and information security arrangements? (Please insert X if 'Not applicable') All organisations responsible for processing the Linked Data will be required to complete the Information Security Questionnaire.																									
Yes - Provide a summary of the contractual relationship and the data protection and information security arrangements in place.		Mime Consulting have been commissioned by the GLA on behalf of the project stakeholders to carry out this review. We have a specific data sharing agreement in place to cover this and have seen their Information Security Policy.																								

No - Explain why no written contract is required and provide us with a summary of the data protection and information security arrangements in place?		
Not applicable - No additional organisations are listed in "g".		
i	When will you commence using the Linked Data? How long are you seeking to retain the Linked Data for? Why is this period necessary? Please note: The maximum licence period we permit is 3 years. Should you wish to retain the data for a longer period, you can apply for an extension at the earliest a period of 3 months before the Licence End Date and this may be extended at the discretion of the Disclosing Parties.	
Commencing as soon as possible. We envisage that the analysis of the raw NPD data will be complete by March 2019. This period is set because we will be continuing to work with this data until this time and we may be required to make revisions to the analysis once the initial work is done. This allows for a reasonable amount of time after draft report and model is produced.		
j	Are you proposing to use the Standard Disclosure Control as set out in the NPD User Guide? (Please insert X if 'Yes')	
Yes		X
No - How will you ensure that the confidentiality of individuals is preserved in any outputs arising from your use of the Linked Data?		

7	Format of Linked data extracts	
a	What is your preferred file format for any Linked Data extracts that you may receive? (Please insert X against your preference)	
SPSS		
Tab-delimited text file		X
SQL database		
b	Which decryption / zip tool will you be using for any Linked Data extracts you may receive? (e.g. WinZip, 7-zip) Please be aware that any Linked Data extracts that are provided will be encrypted and zipped using WinZip in a .zipx file format. If this will be an issue then specify whether .zip would be a suitable alternative.	
7-zip		
c	Name and e-mail address of individual responsible for picking up Linked Data extracts (Must be a named individual in section 6g) Please be aware that once any Linked Data extracts are created, they are uploaded to DfE's secure web transfer system where individuals are then set up with the relevant permissions to gain access to these extracts.	
[Redacted], [Redacted]@mimeconsulting.co.uk		



Department
for Education

© Crown copyright 2015

You may re-use this document / publication (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence v2.0. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/version/2 or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to us at NPD.REQUESTS@education.gov.uk.

This document is also available from our [GOV.UK NPD webpages](#).



Department
for Education

The national pupil database

Data request application form

Introduction

National pupil database data

This application form should be used for requesting extracts of data from the National Pupil Database (NPD). Before making an application, please make sure that you have read all the accompanying information on the [GOV.UK NPD webpages](#) including the [NPD User Guide](#).

Please note that we will **NOT** consider applications for data more than three months in advance of the NPD data being required by the “Requester” or applications for the NPD data more than three months in advance of its release on the NPD (see ‘Timetables’ worksheet in [NPD Data Tables](#)). Additionally, only forms that are **completed in full** will be considered so please ensure every question is answered in full in order to avoid unnecessary delays.

This form and the [Information Security Questionnaire](#) should be filled in electronically and emailed back to the NPD Data Request team (NPD.REQUESTS@education.gsi.gov.uk).

Linked data

If you are applying for Linked data you need to apply using a different form which can be found on the [GOV.UK NPD webpages](#). Linked data is any combination of the following:

- NPD data linked to Individualised Learner Record (ILR) data;
- NPD data linked to Higher Education Statistics Agency (HESA) data;
- NPD data linked to ILR and HESA data; or
- ILR data linked to HESA data.

Who can request access to the data?

There is specific legislation which allows the Department for Education (DfE) to share individual pupil data with persons named in the [Education \(Individual Pupil Information\) \(Prescribed Persons\) \(England\) Regulations 2009](#). This includes schools, local authorities and some named agencies. These regulations also allow the department to disclose individual pupil data to persons who, for the purpose of promoting the education or well-being of children in England are conducting research or analysis, producing statistics, or providing information, advice or guidance.

To be granted access to extracts of the NPD requesters must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements, and retention and use of the data. They will have to demonstrate that they comply with all relevant requirements of the [Data Protection Act 1998](#), including that they:

- Are registered with the Information Commissioner’s Office to process personal data or fall within an exemption;
- Have appropriate security arrangements in place to process the data (by completing the Information Security Questionnaire);

- Intend to use the data only for the specified purpose in their request;
- Will keep the data only for the specified length of time;
- Will not further disclose, publish or pass on the data without the prior written approval of the Department for Education.

Requesters will need to sign an agreement to confirm this.

Any reports, papers, statistical tables, or other products published or released, must fully protect the identity of individuals.

Processing of NPD data request applications

When you make a request for NPD data it will be considered for approval by the Data Requests team with the exception of tier 1 data requests which will be assessed by the department's Data Management Advisory Panel. The Data Requests team will inform you of the outcome of the decision.

Where it is agreed to provide you with data, you will be provided with a [Schedule to the agreement for the supply of NPD data](#), which you will be required to sign and return. By signing this you will be agreeing to the terms and conditions set out in the [Agreement for the supply of NPD data](#). Alongside this, an [NPD individual declaration form](#) will need to be signed and returned for each permitted user.

Please keep a copy of all the documents, including completed forms, for your own records.

Publication of details of requests

DfE has a policy of publishing details of all requests it receives for NPD data on the [GOV.UK NPD webpages](#). The information published will include the following:

- Name of the requesting organisation;
- A summary of the aims of the project or research being carried out;
- Tier of data requested (recorded from 1 August 2012 onwards)
- Whether or not it is a Linked Data request; and
- Details of the outcome of the application.

For the avoidance of doubt, no personal data will be published by the DfE.

Application Form

1	Contact details
Contact Name (only one contact name to be provided)	
[REDACTED]	
E-mail Address	
[REDACTED]@london.gov.uk	
Please tick here if you do not want your E-mail Address to be shared with the Pupil Level User Group (PLUG) or carefully selected third parties (for the purposes of promoting research relating to education and child wellbeing).	
☐	
Telephone	
020 7983 [REDACTED]	
Name of organisation (including Department)	
Greater London Authority - Economic and Business Policy	
Position in organisation	
Principal Policy Officer	
If you are a student, please specify your supervising tutor and their telephone number and e-mail address	
N/A	
Name of organisation (or person) who will be entering into the Agreement for the supply of NPD data (the "Requester")	
The "Requester" will be the organisation (or person) who will be entering into the Agreement for the supply of data and to whom it will be agreed to supply the NPD data under this agreement.	
Greater London Authority	
Address of Requester (including postcode)	
City Hall The Queen's Walk London SE1 2AA	
Name of organisation (or person) who will be responsible for processing the data (the "Processor") (only required if different from "Requester" organisation (or person) above)	
The "Processor" will be any organisation (or person) other than an employee of the "Requester" who will be processing the data on behalf of the "Requester".	
Mime Consulting	
Address at which the data will be processed (only required if different from "Requester" address above)	

144 Clapham Manor Street London SW4 6BX					
2 Details of DfE involvement					
a	Have you discussed your request in advance with DfE? (Please insert X if 'No')				
<table border="1"> <tr> <td>Yes – provide details of the member(s) of staff who have assisted you.</td> <td></td> </tr> <tr> <td>No</td> <td>X</td> </tr> </table>		Yes – provide details of the member(s) of staff who have assisted you.		No	X
Yes – provide details of the member(s) of staff who have assisted you.					
No	X				
b	Has the project or research been sponsored / commissioned by DfE? (Please insert X if 'No')				
<table border="1"> <tr> <td>Yes - provide details of the DfE project sponsor(s) and their involvement in the project or research.</td> <td></td> </tr> <tr> <td>No</td> <td>X</td> </tr> </table>		Yes - provide details of the DfE project sponsor(s) and their involvement in the project or research.		No	X
Yes - provide details of the DfE project sponsor(s) and their involvement in the project or research.					
No	X				
c	Has the project or research been sponsored / commissioned by another organisation? (Please insert X if 'No')				
<table border="1"> <tr> <td>Yes - provide details of the project sponsor(s), their organisation and their involvement in the project or research.</td> <td></td> </tr> <tr> <td>No</td> <td>X</td> </tr> </table>		Yes - provide details of the project sponsor(s), their organisation and their involvement in the project or research.		No	X
Yes - provide details of the project sponsor(s), their organisation and their involvement in the project or research.					
No	X				
3 Information Commissioner's Office (ICO) Registration					
a	ICO Registration Number or Exemption Ground It is mandatory to provide a registration number unless you have a valid exemption.				
Z4760661					
b	ICO Registration Expiry Date It is mandatory to provide this where an ICO Registration Number has been provided above. Where your ICO Registration is due to expire within the next 3 months, please give details of what plans you have to renew this.				
11 th June 2018					
4 Previous applications to use or access NPD data					
a	Do you (or your organisation) currently have access to NPD or Linked Data? (Please insert X if 'No') To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.				

	DR Reference	NPD/Linked request	Name of contact (responsible for submitting request)	Summary of data provided
Yes - provide details (as shown) of previous applications.				
No	X – Although our Processors Mime Consulting do			
b	Are you requesting approval to reuse any of the NPD data you have previously been granted access to as part of this request? (Please insert X if 'No / Not applicable')			
Yes - provide full details of what NPD data you wish to re-use (including the DR Reference(s) under which you were granted access to the data).				
No / Not applicable		X		
c	Are you requesting any additional NPD data to that you currently have access to? (Please insert X where relevant)			
Yes – Please insert an X and go on to section 5 (Enquiry details).		X		
No – Please insert an X and move straight onto section 6 (Intended use of NPD data).				

5	Enquiry details
a	Specify the level(s) of data you require (Please insert an X for any that apply)
Pupil level data	X
School level data	
b	NPD - Specify which datasets, academic years and versions are required along with any specific requirements relating to data linking and coverage. Please refer to the NPD user guide and NPD data tables for what is available from NPD.
Examples: 1. Autumn School Census 2013/14 for Year 7 pupils linked to their prior KS2 attainment 2. KS4 Candidate, Indicators and Exam level files 2008/09-2012/13 linked to Spring Census for corresponding year 3. For a list of pupils which we will provide (as outlined in section 5d below): KS4 Candidate/Indicators 2007/08 linked to Spring School Census 2007/08	
We require the following files for 2010/11 to 2016/17 inclusive: - January school census for Years 10 to 14, including Tier 2 variables outlined below. - Key Stage 5 outcomes (final), matched to Key Stage 4 prior attainment and school census. This is both the Pupil (including indicators) and Results level data. - PLAMS – Which shows take up, retention and success rates on all levels of post-16 courses taken in schools - NCCIS data – for information on destinations from 16 to 18 (which is particularly important as no other person-level source contains information on pure employment destinations).	

c	Specify which Tier 1 and/or Tier 2 NPD fields are required, explaining on a field by field basis why each item is required and why the same research outcome cannot be achieved by using less sensitive or disclosive data. Please refer to the NPD user guide and NPD data tables for further details of what Tier 1 and Tier 2 fields are available. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.		
	Data item	Tier (1 or 2)	Reason data item required
	aPMR	2	To match datasets over time
	Major and minor ethnic group	2	To explore the relative performance at KS5 of different ethnic groups in London compared to elsewhere in the country
	FSM Eligible and FSM Ever 6	2	Because a key point of focus of the review is the outcomes of disadvantaged pupils
	IDACI Score	2	As FSM
	SEN Provision	2	To explore the relative performance at KS5 of pupils with different levels of SEN in London compared to elsewhere in the country
	Language Group Major (Tier 2)	2	To explore the relative performance at KS5 of EAL pupils in London compared to elsewhere in the country
	Gender	2	To explore the relative performance at KS5 of boys and girls in London (combined with other characteristics such as ethnicity) compared to elsewhere in the country
	Lower Super Output Area	2	So we can assign learners to individual local authorities of residence and wards and explore performance by geography.
	Year and months of age at start of academic year	2	So we can understand the trajectories of learners at different ages and in different year groups (e.g. those coming back to start Year 12 at age 17)
	Distance to school	2	To explore how distance from school affects outcomes
d	Do you require the NPD data you are requesting be matched with any other personal data you hold? (Please insert X if 'No')		
	Yes - Please give details of the personal data you hold and propose to match to the NPD data. Additionally, please signify whether (and if so when) you will be able to provide any data to the department to enable us to match the data you hold to the NPD data, or whether you intend to match the data yourself.		
	No		x

6	Intended use of NPD data
a	What are the aims of your project or research? Is there a specific question you are seeking to answer?

We require data to enable us, on behalf of London's local authorities and specialist education providers, to explore the education and employment trajectories of young people in London following their GCSEs. The overarching objectives of the research are:

- to conduct quantitative and qualitative analysis to better understand the pathways of young people in London from GCSE through to further study and employment; and
- to produce practical recommendations for how the 16-18 education and skills landscape could be reformed in London to deliver improved learning and employment outcomes for all young Londoners.

Specific questions we wish to answer include:

- The total number of students in London by institution, subject and level of study, including:
 - The volume of delivery under the post-16 technical pathways by provider
- Patterns within 16-18 participation, attainment, and progression of learners in academic and technical education. This should include:
 - The number and percentage of students who a) start b) achieve qualifications by sector subject area
 - The number and percentage of learners who progress from Level 2 to Level 3
 - Progress and outcomes at different institutions, grouped by those with similar intakes in terms of attainment
 - Analysis of which subject sector area pathways deliver the best progression from Level 2 to Level 3
 - Analysis of which pathways deliver better progression and outcomes for those who attain below Level 2/do not attain a qualification
- The attainment and progress of students re-taking Level 2 English and/or maths. This should include:
 - The number and percentage of those who a) start b) achieve Level 2 English and/or maths
 - The number of attempts taken to achieve English and/or maths
 - The number and percentage of those who a) start b) achieve a Level 2 functional skills qualification
 - The number and percentage of students who progress from Level 2 to Level 3, following retake(s) in English and/or maths or a functional skills qualification
 - Analysis of outcomes at different institutions in London on Level 2 English and/or maths re-takes or a functional skills qualification
- Patterns of drop out and 'churn' in post-16 education across academic and technical pathways. This should include:
 - The number and percentage of students who drop out of key stage 5 by sector subject area and type of institution
 - The number and percentage of students who switch courses/start a new qualification, without completing a previous course/qualification, during this phase
 - The number and percentage of students who switch institution during this phase
 - The number and percentage of students who are Not in Education Employment or Training (NEET)
- An exploration of the above issues, broken down by student characteristic.

b Why do you need the NPD data requested to complete the aims of your project or research? You must ensure you specify whether you are conducting research or analysis, producing statistics or providing information, advice or guidance and how this work will promote the education or well-being of children in England.

We are conducting research and analysis that will provide an evidence base for policy makers and practitioners to ensure they understand what is driving outcomes for London's learners at key stage 5, and what actions might be taken to drive up standards. The NPD provides the longitudinal data we require to look at issues such as change between institution, as well as the courses taken, outcomes obtained and student characteristics.

c	For processing of personal data, you must inform us of the condition(s) for processing you will rely on from Schedule 2 of the DPA. Where you also intend to process sensitive personal data, you must also inform us of the condition(s) for processing you will rely on from Schedule 3 of the DPA. Please note: If you require the NPD data you are requesting be matched with any personal data you hold (section 5d), you must specifically reference how the condition(s) for processing you will rely on extend to cover this. The Data Protection Act (DPA) 1998 requires that data controllers have a fair and lawful basis for processing personal data. As existing controller of the data, DfE require an understanding of the basis on which the requester considers their processing will be fair and lawful. Part of that includes the requester explaining the condition(s) for processing on which they will rely. For the purposes of the NPD data process, sensitive personal data is personal data consisting of information as to the racial or ethnic origin of the data subject, or their physical or mental health or condition.
	Schedule 2: 6(1). The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject. Schedule 3: 9 (1) The processing (a) is of sensitive personal data consisting of information as to racial or ethnic origin, (b) is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatment between persons of different racial or ethnic origins, with a view to enabling such equality to be promoted or maintained, and (c) is carried out with appropriate safeguards for the rights and freedoms of data subjects. The Data Protection (Processing of Sensitive Personal Data) Order 2000 7.(1) Subject to the provisions of sub-paragraph (2), the processing— (a) is of sensitive personal data consisting of information falling within section 2(c) or (e) of the Act; (b) is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatment between persons— (i) holding different beliefs as described in section 2(c) of the Act, or (ii) of different states of physical or mental health or different physical or mental conditions as described in section 2(e) of the Act, with a view to enabling such equality to be promoted or maintained; (c) does not support measures or decisions with respect to any particular data subject otherwise than with the explicit consent of that data subject; and (d) does not cause, nor is likely to cause, substantial damage or substantial distress to the data subject or any other person.
d	Who is the intended audience?
	The outputs will be used by strategic leaders in local authorities, the GLA, London Councils and individual institutions. It will inform the Mayor's a new agenda for education and skills in the capital that improves outcomes for all young Londoners and prepares them for life and work in a global city. The research will also seek to support the development and implementation of the London Skills Strategy and inform preparations ahead of AEB devolution as part of wider plans for skills in London.

e	If the data is to be published or reproduced (where agreed disclosure control measures (see section j below) have been applied) what format will this be in? (Please insert an X for all that apply)		
Academic research paper			
Internal publication or report		x (aggregate data only)	
Commercial publication for which no charge will be made			
Commercial publication for which a charge will be made			
Website general access		x (Some outputs may be shared on a general access website)	
Website with restricted access for which no charge will be made			
Website with restricted access for which a charge will be made			
Other (please give details)			
f	DfE has a policy of publishing details of all requests it receives for NPD data on the GOV.UK NPD webpages , including a summary of the aims of the project or research being carried out. Please summarise your responses to 6a and 6b above (<u>in no more than 150 words</u>) for inclusion in this publication.		
We are carrying out a review of post-16 education in London, exploring the education and employment trajectories of young people following their GCSEs.			
Details of all individuals who you propose to have access to the NPD data extracts including their name, job title, organisation and why it is necessary for them to have access. Individuals only seeing the aggregated results of any analysis (where agreed disclosure control measures (see section j below) have been applied) do not need to be listed. G Please note that for all NPD data requests which include Tier 1 or Tier 2 NPD fields, a valid 'basic disclosure' certificate is required for each individual listed. This can be requested online from the Disclosure Scotland website (you don't have to be from Scotland to do this). Each individual listed will be required to sign and return an individual declaration and a valid 'basic disclosure' certificate upon approval of a request. To add an additional row to the table below, click to the right of the bottom row in the table and press 'Enter'.			
Name	Job Title	Organisation	Reason for access to NPD data
██████████	██████████	MIME Consulting Ltd	Quality assurance of analysis and production of visualisations using processed data
██████████	██████████	MIME Consulting Ltd	Quality assurance and processing of raw data in secure database and production of analysis and visualisation
██████████	██████████	MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation

		MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation
		MIME Consulting Ltd	Processing of raw data in secure database and production of analysis and visualisation
h	Where the individuals listed in “g” are from a different organisation to the “Requester” organisation, is there a contract in writing between the “Requester” organisation and the “Processor” organisation(s) and does this cover data protection and information security arrangements? (Please insert X if ‘Not applicable’) All organisations responsible for processing the NPD data will be required to complete the Information Security Questionnaire.		
Yes - Provide a summary of the contractual relationship and the data protection and information security arrangements in place.		Mime Consulting have been commissioned by the GLA on behalf of the project stakeholders to carry out this review. We have a specific data sharing agreement in place to cover this and have seen their Information Security Policy.	
No - Explain why no written contract is required and provide us with a summary of the data protection and information security arrangements in place?			
Not applicable - No additional organisations are listed in “g”.			
i	When will you commence using the NPD data? How long are you seeking to retain the NPD data for? Why is this period necessary? Please note: The maximum licence period we permit is 3 years. Should you wish to retain the data for a longer period, you can apply for an extension at the earliest a period of 3 months before the Licence End Date and this may be extended at the discretion of the Disclosing Parties.		
Commencing as soon as possible. We envisage that the analysis of the raw NPD data will be complete by December 2018. This period is set because we will be continuing to work with this data until this time and we may be required to make revisions to the model once the initial work is done. This allows for a reasonable amount of time after draft report and model is produced.			
j	Are you proposing to use the Standard Disclosure Control as set out in the NPD User Guide? (Please insert X if ‘Yes’)		
Yes		X	
No - How will you ensure that the confidentiality of individuals is preserved in any outputs arising from your use of the NPD data?			

7	Format of NPD data extracts	
a	What is your preferred file format for any NPD data extracts that you may receive? (Please insert X against your preference)	
SPSS		
Tab-delimited text file		X
SQL database		

b	Which decryption / zip tool will you be using for any NPD data extracts you may receive? (e.g. WinZip, 7-zip) Please be aware that any NPD data extracts that are provided will be encrypted and zipped using WinZip in a .zipx file format. If this will be an issue then specify whether .zip would be a suitable alternative.
7-zip	
c	Name and e-mail address of individual responsible for picking up NPD data extracts (Must be a named individual in section 6g) Please be aware that once any NPD data extracts are created, they are uploaded to DfE's secure web transfer system where individuals are then set up with the relevant permissions to gain access to these extracts.
██████████, ██████████@mimeconsulting.co.uk	

© Crown copyright 2015

This publication (not including logos) is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

To view this licence:

visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3

email psi@nationalarchives.gsi.gov.uk

write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

Any enquiries regarding this publication should be sent to us at

NPD.REQUESTS@education.gsi.gov.uk

This document is also available from our [GOV.UK NPD webpages](#)



Follow us on Twitter:
[@educationgovuk](https://twitter.com/educationgovuk)



Like us on Facebook:
facebook.com/educationgovuk



Department
for Education

Amended Schedule to the Agreement for the supply of data from the National Pupil Database – contingency arrangement to provide the data detailed below directly via Egress.

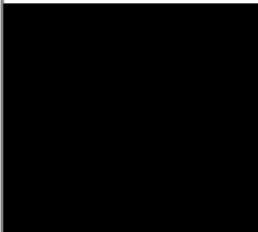
Data Sharing Approval Panel (DSAP) No: DS00048
NPD Data Request (DR) reference No: DR180125.01

DfE primary contact name, position, telephone number, email address	 NPD.requests@education.gov.uk
DfE secondary contact name, position, telephone number, email address	 NPD.requests@education.gov.uk
DfE Data Protection Office name, address, telephone number, email address	DfE. @education.gov.uk

Name of requesting organisation	Greater London Authority (GLA) City Hall The Queen's Walk London SE1 2AA
Primary Contact name, position, telephone number, email address	@london.gov.uk 020 7084
Secondary Contact name, position, telephone number, email address	@london.gov.uk 020 7983
Contact details of the person who will accept the data extract via Egress (if different from above)	@mimeconsulting.co.uk

Data Protection Officer name, address, telephone number, email address (mandatory for supply of NPD data)	Ian Lister [REDACTED]@london.gov.uk
Commencement date	16 August 2018
Requester's licence end date	1 May 2019 The ONS SRS is still very much the DfE's strategic direction for sharing all personal level data. You have been granted a licence up to 1 May 2019 to receive this data extract directly to your organisation to mitigate the current performance issues which are being experienced within the ONS SRS. The anticipation is that once the ONS SRS performance issues are resolved and fully tested, the DfE and ONS will work with you to migrate the data back into the ONS SRS. At this point, your licence end date will be reviewed.

NPD data	MIME Consulting are processing for this request. Data to be sent securely via egress to: [REDACTED]@mimeconsulting.co.uk For the years 2010/11 to 2016/17 inclusive, extracts for: • spring school census • KS5 pupil and exam (final), matched to KS4 prior attainment and spring school census. • PLAMS • NCCIS data See data tables for details of each variable required Please create datasets as Tab-delimited text files  DR180125 01 NPD_Data_Tables_D
Classification of the Data Share	De-identified personal level data risk level 3 Sensitivity level (C,D,E)
Expected timescale for delivery of NPD Data (from receipt of this signed Schedule)	Up to a week
Permitted use	Greater London Authority (GLA) has requested access to NPD data (7 years of data, including: school census, KS5 with prior attainment, PLAMS and NCCIS data).

	GLA is carrying out a review of post-16 education in London, exploring the education and employment trajectories of young people following their GCSEs. GLA is conducting research and analysis that will provide an evidence base for policy makers and practitioners to ensure they understand what is driving outcomes for London's learners at key stage 5, and what actions might be taken to drive up standards. The NPD provides the longitudinal data they require to look at issues such as change between institution, as well as the courses taken, outcomes obtained and student characteristics.
Permitted intended outputs	Internal publication or report, aggregate data only with some outputs being shared on a general access website The outputs will be used by strategic leaders in local authorities, the GLA, London Councils and individual institutions. It will inform the Mayor's a new agenda for education and skills in the capital that improves outcomes for all young Londoners and prepares them for life and work in a global city. The research will also seek to support the development and implementation of the London Skills Strategy and inform preparations ahead of AEB devolution as part of wider plans for skills in London.
Permitted user(s)	Mime Consulting Ltd is the processor for this data request. 
Legal gateway relevant to this data share	The legal bases for this data sharing service is the Section 537A Education Act 1996. This allows the Secretary of State for Education to share information about individual pupils to any prescribed person or person falling within a prescribed category. The Education (Individual Pupil Information) (Prescribed persons) (England) Regulations 2009 (the Regulation) prescribes who can be shared with. For the purposes of this agreement the legal basis falls under Reg 3(6)(d) of the regulation. This prescribed persons who, for the purpose of promoting the education or well-being of children in England, are: conducting research or analysis, producing statistics or providing information, advice or guidance, and require individual pupil data for that purpose. Data Subjects are aware of this via the relevant privacy notices for pupils and workforce in schools, for local authorities and for children in need and children looked after. The Education (Individual Pupil Information)(Prescribed Persons)(England) Regulations 2009, Regulation 3(5)(d) "a relevant local authority" is a named body for the

	disclosure of individual pupil information.
Conditions for processing data	Conditions for processing data Public Task Conditions for processing special categories of data Public interest reasons, based in law
Use of consent	N/A
Disclosure control	The ONS SRS is still very much the DfE's strategic direction for sharing all personal level data as mentioned above. You are receiving this data extract directly to your organisation with the anticipation that once the ONS SRS performance issues are resolved and fully tested, the DfE and ONS will work with you to migrate the data back into the ONS SRS. If you wish to remove any outputs from the data prior to being migrated to ONS SRS, ONS standard disclosure controls will apply to ensure that they are not disclosive and do not identify any individual entity.- see Annex Should you wish to remove outputs before 01/05/2019 (current licence expiry), please contact data.sharing@education.gov.uk and will we provide advice on how to proceed..
Method of transfer and file format	Egress - Tab-delimited text file
Special conditions (if any)	The Requester shall not reproduce the data or include secondary analysis of the data within any publication without the prior written consent of the Data Controller unless such reproduction / publication is included within the Permitted Use. Consent is only valid if given in writing, in advance of reproduction or publication of the data. You must inform us of your intent to publish research, and/or analysis, 2 working days prior to publication being released. Consent will only be given within two working days in exceptional circumstances by writing to NPD.REQUESTS@education.gov.uk GLA agree to the transfer of this data in to the Secure Research Service at a date in the future to be agreed. Once the data has been transferred, GLA will ensure all NPD data received under DR180125.01 is deleted and NPD team are notified of this. GLA agree that only ONS Accredited Researchers will be given access to the data held under this licence.

This document is the Schedule to the "Agreement for the supply of data from the National Pupil Database", a copy of which has been supplied to the Requester ("the Agreement"). In signing this

Schedule, the parties are agreeing to the terms and conditions set out in the Agreement, including this Schedule.

Where I am in receipt of data from the DfE, I hereby declare that by the licence end date I will destroy the data and will provide evidence of compliance.

To be completed by the Requester:

SIGNED by:

[Redacted]

(Print name)

[Redacted]

(Signature)

SENIOR POLICY OFFICER

17/12/18

(Position)

(Date)

For and on behalf of:

CLA

(Organisation name)

To be completed by the Department for Education:

SIGNED by:

(Print name)

(Signature)

(Position)

(Date)

For and on behalf of Department for Education.

Annex

ONS Secure Research Service

Clearances

This section will tell you how to request an output clearance, and the different types of output clearance you can request.

When you have created an output within the SRS and would like it taken out of the environment, you will need to request for an output clearance.

The clearance process involves members of the Statistical Support Team applying Statistical Disclosure Control checks on your output to ensure that it is non-disclosive and that the confidentiality of the microdata has been maintained.

If we are happy with your output, a member of the Statistical Support Team will extract it from the environment and email it to you along with a relevant disclaimer/conditions.

Types of Clearance

Currently there are three types of clearance that you can request. Each clearance differs in what it allows you to do with your output, and also how long it takes.

Pre-Publication

Pre-publication clearances must:

- Not be published
- Adhere to a principles-based threshold of 10
- Only be shared within the project team and with those that have sponsored or commissioned the research.
 - They must not be made available or shown to others that have not been named on the original project proposal OR a later researcher addendum
 - If you wish for someone who is not on the project proposal, a sponsor or commissioner, you can ask for them to have a Confidentiality Agreement to sign enabling them to see these outputs
- Be destroyed when the project expires
- Only contain essential information/analysis to further produce reports/publications outside of the environment
- Be provided in Microsoft Word, Excel or PowerPoint unless otherwise agreed with the SRS/LS Support Team
- Be provided with any underlying data used to create tables and graphics

We will aim to have pre-publication clearances back to you in 48 hours

Publication

- Publication clearances must:
 - be provided to the SRS/LS support team in a "Ready to Publish" format - be in the form of a report, publication, presentation, speech etc. but must include everything that will be disseminated including graphics and words around the data accessed in the SRS environment

- adhere to a principles-based threshold of 10 ■ be provided with any underlying data used to create tables and graphics ■ be provided in the file type it is intended to be published in (e.g. Microsoft Word, Excel or Powerpoint) unless otherwise agreed with the support team
- Publication clearances can be kept indefinitely and distributed freely after they are approved by the support team

Code

- Code files must not contain identifiers or contain any commands that may attempt to search or identify individual entities
- Where appropriate, researchers are asked to provide some comments on the intended outcome of the code
- Clearance requests must always provide adequate context and details of creation and contents to ensure the SRS/LS teams are able to check appropriately.
 - If the clearance is provided without, the SRS team may pause the approval process to request clarification. This can delay approval times and increase the researcher's workload
- The SRS/LS support teams will not make any changes to researcher clearances unless there are exceptional circumstances
- Clearances must be relevant and directly related to the approved project proposal
- Log files will no longer be accepted by the SRS team but may be accepted by the Longitudinal Study for remote users on a pre-publication basis, unless otherwise agreed
- Once cleared the code file can be shared freely.



Department
for Education

The National Pupil Database

**Agreement for the permission to use data
extracts in secure environments from the
National Pupil Database**

THIS AGREEMENT is made on the date specified in the Schedule.

BETWEEN:

- (1) **DEPARTMENT FOR EDUCATION** of Sanctuary Buildings, Great Smith Street
London SW1P 3BT ("**DfE**")
 - (2) The **REQUESTER** whose details are specified in the Schedule
- together "**the Parties**"

1. Introduction

- 1.1 DfE is responsible for the collation and management of the National Pupil Database (NPD). For the purpose of this Agreement DfE is the Data Controller of the NPD Data and the secure environment provider is the Recipient of the NPD Data.
- 1.2 It has been agreed that the NPD Data specified in the Schedule is permissible to be used by the Requester subject to the terms of this Agreement.
- 1.3 The legal bases for this data sharing service is the Section 537A Education Act 1996. This allows the Secretary of State for Education to share information about individual pupils to any prescribed person or person falling within a prescribed category. The Education (Individual Pupil Information) (Prescribed persons) (England) Regulations 2009 (the Regulation) prescribes who can be shared with. For the purposes of this agreement the legal basis falls under Reg 3(6)(d) of the regulation. This prescribed persons who, for the purpose of promoting the education or well-being of children in England, are: conducting research or analysis, producing statistics or providing information, advice or guidance, and require individual pupil data for that purpose. Data Subjects are aware of this via the relevant privacy notices for pupils and workforce in schools, for local authorities and for children in need and children looked after

2. Definitions

- 2.1 In this Agreement, the following terms shall have the following meanings:

Agreement	This agreement for permission to use NPD to the Requester, including the Schedule.
Commencement Date	The commencement date of this Agreement as specified in the Schedule.
Commissioner	The Information Commissioner as defined in the Freedom of Information Act 2000.

Data Controller	DfE is the data controller of the NPD Data.
Data Destruction Date	For Requesters seeking permission to use NPD data via a secure environment provider, this is the anticipated date that the data will be destroyed by the secure environment provider. This allows a grace period between Licence End Date and Data Destruction Date for the Requester to carry out further checks on their outputs and results against the data extract.
Data Protection Legislation	The Data Protection Act 2018, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection and Privacy Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003 (21 2003/2426), Regulation (EU) 2016/679 (the "General Data Protection Regulation" or "GDPR") and the Privacy and Electronic Communications (EC Directive) Regulations.
Data Sharing Approval Panel (DSAP)	DfE panel for approving all personal level data shares
Disclosure Control	Any published figures or outputs must satisfy the strict disclosure controls as set out in the Schedule
Grace Period	The time between the Licence End Date and the Data Destruction Date
Individual Declaration	A declaration (in the form specified by the Data Controller as amended from time to time) to be signed by each Permitted User before they may have access to the NPD Data and upon request of DfE.
Insolvency Event	(a) A winding up petition is presented or an application is made for the appointment of a provisional liquidator or an administrator or a receiver, or a notice of intention to appoint an administrator is filed at court, or a provisional liquidator or an administrator or an administrative receiver or a receiver, is appointed, or a scheme of arrangement or a voluntary arrangement is proposed, or any moratorium comes into effect; or

- (b) A shareholders' meeting is convened for the purpose of considering a resolution to wind up (except for a members' voluntary liquidation exclusively for the purposes of a bona fide solvent reconstruction or amalgamation and where the resulting entity agrees to be bound by, or assumes, the obligations of such insolvent party under this Contract) a resolution to wind up is passed or a winding up order is made; or
- (c) A party to this agreement is unable to pay its debts as they fall due within the meaning of section 123 of the Insolvency Act 1986; or;
- (d) An encumbrancer takes possession of, or a receiver, administrative receiver or similar officer is appointed over, the whole or any part of either party's business or assets or any other similar process in any relevant jurisdiction which has a similar or analogous effect.

Intellectual Property Rights

Copyrights and related rights, design rights, database rights, patents, rights to inventions, know-how or trade secrets (whether patentable or not), trade and domain and business names, logos and devices, trade and service marks, moral rights or similar intellectual property rights (whether registered or unregistered and wherever in the world enforceable) together with any extensions, revivals or renewals thereof, and all pending applications therefore and rights to apply for any of the foregoing in each case as may now or in the future exist anywhere in the world.

Licence End Date

This is the anticipated date that the Recipient will de-activate / archive the NPD data from the secure environment as set out in the Schedule.

Losses

Means any and all losses, liabilities, costs, claims, proceedings, actions, judgments, damages and expenses including (without limitation) any awards and/or penalties or fines imposed by any regulator including the Information Commissioner to the extent recoverable at law (and any associated costs thereto) and any legal and other professional fees, consultancy fees and expenses on a full indemnity basis.

NPD Data	Any information contained within or derived from the database known as the National Pupil Database.
ONS SRS	Office for National Statistics Secure Research Service (ONS SRS) provides secure environments virtually, and in physical data labs, for sharing personal level data.
Permitted Use	The purposes specified by the Requester for which the Requester and any Permitted User are authorised to use the NPD Data as set out in the Schedule.
Permitted User	A person who has been identified by the Requester to be a permitted user. The permitted user is authorised by the Data Controller to have access to the NPD Data to process it for the Permitted Use and who has signed and returned to DfE an Individual Declaration.
Recipient	An organisation to whom it has been agreed to be the recipient of the NPD Data in accordance with the relevant Service Level Agreement (eg. secure environment providers)
Requester	The person or organisation to whom it has been agreed to permit the use of NPD Data under this Agreement, as specified in the Schedule.
Schedule	The schedule to this Agreement detailing the permission to use NPD Data and signed by the Requester by way of acceptance of this Agreement.
Secure environment providers	The organisation to whom it has been agreed to permit the use of NPD data through their secure environment, ie. Office for National Statistics Secure Research Service (ONS SRS) and UK Data Services (UKDS)
Security Incident	An actual, suspected or threatened unauthorised exposure, access, disclosure, use, communication, deletion, revision, encryption, reproduction or transmission of any component of NPD Data or unauthorised access or attempted access or apparent attempted access (physical or otherwise) to any NPD Data or any systems on which such NPD Data is processed or stored.
Termination Date	The Licence End Date or such earlier date if the Agreement is terminated in accordance with Clause 14.

UKDS

UK Data Service (UKDS) provides secure virtual environments for sharing personal level data

- 2.2 The terms “data controller”, “data processor”, “data subject”, “personal data”, “processing” (article 4 GDPR) and “special categories of personal data” (article 9 GDPR) shall have the meanings set out in the Data Protection Act 2018 and GDPR which places a legal obligation on organisations.
- 2.3 Clause and Schedule headings shall not affect the interpretation of this agreement.
- 2.4 A person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 2.5 The Schedule forms part of this agreement and shall have effect as if set out in full in the body of this agreement. Any reference to this agreement includes the Schedule.
- 2.6 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 2.7 Unless the context otherwise requires, a reference to one gender shall include a reference to the other gender.
- 2.8 A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 2.9 A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.
- 2.10 References to clauses and Schedule are to the clauses and Schedule of this agreement.
- 2.12 Any words following the terms “including”, “include”, “in particular” or “for example” or any similar phrase shall be construed as illustrative and shall not limit the generality of the related general words.
- 2.13 In the case of conflict or ambiguity between any provision contained in the body of this agreement and any provision contained in the Schedule, the provision in the Schedule to this agreement shall take precedence.
- 2.14 If the Data Controller is replaced by a successor body or have their relevant powers and responsibilities transferred to another body, then references to them in this Agreement shall be taken to apply to their successors until such time as this Agreement can conveniently be updated to reflect the change.

3. Duration

- 3.1 This Agreement will commence with effect from the Commencement Date and end on the Licence End Date, subject to earlier termination in accordance with Clause 14 (the earlier of these dates being the “Termination Date”).
- 3.2 The Licence End Date for the permissible use of NPD data in a secure environment may be extended following a written request by the Requester at the discretion of the Data Controller.
- 3.3 The Grace Period, the time between the Licence End Date and the Data Destruction Date, may be extended following a written request by the Requester at the discretion of the Data Controller.

4. Role of the Data Controller

- 4.1 For the purpose of this Agreement, the Data Controller shall determine the purposes for which and the manner in which their data is, or is to be, processed in accordance with the Schedule or any variations to the terms of this Agreement.

5. Role of Recipient (Secure Environment Providers)

- 5.1 For the purpose of this Agreement, the Recipient is a secure environment provider (for example ONS SRS, UKDS) of the NPD Data for the Permitted Use.

6. Licence

- 6.1 The Data Controller grants to the Requester a non-exclusive, non-transferable licence for the permission to use the NPD Data for the Permitted Use in the secure environment up to the Termination Date. At this point, the Recipient will de-activate the Requester’s permission to use the secure environment for the Permitted Use.
- 6.2 The Recipient grants to the Requester a non-exclusive, non-transferable Grace Period for the Requester in response to a request by the Requester to re-activate permission to the secure environment for the Permitted Use until the Destruction Date.

7. Permission to use NPD data

- 7.1 DfE permit Requesters to use the NPD via secure environment providers as specified in the Schedule.

- 7.2 Access to the NPD Data for the Requester via secure environment providers will be as soon as may be practicable after the Commencement Date. The Data Controller will not be liable for any delay in access to NPD Data, however caused.

8. Data protection

- 8.1 The parties shall comply with the provisions of the Data Protection Legislation so far as such provisions apply to processing carried out under this Agreement and Schedule and the Requester shall procure that its Permitted Users observe the provision of the Data Protection Legislation.
- 8.2 For applications that require matching of the Requesters data to the NPD Data, the Requester is expected to prove that they provide appropriate rights to individual data subjects taking part in the project, such as the right for the individual to withdraw from the project at any time of their choosing, the right to rectification, the right to erasure and right to restriction of processing.
- 8.3 The Requester agrees that data within the NPD data includes, and shall be treated as, personally identifiable data regardless of whether the Requester, or any third party, considers that there is a risk of any particular individual being identified from that data.
- 8.4 Access to the information by persons acting on behalf of the Secretary of State for Education will be controlled through secure access arrangements.
- 8.5 Data Controller, Recipient and Requester have robust systems in place to address the issues of physical security, security awareness and training, security management systems development, site-specific information systems security policy and systems specific security policies and is fully compliant with the DPA.
- 8.6 Data Controller, Recipient and Requester's systems and that of their contractors meet all the relevant guidelines for holding and processing personal and restricted data. Data will be stored in secure systems in line with legislative obligations for storing official-sensitive data and fully compliant with the DPA.
- 8.7 Where DfE data contains information relating to the racial or ethnic origin, physical or mental health, sexual orientation, gender identity, religion/belief, biometric information, trade union membership, political or philosophical beliefs of an individual these are special categories of data under this Agreement and shall only be used, in accordance with Article 9 GDPR, for the sole purposes of monitoring, promoting and maintaining equality of opportunity in accordance with the Equality Act 2010 or equivalent subsequent legislation.
- 8.8 The Requester shall fully co-operate with the Data Controller and the appropriate secure environment provider to ensure compliance with the Data Protection

Legislation in respect of the NPD Data. The Requester shall notify the DfE upon receiving, and shall assist the Data Controller, in complying with and responding to:

- 8.8.1 Requests for subject access from data subjects (in accordance with clause 16);
 - 8.8.2 An information notice, or any other notice (including in particular any de-registration, enforcement or transfer prohibition notice) served by the Information Commissioner;
 - 8.8.3 Complaints from data subjects; or
 - 8.8.4 Any investigation of any breach or alleged breach of the Data Protection legislation which relate to the NPD Data.
- 8.9 The Requester and secure environment provider shall promptly report to the DfE any circumstance which they become aware of which:
- 8.9.1 May mean that clause 8.1 has not been complied with;
 - 8.9.2 May cause any party to breach the Data Protection Legislation as a result of processing carried out in connection with this Agreement; or
 - 8.9.3 May mean that there has been unauthorised processing of any personal data derived from the NPD Data which is the subject of this Agreement.
 - 8.9.4 Each party shall promptly report to the other parties Data Protection Officer (as detailed in the Schedule) if it becomes aware of any Security Incident affecting the NPD Data processed under this agreement.
- 8.10 Without prejudice to any other rights or remedies which the Data Controller may have, the Requester acknowledges and agrees that damages would not be an adequate remedy for any breach by the Requester and/or the Permitted Users of the provisions of this Agreement and the Data Controller shall be entitled to the remedies of injunction, specific performance and other equitable relief for any threatened or actual breach of any provision of this Agreement by the Requester and/or the Permitted Users.
- 8.11 The Requester will not transfer or permit the transfer of the NPD and Linked Data Extracts to any other country without the prior written consent of the Data Controller. The Requester would need to justify the need to transfer data out of the country and demonstrate how they comply with Chapter 5 of the DPA 2018.
- 8.12 The Requester shall not link the NPD Data to any other data without the prior written approval of the Data Controller. Any application to link the NPD Data shall be made in writing to the Data Controller.

- 8.13 DfE permits Requesters use of the NPD Data as per the Schedule. The Schedule is the agreed permission terms for use of the NPD data as prescribed by the DfE Data Sharing Approval Panel (DSAP).
- 8.14 The secure environment provider shall ensure that the NPD data is held in strict confidence, held securely, that appropriate technical and organisational information security and processing procedures are established and maintained to ensure that all NPD Data provided in accordance with this Agreement are sufficiently protected against any unlawful or unauthorised processing.
- 8.15 In ensuring the security of the NPD Data, the secure environment provider will restrict access to the NPD Data to the Permitted Users for the Permitted Use.
- 8.16 The Data Controller will consider on a case by case basis the Requester's proposed Permitted Users. The Requester shall ensure that each proposed Permitted User receives appropriate training regarding data protection, security to enable the Requester to comply with Article 32 of the GDPR and has signed an Individual Declaration.
- 8.17 The Requester shall ensure that all Permitted Users receive appropriate training regarding how to use the secure environment provider (such as SAFE training for ONS SRS, SURE training for UKDS).

9. Publication / reproduction of the NPD data

- 9.1 The Requester will abide by the conditions for using NPD data in the Schedule including the special conditions as set out in the Schedule. This includes as standard the following special conditions:
- 9.1.1 The Requester shall not reproduce the NPD Data or include secondary analysis of the NPD Data within any publication without the prior written consent of the Data Controller unless such reproduction / publication is included within the Permitted Use.
- 9.1.2 Consent is only valid if given in writing, in advance of reproduction or publication of the NPD Data. The Requester must inform the Data Controller of their intent to publish research, and/or analysis, two working days prior to publication being released. Consent will only be given within two working days in exceptional circumstances.
- 9.2 The Requester undertakes that whenever the NPD Data is reproduced or used in a publication by it or on its behalf an attribution and caveat are included on behalf of DfE in a form previously approved in writing by DfE. In any event, the caveat must list the Data Controller whose data has been used in the publication and state that

they do not accept responsibility for any inferences or conclusions derived from the NPD Data by third parties.

- 9.3 For the avoidance of doubt, inclusion of the NPD Data on an internet website will be deemed to constitute publication for which the prior written consent of the Data Controller is required.
- 9.4 The Requester undertakes to ensure that all statistics published are at a level of anonymisation and aggregation which will ensure that no Personal Data or Sensitive Personal Data are published, and will thereby ensure the confidentiality of individuals. More specifically, the Requester undertakes to adhere to the Standard Disclosure Control set out in the Schedule.

10. Warranties and indemnities

- 10.1 The Requester warrants and undertakes to the Data Controller that at all material times it will comply with the provisions of the Data Protection Legislation so far as such provisions apply to it in respect of this Agreement and more particularly that it will not make or permit or pursue any analyses which allow the identification of individuals.
- 10.2 Each party warrants and undertakes that it has the capacity and full legal authority to enter into this Agreement, this Agreement has been executed by its duly authorised representative, the making of this Agreement does not conflict with any of its existing obligations and once signed this Agreement shall constitute its legal, valid and binding obligations.
- 10.3 The Requester shall indemnify the Data Controller for any losses arising as a result of:
 - 10.3.1 The Requester breaching the Data Protection Legislation.
 - 10.3.2 The Requester causing the Data Controller to be in breach of any of the Data Protection Legislation.
 - 10.3.3 The Requester breaching this Agreement.

11. Requester as Data Controller

- 11.1 The Requester in making an application for NPD Data has determined the purpose and manner in which the NPD Data shall be processed and therefore assumes all of the obligations of a sole data controller upon receipt of the NPD Data.
- 11.2 Should it be the case that the party referred to as the Data Controller in this Agreement is found to be in breach of the Data Protection Legislation as a result of

the Requester's use of the NPD Data, or should the Requester breach any of the terms of this Agreement, the Requester shall indemnify the Data Controller for any losses.

11.3 In accordance with Article 33 GDPR, in the case of a personal data breach, the Data Controller and Requester shall without undue delay and, where feasible, not later than 72 hours after having become aware of the breach report the data breach to the Information Commissioner unless the breach is unlikely to result in a high risk to the rights and freedoms of natural persons.

11.4 If the breach is likely to result in a high risk to the rights and freedoms of natural persons, the Data Controller must also inform those individuals without undue delay. The Data Controller and Requester must keep a record of any personal data breaches, regardless of whether they have been reported to the Information Commissioner.

12. Recipient as Data Controller

12.1 The Recipient in agreeing to provide a secure environment for the NPD Data and in agreeing to checking Researcher's outputs from the NPD Data has determined the purpose and manner in which the NPD Data shall be processed and therefore assumes all of the obligations of a sole data controller upon receipt of the NPD Data.

12.2 Should it be the case that the party referred to as the Data Controller in this Agreement is found to be in breach of the Data Protection Legislation as a result of the Recipient's use of the NPD Data, or should the Recipient breach any of the terms of this Agreement, the Recipient shall indemnify the Data Controller for any losses.

12.3 In accordance with Article 33 GDPR, in the case of a personal data breach, the Data Controller and Recipient shall without undue delay and, where feasible, not later than 72 hours after having become aware of the breach report the data breach to the Information Commissioner unless the breach is unlikely to result in a high risk to the rights and freedoms of natural persons.

12.4 If the breach is likely to result in a high risk to the rights and freedoms of natural persons, the Data Controller must also inform those individuals without undue delay. The Data Controller and Recipient must keep a record of any personal data breaches, regardless of whether they have been reported to the Information Commissioner.

13. Exclusion of liability

- 13.1 The Data Controller does not have any obligations to the Requester, whether in contract, tort, breach of statutory duty or otherwise, beyond their obligations expressly set out in this Agreement.
- 13.2 The Data Controller shall not have any liability (however caused) for any loss of profit, business, contracts, revenues, increased costs or expenses or any indirect or consequential loss arising under this Agreement.
- 13.3 The Data Controller does not exclude or limit their liability to the Requester for:
- 13.3.1 Fraud or fraudulent misrepresentation;
 - 13.3.2 Death or personal injury caused by negligence;
 - 13.3.3 A breach of any obligations implied by Consumer Rights Act 2015; or
 - 13.3.4 Any matter for which it would be unlawful for the parties to exclude liability.

14. Termination

- 14.1 The DfE may terminate this Agreement if:
- 14.1.1 The Requester commits a material breach of this Agreement and in the reasonable opinion of the DfE this has not been properly remedied within 7 days of written notice of the breach being given on behalf of the DfE;
 - 14.1.2 An Insolvency Event occurs in relation to the Requester;
 - 14.1.3 The Requester is acting, or has acted, in a manner materially prejudicial to the DfE's goodwill and reputation.
 - 14.1.4 The DfE no longer requires this Agreement where this agreement has been replaced by a subsequent agreement and the parties have agreed to terminate this agreement.
- 14.2 The Requester may, without liability, terminate this Agreement immediately by written notice to the DfE if:
- 14.2.1 The DfE commits a material breach of this Agreement and, if in the reasonable opinion of the Requester, this has not been properly remedied within 7 days of written notice of the breach being given on behalf of the Requester.
 - 14.2.2 The Requester no longer requires the NPD Data for the Permitted Use.

15. Consequences of termination

15.1 Termination of this agreement, for any reason, shall not affect the accrued rights, remedies, obligations or liabilities of the parties existing at termination.

15.2 The following clauses shall survive the termination of this Agreement:

- 15.2.1 Definitions
- 15.2.2 Clause 3 - Duration
- 15.2.3 Clause 4 - Role of Data Controller
- 15.2.4 Clause 5 – Role of Recipient (Secure Environment Providers)
- 15.2.5 Clause 8 - Data Protection
- 15.2.6 Clause 9 - Publication / Reproduction of the NPD Data
- 15.2.7 Clause 10 - Warranties and Indemnities
- 15.2.8 Clause 11 - Requester as Data Controller
- 15.2.9 Clause 12 – Recipient as Data Controller
- 15.2.10 Clause 13 - Exclusion of Liability
- 15.2.11 Clause 14 - Termination
- 15.2.12 Clause 15 - Consequences of Termination
- 15.2.13 Clause 16 – Record of Data Release
- 15.2.14 Clause 17 - Information Requests
- 15.2.15 Clause 18 - Alternative Dispute Resolution
- 15.2.16 Clause 19 - Notices
- 15.2.17 Clause 20 - General
- 15.2.18 Clause 21 - Intellectual Property Rights - NPD Data

16. Publication of Agreement details

16.1 The Requester consents to DfE publishing the following details on GOV.UK:

- 16.2.1 A brief description (150 words) of the Permitted Use.
- 16.2.2 The name of the requesting organisation.
- 16.2.3 The classification of the data the requester is permitted to use
- 16.2.4 Licence End Date
- 16.2.5 Frequency of the data share
- 16.2.6 Delivery mechanism (via secure transfer mechanism or via a datalab)

17. Information Requests

17.1 The Requester acknowledges that DfE and secure environment providers are subject to the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and agrees to provide all necessary assistance as required by DfE to enable them to comply with their obligations under this legislation.

17.2 Individuals can request a copy of all the information an organisation **holds** on them, by making a Subject Access Request (SAR). This may include information that was disclosed under this Agreement or information that is held by either participant of this Agreement. Where this is the case, and as a matter of good practice, the organisation in receipt of the SAR will liaise with the other participant to this Agreement to enable each to comply with their information disclosure obligations.

18. Alternative dispute resolution

18.1 If any dispute arises in connection with this agreement, directors or other senior representatives of each party with authority to settle the dispute will, within 10 working days of a written request from one party to the others, meet in a good faith effort to resolve the dispute.

18.2 If the dispute is not resolved at that meeting, the parties will attempt to settle it by mediation in accordance with the Centre for Effective Dispute Resolution (CEDR) Model Mediation Procedure. Unless otherwise agreed between the parties, the mediator will be nominated by CEDR. To initiate the mediation a party must give notice in writing ("ADR notice") to the other parties to the dispute requesting mediation. A copy of the request should be sent to CEDR Solve. The mediation will start not later than 20 working days after the date of the ADR notice.

18.3 No party may commence any court proceedings in relation to any dispute arising out of this Agreement until it has attempted to settle the dispute by mediation and either the mediation has terminated or one of the other parties has failed to participate in the mediation, provided that the right to issue proceedings is not prejudiced by a delay.

18.4 Nothing in this clause shall prevent any party seeking a preliminary injunction or other judicial relief at any time, if in its judgement such action is necessary to prevent irreparable damage.

17.5 This Agreement shall be governed by and construed in accordance with English Law and, to the extent disputes arising out of or relating to this Agreement are not settled under the above procedures, the Requester submits to the exclusive jurisdiction of the English Courts.

19. Notices

19.1 Any notice to be given pursuant to this Agreement;

19.1.1 Shall be in writing; and

19.1.2 Shall be delivered by hand or sent by first class post, recorded delivery or by commercial courier to the party due to receive such notice at its address

set out below or such other address as any party may notify to the other from time to time.

For the attention of the

Head of Data Modernisation Division
DEPARTMENT FOR EDUCATION
St Paul's Place,
Sheffield S1 2FJ

The Requester: at its address stated in the Schedule

For the attention of the Contact

19.1.3 In the absence of evidence of earlier receipt any such notice shall be deemed to have been given or received:

- (a) If delivered by hand, when delivered; or
- (b) On the second business day following the day of sending if sent by post or recorded delivery; or
- (c) On the date and at the time that the courier's delivery receipt is signed if sent by commercial courier.

20. General

20.1 This Agreement may not be assigned or otherwise transferred in whole or in part by the Requester without the prior written consent of the Data Controller.

20.2 The Requester shall not be entitled to sub-licence any of the rights granted to it by the Data Controller under this Agreement.

20.3 No amendment or variation to this Agreement, or any revocation or extension of this Agreement, shall be effective unless it is made in writing and signed by the Parties.

20.4 For the purpose of section 1(2) of the Contracts (Rights of Third Parties) Act 1999 the parties state that they do not intend any terms of this Agreement to be enforced by any third parties; but any third party right which exists or is available independently of that Act is preserved.

20.5 This Agreement, and the Individual Declarations contain the whole agreement between the parties and supersede any prior written or oral agreement between them in relation to its subject matter and the parties confirm that they have not entered into this Agreement on the basis of any representations that are not expressly incorporated into this Agreement.

- 20.6 The rights and remedies of either party in respect of this Agreement shall not be diminished, waived or extinguished by the granting of any indulgence, forbearance or extension of time granted by one party to the other nor by any failure of, or delay by the said party in ascertaining or exercising any such rights or remedies. The waiver by either party of any breach of this Agreement shall not prevent the subsequent enforcement of that provision, and shall not be deemed to be a waiver of any subsequent breach of that of any other provision.
- 20.7 Any provision of this Agreement which is held invalid or unenforceable shall be ineffective to the extent of such invalidity or unenforceability without invalidating or rendering unenforceable the remaining provisions hereof.
- 20.8 This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original of this Agreement, but all the counterparts shall together constitute the same contract. No counterpart shall be effective until each Party has executed at least one counterpart.

21. Intellectual property rights - NPD data

- 21.1 All Intellectual Property Rights in the NPD Data and in any database containing the NPD Data compiled by DfE are vested, and shall remain vested, in DfE. The Requester acknowledges that the NPD Data is derived from databases compiled and owned by DfE and that DfE retains all rights in the NPD Data and such databases under the Copyright Rights in Databases Regulations 1997.



Department
for Education

© Crown copyright 2018

You may re-use this document / publication (not including logos) free of charge in any format or medium, under the terms of the [Open Government Licence v3.0](#).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this document should be sent to us at NPD.REQUESTS@education.gov.uk.