

DATA SHARING AND DATA PROTECTION

This Learning Digest identifies learning points for Uni Connect partnerships in relation to data sharing and data protection. It is based on interviews and a workshop with partnership leads conducted as part of Uni Connect's formative evaluation (2019-2021), commissioned by the Office for Students. It is not intended to provide a definitive approach to data sharing and data protection, rather some useful learning points for consideration. This learning digest is produced by Ipsos Mori, from independent research commissioned by the OfS. It does not necessarily reflect the OfS's views or position.

Data sharing is a key activity for all Uni Connect partnerships and critical to achieving the aims and objectives of the programme. It underpins the identification of eligible learners, the profiling of those engaging in Uni Connect activities and the long-term tracking of learners through the programme and beyond.

national, regional and local level. It enables measurement and reporting of progress towards engagement targets, as well as the generation of evidence to assess the long-term impact of the programme on learner progression to Higher Education.

Data sharing is also critical to enabling effective performance management of Uni Connect at a

Uni Connect partnerships must ensure that all data sharing is fully compliant with General Data Protection Regulation (GDPR).

With special thanks to all Uni Connect partnerships and particularly to:

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- Jonathan Lidster, LiNCHigher, jonathan.lidster@bishopg.ac.uk

KEY CONSIDERATIONS



ESTABLISHING DATA SHARING ARRANGEMENTS

- Partnerships need to establish data sharing arrangements with each of the schools and colleges they are working with in order to gain access to data on learners
- The starting point involves agreeing the legal basis for processing data - Public Task, Legitimate Interest or Consent
- When using Public Task or Legitimate Interest, the school or college can share data with partnerships without consent from individual learners. However, regardless of which legal basis is used, learners must see the data protection statement and privacy policy – they have the right to be informed and the right to object. A process should be established for managing the withdrawal of consent
- If sharing on the basis of Consent, then a consent form is required from all students (or their parents if under the age of 13 or deemed appropriate by the partnership)
- Expert advice and guidance is required at this stage to ensure all approaches are fully GDPR compliant – this also provides assurances to schools and colleges on the process



COLLECTING AND COLLATING DATA

- Schools and colleges may share data on all Y9-Y13 learners along with registration data from attendance at Uni Connect events and activities throughout the year
- Alternatively, they may only share data on learners who have participated in Uni Connect activities
- The data shared on learners is then transferred onto a tracking system, which can also hold information on which activities individual learners have participated in
- Partnerships with devolved structures could consider enabling partners to input data to the system directly to save having to do this centrally
- Having profile data on students, monitoring data on activities engaged with and survey data all in one place facilitates detailed analysis of engagement with the programme
- A level of analytical support and expertise is required in order to make the best use of data collected



USING DATA TO MEASURE AND DRIVE PERFORMANCE

- Tracking systems should facilitate the generation of monitoring reports for submission to the OfS to track performance at a national level
- However, the data collected can also be used by partnerships for a much wider range of uses such as:
 - Tracking progress at regional, partner and school / college level
 - Informing delivery through insights into which activities are being well / less well received by learners
 - Understanding the profile of the learners they are working with
 - Understanding the effectiveness of approaches taken to targeting
 - Informing performance management meetings / discussions with partners
 - Feeding back to schools and colleges on delivery, performance and impact of Uni Connect



LONG-TERM TRACKING AND EVALUATION

- The tracking systems used by partnerships enable linking of individual learner data to HESA data to facilitate long-term tracking of the impact of Uni Connect on progression to higher education (HE)
- The higher quality the data collected by partnerships, the more robust the impact evaluation, based on the effectiveness of the programme
- Evaluative analysis of tracking data at the partnership level can generate insights into which learners are achieving progression and which activities are associated with this, which can inform decisions around delivery priorities

Potential issues to be alert to



- Different institutions may have different interpretations of data protection law depending on their specific context, which means that a differentiated approach within and between partnerships may be required
- If using Consent as the legal basis for sharing data, time and resource needs to be factored in for administration and collection of consent forms from learners / parents
- The establishment of data sharing protocols can be resource intensive and requires specialist expertise in GDPR

What does success look like?



- Partnerships have access to high quality data on programme delivery, performance and impact at regional, partner and institutional level
- Sensitive data on learners is collected and used in a safe and appropriate way
- Strategic, operational and financial decisions are based on robust insights and intelligence
- Engaged learners are tracked to support the programme evaluation, and enable an accurate assessment of the long-term impact of the programme on progression to HE
- Schools and colleges are confident to share data on learners with Uni Connect partnerships
- Partnerships have strong local evaluation, and are able to articulate their performance and impact to key stakeholders

LiNCHIGHER

CHANGED LEGAL BASIS FOR DATA SHARING FROM CONSENT TO PUBLIC TASK

In 2020, LiNCHIGHER decided to change the legal basis on which they collected data on learners from schools and colleges from Consent to Public Task.

LiNCHIGHER identify a number of useful learning points from going through this process:

The drivers of this decision were:

- **Efficiency** – the Consent process placed a major resource burden on schools, colleges, learners and parents (as well as the partnership themselves)
- **Effectiveness** – only 30% of consent forms were being returned, which meant they were consistently under-reporting delivery and performance
- **Potential bias** – those learners who were less engaged were less likely to return consent forms, meaning that data collected was skewed towards more engaged learners
- **Accessibility** – the legal and technical language included within consent forms was considered difficult for some young people / their parents to engage with
- **Accuracy** – the manual process meant there was scope for error in how data on consent was being recorded
- **Storage & environmental considerations** – two key issues with using of paper consent forms

- **Effective communication is key** – schools, colleges, partners and learners must all be fully clear on the process. LiNCHIGHER have produced information sheets for different audiences, a video explaining how the data is used and a dedicated area of the website
- **Incentives can be helpful** – LiNCHIGHER developed an online learning platform during COVID, which required schools and colleges to share data to enable them to set up individual user accounts for learners
- **It can be useful to engage local authorities** – having endorsement of the approach from LAs can be helpful and they may also be able to provide access to GDPR expertise for schools and colleges who do not have this in-house
- **Data formatting** – it is worth investing time upfront to get the format of the data sharing template correct to enable it to be automatically uploaded to the tracking system
- **Simplicity** – aim to make the whole process as simple as possible to minimise burden

Network for East Anglian Collaborative Outreach (neaco)

MAKE EXTENSIVE USE OF DATA

Network for East Anglian Collaborative Outreach (neaco) use Public Task as the lawful basis for collecting data on learners from schools and colleges and use the HEAT tracking system. The data collected is used to:

Lessons learned on what works:

- **Generate monitoring reports** – HEAT generates automated reports to enable ease of reporting to the OfS and to enable neaco and partners to monitor delivery on an ongoing basis
- **Inform day-to-day management and delivery of the Uni Connect programme** – including tracking key performance metrics in partnership and institution level and informing what types of activities are delivered to which groups of learners
- **Manage performance** – data is reviewed on an ongoing and regular basis and used to inform discussions with partners on progress in delivery and overall performance
- **Evaluation** – data is used to directly inform national / regional evaluation activity

- **Establishing data sharing arrangements with partners** – as a large partnership with a devolved structure, it has been helpful to enable partners to access HEAT directly to upload data and generate reports
- **Investing in training for staff** – this has helped ensure they can make the most of the wide range of data collected
- **Drawing on expertise from a data protection expert** – this has been helpful in instilling confidence in the approach
- **Having Uni Connect staff based in schools** – has helped build trust around data sharing
- **Generate summary reports for schools** – so they also get something out of it



“We really make the most of our data. Our view is that if we're going to collect it then we should make sure it is worthwhile. We use every piece of data we collect, sometimes four or five times for different purposes. That also really helps staff to realise how important it is; that we're not just collecting all this data and it's never used again.”

Jenny O'Hare, Project Manager, Network for East Anglian Collaborative Outreach (neaco)