



Department  
for Education

# **DfE (and Executive Agencies) Data Sharing Service Application Form Guidance**

**To be used when applying to DfE (and its Executive Agencies) for personal data.**

**January 2023**

# Contents

Summary	5
About this application form guidance	5
Expiry or review date	5
Who is this guidance for?	5
Main points	6
Main Changes to the application form	6
Evidence to be submitted with application	6
Structure of the Application Form	6
What is the process for approving applications?	8
What impact will the changes have on turnaround times for completing requests and receiving data?	8
Five Safes	9
DfE rights	9
SECTION 1 - PURPOSE	10
1.1 Applicant Name	10
1.2 Application Type	10
1.3 Name of the Research, Project, Programme or System for which personal data is required	11
1.4 Brief Purpose	11
1.5 Fuller Description	11
1.6 Research Methodology	12
1.7 Public Benefit (Public Good)	12
1.8 Risks to Public Benefit (Public Good)	13
1.9 Intended Outputs	13
1.10 Project Timescales	13
1.11 Link to any Previous DfE data requests	13
1.12 Future Intentions	14
SECTION 2 - DATA	15
2.1 Data Requirements	15
2.2 File Format	16
2.3 Matching Requests – Personal Data	16

2.4 Matching Requests – Reference data (non-personal data)	17
2.5 Matching Request - Identification Risk	18
2.6 Matching Request - Sensitivity	19
2.7 Information Asset Owner (DfE teams only)	20
2.8 DfE (and executive agencies) agreement	20
2.9 Data Requirements Sign Off	20
SECTION 3 - ETHICS	21
3.1 Ethics	21
3.2 Services offered to schools	21
3.3 Services offered to individuals	21
3.4 Commercial considerations	21
SECTION 4 – ONS SRS	23
4.1 Research Theme	23
4.2 Software	23
SECTION 5 – DIRECT SUPPLY	24
5.1 Reasons why ONS SRS is not suitable for your project.	24
5.2 Information Security Assessment	24
SECTION 6 – INDIVIDUALS REQUIRING ACCESS	25
SECTION 7 – DATA PROTECTION ROLES	27
7.1 Type of Documentation to Facilitate the Data Share	27
7.2 Any organisation(s) that require DfE personal data	29
7.3 Any organisation(s) involved in the project but does not require DfE personal data	30
SECTION 8 – LAWFUL BASIS	31
8.1 Lawful Basis	31
8.2 Status of DfE DPIA	31
COMMUNICATIONS FROM DfE	32
DECLARATION	33
ANNEX 1 – Data Sources	34
ANNEX 2 – Five Safes	36
SAFE PROJECT	36

SAFE DATA	36
SAFE SETTINGS	37
SAFE OUTPUTS	37
SAFE PEOPLE	37
Further information	38
Useful resources and external organisations	38
Other relevant departmental advice	38

# Summary

## About this application form guidance

Please use [Explore Education Statistics](#) to see if your data needs can be met through published data before completing this application form for DfE personal data. DfE Data Sharing Service governs all applications for access to DfE (and its executive agencies) personal data. See Annex 1 for most commonly requested DfE data.

This application form must be used when applying to DfE (and its Executive Agencies) for personal data either via a direct supply of data or through Office for National Statistics. DfE's default position is that all data shares will be through the ONS Secure Research Service (ONS SRS) unless the specific data share cannot be shared through that route (for example: the data share must use instant identifiers which the ONS SRS does not allow) and the data share meets one of the [three SRS exemptions](#).

This form must be used to apply for Linked DfE data.

There is a separate application form for all DfE-commissioned **research** projects requiring DfE personal data (that is, where DfE are contracting with a third party for the purpose of carrying out research). Please talk to your DfE contact before attempting to complete this application form.

For [Longitudinal Education Outcome](#) (LEO) data, Growing Up in England (GUIE) data and GRrading and Admissions Data England (GRADE) data, please apply through the Office for National Statistics [Research Accreditation Service](#) (ONS RAS).

Information from the \* (asterisk) questions will be published in [DfE external data shares](#).

## Expiry or review date

This guidance will next be reviewed in March 2023.

## Who is this guidance for?

This guidance is for:

- Any external organisation, local and central government bodies

## Main points

- a) any external organisation and any local or central government body can request DfE personal data for projects that meet our DfE principles for sharing data. [How DfE shares personal data - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/how-dfe-shares-personal-data)
- b) this provides guidance to organisations to support their application to DfE

## Main Changes to the application form

From 1<sup>st</sup> October 2022:

- a) you must submit a UKSA Ethics Self-assessment if you have no other form of ethics evidence.
- b) You must provide a Legitimate Interest Assessment (LIA) if your project is relying on Legitimate Interests as the lawful basis for processing DfE personal data.

## Evidence to be submitted with application

The following evidence must be submitted alongside the application form:

- A. Evidence of an ethics consideration for your project (either from an independent ethics committee of a [UKSA Ethics Self-Assessment](#)).
- B. Legitimate Interest Assessment (LIA) if relying on Legitimate Interests as the lawful basis for processing DfE personal data.
- C. Detailed data requirements using the latest, relevant data tables.
- D. [Information Security Questionnaire](#) (ISQ) for those applying for a direct supply of personal data. Associated evidence to support the ISQ.
- E. If applying for a direct supply of DfE data, a copy of at least a '[basic disclosure](#)' certificate (or evidence that the certificate has been updated) that is **no more than 2 years old** for all permitted users. If you do not have a copy of the basic disclosure certificate and you would like to give us consent to check the DBS database, please provide your DBS certificate number, DBS issue number and date of birth.

## Structure of the Application Form

Applicants when they are applying to the DfE Data Sharing Service for personal data are applying for three things:

1. Approval to use DfE personal data for their project  
Section 1 - Purpose

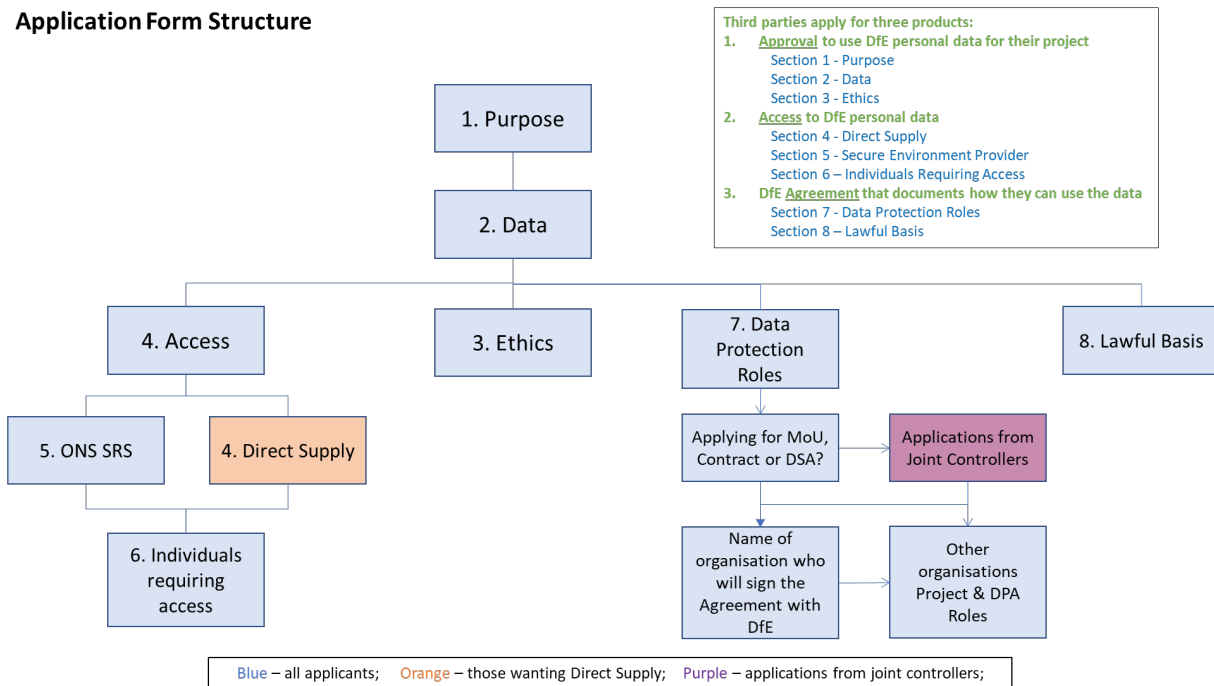
Section 2 - Data  
 Section 3 - Ethics

- 2. Access to DfE personal data
  - Section 4 - Secure Environment Provider
  - Section 5 - Direct Supply
  - Section 6 – Individuals Requiring Access

- 3. DfE Agreement that documents how they can use the data
  - Section 7 - Data Protection Roles
  - Section 8 – Lawful Basis

The structure of the application form reflects these three needs:

**Application Form Structure**



## What is the process for approving applications?

The following highlights the process that your application will go through. At the end of each stage, the case worker will give you an estimated time that it will take to go through the next stage:

1. Submit application to [data.sharing@education.gov.uk](mailto:data.sharing@education.gov.uk)
2. DfE does an initial light touch triage of the application to ensure all of the appropriate questions have been answered and that all of the relevant evidence has been submitted.
3. DfE allocates the case to a caseworker who will be your point of contact throughout the application process.
4. The case worker will then
  - a. scrutinise the application form (e.g., data requirements in detail, how DfE personal data is intended to be used in the project's purpose, all organisations and individuals involved) and evidence in order to complete the DfE Data Protection Impact Assessment (DPIA) for DfE Office of the Data Protection Office (DPO) for a risk assessment,
  - b. liaise with other DfE policy, analytical and research teams, and other data owners, and
  - c. draft the Decision Form for Data Sharing Approval Panel (DSAP) to make the decision on whether or not to share personal data.
5. The caseworker may need to go back to the applicant for more information to strengthen or tighten up the application
6. If approved by DSAP, DfE finalises the Data Sharing Agreement (DSA) or Memorandum of Understanding (MoU)
7. Once signed, DfE prepares the DfE personal data for sharing

## What impact will the changes have on turnaround times for completing requests and receiving data?

We hope, over time, the changes being implemented will improve turnaround times and approved requests should be fulfilled quicker than they are currently. We will keep service standards under review and, once the new service has bedded in and we have continued on the journey to migrate more data sharing to the ONS Research Accreditation Service under the Digital Economy Act, we will publish a set of key performance indicators within which you can expect to receive your data. These turnaround times will be dependent on submitting a good quality application form and being willing to sign up to DfE terms and conditions. However, any missing, incomplete, or insufficient information to support your application will result in delays.



## Five Safes

All data shares are subject to the “Five Safes” data protection framework (Annex 2). The application form assesses these Five Safes tests but designed around a better user experience.

Five Safes	Application Form Sections
SAFE PROJECT	– Purpose – Ethics Project needs to meet DfE Data Sharing <a href="#">Principles</a>
SAFE DATA	2 – Data 8 – Lawful Basis
SAFE SETTING	4 – Direct Supply 5 – ONS SRS
SAFE OUTPUTS	1 – Purpose 3 – Ethics
SAFE PEOPLE	6 – Individuals requiring access 7 - Data Protection Roles Project requires appropriate DSA or MoU

## DfE rights

1. DfE reserves the right to ask further questions relating to the project if the application form does not provide enough information.
2. DfE reserve the right to refuse repeat research unless it is still relevant and likely to inform or supplement public debate.
3. DfE reserves the right to seek clarification on the proposed research project if DfE is not convinced that the data requested is good enough to support the project.
4. DfE reserves the right to ask the applicant to share their findings and/or code so that the department can re-use it for wider public benefit.
5. DfE reserves the right to ask the applicant to re-apply for additional refreshes of data if DfE feels it is necessary.

# SECTION 1 - PURPOSE

## 1.1 Applicant Name

Please provide your name and which organisation you work for. If this is a PhD project, the applicant should be the individual who has overall responsibility for the project (e.g., the supervising tutor, principal researcher, director of research etc) who is required to actively endorse and oversee the research application.

We suggest that the organisation that knows more about the project should complete the form as long as the application form is signed off by the [controller](#) (for DfE-commissioned projects, the application form must be signed off by the DfE-commissioning team). If you are not sure who the controller is you should use the [ICO checklist](#).

## 1.2 Application Type

There are three broad types of reasons why personal data is requested from DfE. As there is only one form for all of these scenarios and different users, this question is designed to help you navigate the new form. The applicant should tick the one that they feel most represents their project.

- Operational purposes - DfE has an obligation to share data so that the education sector runs efficiently and effectively. DfE is not obligated to share data when the requested data is required for operational reasons but is not essential to running the education and children's services system. These data shares would typically be those from other government departments and/or other public bodies charged with delivering education and children's services (e.g., Ofsted, Ofqual, Awarding Organisations).
- Central and local government research - Linking and sharing data cross-government can produce powerful insight into how government policies might impact particular groups of individuals. These data shares would typically be DfE-commissioned or from other government departments or local authorities. This category would also cover research carried out by the Office of the Children's Commissioner.
- Third-party research, evaluation, or analysis – this would be projects that:
  - comprise significant research, evaluations and analysis projects which breaks new ground and add value to the education, skills, and children's services evidence base. These data shares would typically be those from universities and/or from academic research organisations who might be sponsored or funded by another organisation, or
  - uses DfE personal data for secondary analysis, re-packaging of DfE statistics, benchmarking statistics and/or for feeding into third-party software in order to provide a service. Please tick this box if you intend to provide a) a service to front-line organisations (e.g., schools, colleges) or b) a service offered to individuals (e.g., learners, parents, members of the

school/college workforce, members of the public). Data shares to support these types of projects and services will only be considered where it can be demonstrated that the analysis, or resulting services, that use DfE data will add significant value to the sector's ability to perform effectively.

### **1.3 Name of the Research, Project, Programme or System for which personal data is required**

If the application is for multiple projects, please choose a name that collectively describes all of these projects or programme.

### **1.4 Brief Purpose**

Provide a short description of the project and its benefits, in no more than 150 words, in the box below using the following structure:

*[insert your organisation name] wishes to use [describe high level DfE data requirements]. With this data they will [describe your project]. The public benefit of this work will be [describe project benefits].*

This will be published on [DfE External Data Shares](#). Please use plain English language that would be easy to understand by an interested citizen. Avoid heavy 'research jargon' or 'education speak' or acronyms. Lastly, please use third person (i.e., do not use "I" or "We"). You should structure your brief purpose as outlined below.

### **1.5 Fuller Description**

This information will help us to assess whether your proposal is feasible, appropriate, and clearly beneficial to the public. Data must only be collected, and shared, for specified, explicit and legitimate purposes. It must be used in a manner compatible with the specified purpose. There are limited exceptions for archiving, scientific and historical research. This section allows the applicant to elaborate on their project's aims and objectives, intended methods, outputs and benefits, which meets the 'public good'. Please provide concise but comprehensive information sufficient to allow DfE data sharing panel to make a robust decision. You should include a) any research questions being addressed (including any links, or embedded documents, to previous research publications), b) any operational uses of data and how these are essential to running the education and children's services system.

## 1.6 Research Methodology

DfE reserves the right to seek clarification on the proposed research project if DfE is not convinced that the data requested is good enough to support the project. ONS operates exactly the same model and expects the researcher to be able to describe the research methodology. A good response might include the following:

- The hypothesis/hypotheses you intend to test and/or the research question(s) you will answer
- Any expected outcomes or dependent variables – these could be binary, categorical (with levels), time to event, continuous, changes over time, etc.
- The method(s) of analysis you plan to use (such as regression)
- The starting point for the modelling process, as well as any understanding that may evolve
- Statistical tests you aim to use
- How any potential selection/causal biases will be addressed
- Methodological references (if a non-standard methodology is proposed)
- Details around how your project and results will contribute to the field of research
- An explanation of how your methodological approach will answer the research questions set out
- If the research is for scientific purposes
- A pre-defined query or sample data table to illustrate that the project's purpose is proportional
- Sample size and/or control group requirements.

The level of detail provided should help an experienced researcher to understand what type of model is going to be constructed, how bias will be addressed and what is likely to be considered an important effect.

If you are applying for DfE personal data for exploratory analysis DfE understands that your methods are likely to be more descriptive. DfE also accept that various types of models could be explored later.

## 1.7 Public Benefit (Public Good)

To approve your application, you must demonstrate that your project will deliver clear public benefit. Your project should demonstrate one or more of the public benefits. Be sure to reference all that apply and provide as much detail as possible. If your project is for exploratory analysis, you may find it difficult to identify much public benefit. However, you may include public good which would arise if it led to a full research project. This question is useful to DfE to understand the wider benefit but can also be used to assess which legal gateway we are able to use for your project.

## 1.8 Risks to Public Benefit (Public Good)

If the project has identified any risks, please provide as much detail as possible.

## 1.9 Intended Outputs

Please state what you intend to do with the outputs from this project and if, when and where the results will be published if known.

## 1.10 Project Timescales

Please provide the timeframes for your research / project and include in your response any milestones that are critical and why. For those accessing DfE data via ONS SRS, we also need to understand the best estimate of the date you will no longer need access to the data (this will inform DfE's proposed licence end date).

If applying for DfE data through ONS SRS and you are wishing to bring in DfE data, you currently hold for linking to the new DfE data that you are applying for in this application then the new licence end date will also be applicable to the DfE data you bring into SRS for the purpose of this project. This is to help us prioritise your request and assess an appropriate licence end date.

## 1.11 Link to any Previous DfE data requests

If this data request is a continuation of a previous DfE data request, as a minimum you will need to provide the following details in the application:

- DSAP number (DS\*\*\*\*\*) and/or any other DfE reference numbers provided (such as DR\*\*\*\*\*, SWFC\*\*\*\*\*, EPR\*\*\*\*\* etc),
- Whether the DfE data you initially received was via direct transfer or via the ONS SRS. If the latter, also providing the ONS SRS Project Area Reference Number,
- Details of how this is related to previous requests, including any differences/additions to the project since the previous request,
- Details of whether you are proposing to use the DfE data you previously received alongside the new DfE data you are requesting in this application,
- Whether any re-use of data is wholly aligned to the project's original purpose
- Whether there have been similar projects carried out and whether this project is designed to fill a gap,
- Anything else you feel may be relevant.

## 1.12 Future Intentions

Please state whether your project requires one extract once or whether it relies on updates to the extract (e.g., every year, every time the DfE data is updated) to reach a satisfactory conclusion. Please also provide reasons why your organisation might need to retain DfE data over time. If we are satisfied with your reasons for recurring data shares, we can provide updates when required. The data sharing service is very busy throughout the year, so we expect you to be proactive in alerting us to your data needs as early as possible.

**Please note that a successful application does not guarantee access to future data as these would be subject to DfE data sharing policies in place at the time.**

## SECTION 2 - DATA

### 2.1 Data Requirements

For data variable details, please reference the relevant dataset's [data tables](#) (NPD, Linked NPD-ILR-HESA) or this [link](#) for Individual Learner Record (ILR) data.

You may also like to use the [Find & Explore NPD](#) data digital tool to understand what data the NPD holds. The “My List” may help to complete the NPD Data Tables. It is the latter that must be submitted to DfE with your application. For those requiring a more accessible method for providing your National Pupil Database data requirements, you may submit the “My List” but please do talk to [data.sharing@education.gov.uk](mailto:data.sharing@education.gov.uk) first so that they can explain what you need to do.

Apart from LEO and GUIE, all DfE data assets (see Annex 1) should be available through this application form. If you cannot find the dataset you need in Annex 1, please contact [data.sharing@education.gov.uk](mailto:data.sharing@education.gov.uk) before completing the application to see if we can provide the data you require.

When answering this question, a good set of data requirements would include the following including justification on the volumes requested (number of data items and number of academic years-worth of data):

- Organisational level – e.g., Local Authority, School, College, Early Year Providers
- Individual level – workforce, child, pupil, learner, student
- Years – academic, financial, calendar year
- Version (e.g., unamended, amended, final)

#### **Examples:**

*For all pupils, or a specified cohort, for example, a particular year group, or for pupils successfully matched from data provided:*

- *A specific dataset for a specific year, for example, Spring Census 2017/2018; or for a number of years, Final KS4 Pupil & Exam 2011/2012 – 2017/2018.*
- *An attainment dataset linked to census data for the relevant year(s), for example Final KS4 Pupil & Exam for 2016/2017 linked to Spring Census 2016/2017; or Final KS2 Pupil 2011/2012 – 2014/2015 linked to Spring Census 2011/2012-2014/2015.*

*A dataset linking multiple sets of prior attainment and census data, for example Final 2016/2017 KS5 data, linked to Spring Census 2016/2017, and prior attainment at KS4, KS2 and KS1; or Final KS2 2013/2014 – 2015/2016 linked to Spring Census 2013/2014 – 2015/2016 linked to prior attainment at KS1.*

Contact [data.sharing@education.gov.uk](mailto:data.sharing@education.gov.uk) if you need more information.

**Are you aware of any limitations of using the DfE data for the purposes of your project? If so, how will you mitigate against these and/or caveat these within any outputs?**

As controller, DfE needs to ensure that any data processing of personal data is, amongst other things, proportionate and necessary. This question helps DfE to assess this.

### **2.1.1 Data Already Held**

If you already have DfE DSAP approval for a recurring data share through direct supply, in the annual review you must provide detailed justification as to why you still need to hold DfE data (which datasets and which academic years) for this specific project.

## **2.2 File Format**

DfE provides a wide range of file formats. Please state which one most suits your needs.

## **2.3 Matching Requests – Personal Data**

Matching request = “the process of trying to establish if two records from two different databases relate to the same entity (e.g., person, address, household, business). The pairs of records that you think are matches are called links. If the pair do truthfully relate to the same entity, the pair are a match.”

Please explain which data you wish to provide DfE in order to carry out the matching required. To note: ESFA does not provide a matching service for ILR data.

A good response would include the following:

- The identifiers that will be used as the link to carry out the data matching.
- Whether there is a need to match historical data.
- The approximate number of records required to carry out the matching.
- Whether you have approval from other organisations to match their data (e.g., MoJ, Health Research Ethics Committee).
- Whether the research has been overseen by an Ethics Committee. If so, please give details.
- Whether you need DfE to give you the control group or whether you will use your own. Please give details, including any data variables needed for the control group.
- Whether it's a pilot for future matching projects.



There is no guarantee that more complex matching projects can be met by DfE's Data Sharing Service as we operate with a finite level of resource. Where DfE can meet your needs, please provide the following:

- a diagram of the data flows between organisations
- a list of all the data that is involved in the data flows
- the timescales of when these data flows occur

## **2.4 Matching Requests – Reference data (non-personal data)**

If you are applying to bring reference data that you hold into the ONS SRS to link with DfE matched data, please provide details of these including which identifiers will be used as the link to carry out the data matching and whether you intend to match historical data.

[To note: ONS SRS does not support the use of 'instant' identifiers (such as name, full address, postcode) or 'meaningful' identifiers (such as Unique Pupil Number). Linking would need to be undertaken using 'meaningless' identifiers which do not identify the individual (such as NPD's "Pupil Matching Reference Number anon"). If such matching is needed, you need to submit a matching request for personal data to DfE (see above section). Once DfE has approved the matching request, requesters will need to engage with ONS to bring in their own data.]

## 2.5 Matching Request - Identification Risk

DfE uses four types of [identification risk](#). Using the data tables (if available) as a guide, please provide DfE with an assessment of identifiability risk of **the** data that you will be matching and linking to DfE data. [Please note: ONS SRS does not accept data of identification risk 1 and 2.]

Label used in transparency publication	Identification Risk	Description	Example
<b>Individually identifiable data<sup>1</sup></b>	1. Instant identifiers	These are data variables that allow you to instantly 'point to' a person in a dataset	Names, Full Address
<b>Individually identifiable data</b>	2. Meaningful identifiers	These are data variables that very quickly allow you to identify someone (including identifying someone through linking with other known datasets)	Unique identifiers (e.g., ULN, UPN)
<b>De-identified individual data</b>	3. Meaningless identifiers	These are data variables used within a dataset but have no meaning beyond the dataset's boundaries.	Pupil Matching Reference (PMR) number
<b>De-identified individual data</b>	4. Other high risk data variables	These data variables do not in themselves identify individuals, but may in combination with other data variables increase the risk of identification	Home Postcode, Educational establishment codes, Free School Meal flag, Salary Spine Point

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<sup>1</sup> ONS does not allow individually identified data in the Secure Research Service. Data must be de-identified.

When justifying your data needs, you must be willing to explain why you need individually identifiable data variables (instant identifiers and meaningful identifiers). For example, “My data request includes data variables of identifiability risk level 1 (e.g., full address) or identifiability risk level 2 (e.g., unique pupil number) or postcode. The project requires these data variables because ...”

## 2.6 Matching Request - Sensitivity

DfE uses five levels of [sensitivity](#). Using the data tables (if available) as a guide, please tick all the sensitive data levels that apply to **the** data that you will be matching and linking to DfE data. Sensitivity level A has not been included as this relates to where DfE have made a public commitment to not release the data and is therefore not relevant to your data.

Sensitivity level	Description	Example
B	Highly Sensitive: Contains data about interactions with Children’s Services	Data from children in need and children looked after datasets
C	Sensitive data not classed as a special category under UK GDPR, but a public expectation would be that we treat it sensitively	Gender, Free School Meals, Some elements of Special Educational Needs.
D	Sensitive data captured as a special category under UK GDPR  <b>(you must provide us with the condition of processing special categories of data you are relying on in Section 8)</b>	Ethnicity, Sex, Language, Disability, Health, Religion, some elements of SEN that have health angles.
E	Other, non-sensitive data variable	Exam results

When justifying why your project requires this level of sensitivity. You must be willing to explain why you need high sensitivity data variables. For example, “My data request includes data variables of sensitivity level B (Children in Need) and sensitivity level C (Gender, SEN). The project requires these data variables because ...”

## **2.7 Information Asset Owner (DfE teams only)**

It is the responsibility of the DfE team requesting to share DfE personal data with external organisations under a DfE commercial contract to talk to the Information Asset Owner (IAO) prior to submitting this application form. If you do not know who the IAO is for the data asset, check the [IAO Register](#) on DfE intranet.

## **2.8 DfE (and executive agencies) agreement**

It will speed up your application if you could notify us of anyone in DfE (and executive agencies) that you have spoken to about this request.

## **2.9 Data Requirements Sign Off**

Please provide the name of the person in authority who can sign off your project's data requirements. It is vital that, as an applicant, your data requirements are accurately documented within the application as omissions and/or mistakes cannot be rectified after the application has been approved.

## SECTION 3 - ETHICS

### 3.1 Ethics

All third-party applicants are expected to provide evidence of an ethics consideration for their research project. This can be from an ethics body or by using the [UK Ethics Self-Assessment](#) form. If no other form of ethics consideration for the research project is evident in your application for DfE personal data, you must submit a UK Ethics Self-Assessment. For guidance on how to complete the form, see [UK Ethics Self-Assessment](#). This is in line with ONS Research Accredited Service for applying to use data held by ONS SRS under Digital Economy Act (2017).

DfE commissioned projects, requests from crown or public bodies do not require an ethics assessment as it is assumed that your project has already received an ethics approval.

### 3.2 Services offered to schools

It is important for DfE to only share data where there is a significant benefit to the sector and front-line organisations in line with key DfE commitments. One such commitment is "[Making data work: Report of the Teacher Workload Advisory Group](#)" published in November 2018. Please provide as much detail as you can on why you think your application for DfE data which will allow you to offer your services to schools meet the principles of this key report.

### 3.3 Services offered to individuals

It is important for DfE to only share data where there is a significant benefit to the wider community and those individuals within it. Please provide as much detail as you can on why you think your application for DfE data which will allow you to offer your services to individuals will benefit the wider community, enable better informed choice and/or widen participation. Please also provide evidence as to how you have created your service using user-centred design.

### 3.4 Commercial considerations

We consider it important to implement certain additional conditions on commercial organisations and/or commercial projects/products to maintain public confidence in our service. However, equally, we recognise that it can be distressing for parents and learners to see that their data is used, often without their explicit consent, by organisations who are making a profit, where in some cases it is perceived to be of no

benefit to the parent or learner. We also recognise that enabling these projects can be of great benefit to society, and sometimes charging for access to products allows organisations to recover their costs for the services they provide to the public. And we acknowledge that commercial organisations have, in the past, been able to create innovative products that help parents, teachers and learners make better educational decisions.

Please provide as much detail about how our data is used in relation to your business model (e.g., costs for products, licence fees, subscription services etc). This will help DfE to ascertain if the request is of benefit to the wider education community.

## **SECTION 4 – ONS SRS**

Access to ONS SRS will be given through one of the following mechanisms subject to availability and compliance with ONS SRS's terms and conditions:

- 1) ONS SRS's physical safe setting locations (the default basis); or
- 2) From the third party's own premises via ONS SRS's web facing service for those who have achieved Assured Organisational Connectivity (AOC); or
- 3) From home where the relevant researchers have been approved by ONS SRS as having all required controls and agreements in place and where the researcher has confirmed that COVID19 is impacting current working arrangements. ONS will keep this option under review.

[Please note: the ability of one or more Permitted Users to access the DfE Data Extract from home may be terminated, without notice, at the absolute discretion of DfE and/or ONS].

### **4.1 Research Theme**

Please state which theme best describes your project.

### **4.2 Software**

ONS SRS provide a wide range of software suitable for many different types of analysis. Applicants will need to justify why they need more niche software products for their analysis. If justifiable, DfE and the ONS SRS will discuss these needs on a case-by-case basis.

## SECTION 5 – DIRECT SUPPLY

### 5.1 Reasons why ONS SRS is not suitable for your project.

By default, all data shares will be done through the ONS SRS. However, we know that the Secure Research Service does not allow identifiable data to be ingested (i.e., instant identifiers and meaningful identifiers). So, you need to consider if your project can be completed using pseudonymised data so that DfE can provide you with access to personal data through the ONS which is our preferred route. In this question we need to know why you think you cannot access DfE personal data from the SRS instead of receiving a direct supply [please note: DfE doesn't regard tight timescales as a good enough, justifiable reason].

Where the SRS is not suitable and evidence can be provided to support this, the following exemptions on the use of SRS for sharing data will be considered:

1. data is being processed to fulfil an essential public task, such as the running of education or children's services;
2. you are doing research funded by, or commissioned by, DfE and its executive agencies or other government departments;
3. you are doing research that is sponsored or supported by DfE and its executive agencies as adding significant value to the evidence base supporting education or children's services.

You will need to justify why you are seeking a direct supply of DfE personal data in the application form.

### 5.2 Information Security Assessment

Any organisation receiving DfE personal data must complete an Information Security Questionnaire (ISQ), and this must be submitted with the application form. Any applications for a direct supply submitted without an up-to-date ISQ will be rejected. If it is intended that more than one organisation is to receive the DfE personal data, then all of the organisations must submit an ISQ with this application form. Please provide as much information as possible to support your ISQ. This should include security policies.

[Please note: An ISQ is not required if another crown organisation is receiving DfE personal data, but it would be required if another crown organisation's processor is receiving DfE personal data.]

Please use this part of the application form to notify DfE of a) anything that might reassure DfE of your organisation's information security in order for DSAP to approve your application for a direct supply of data or b) of mitigating circumstances as to why the information security assessment might be deficient in some places.



## SECTION 6 – INDIVIDUALS REQUIRING ACCESS

Under UK GDPR, where individuals from one organisation:

- are processing DfE personal data under instruction from another organisation, there must be a controller to processor contract in place (Article 28) between the organisations. DfE would sign a controller to controller DSA with the organisation that is providing those instructions to the other organisation.
- are working together on a jointly defined / common purpose (ie. working with the same DfE personal data for the same project) with individuals from another organisation, there must be a joint controller arrangement in place (Article 26) between the organisations. For the purposes of receiving DfE data, one organisation must choose to be the 'main requester' and the other a 'joint requester'. DfE would then sign a controller to controller DSA with the main requester. Those individuals from the joint requester must sign a 'joint requester IDF' before being allowed to have access to DfE data in ONS SRS.

Applicants must provide details of the arrangements / contracts they have in place with other organisations in Section 7.2 of the application form.

### Direct Supply

All individuals that require access to DfE data prior to agreed standard disclosure controls (SDC) being applied to any output (i.e., rounding and suppression so that no individual can directly or indirectly be identified from the DfE data) should be listed within this section as up until SDC is applied, DfE still considered this as accessing personal data. Each person who will be accessing the data must hold at least a 'basic disclosure' certificate that is no more than 2 years old (or evidence that they have updated their disclosure on the [Update Service, N/A for crown organisations](#)). Please provide contact details of all individuals. You must submit the 'disclosure' certificates for all named individuals in the application form who will be accessing DfE personal data. Your application will be rejected if the majority of certificates are not submitted. However, you need not delay your application if you are waiting for 1 or 2 individuals if you have the majority of 'disclosure' certificates. The data will be made available to those individuals once they have received their 'disclosure' certificates.

Those individuals who will be peer reviewing / accessing suppressed, aggregated outputs do not need to provide a DBS certificate.

If more than one organisation is seeking to access DfE personal data, Information Security Questionnaires (ISQs) will be required from each organisation – see Section 5.2.

### ONS SRS

In order to gain access to data in ONS SRS, all researchers must undergo its training and become accredited. For access to ONS SRS, it is advisable for each person to contact [srs.customer.support@ons.gov.uk](mailto:srs.customer.support@ons.gov.uk) before submitting this application form.

ONS SRS operate their secure environments through the following project roles. The first and last name and organisation of all accredited researchers named on the project will be published in a public record of accredited researchers on the UK Statistics Authority [website](#).

- Accredited Researcher - if the person has permission to access, analyse and interrogate unpublished data in a safe researcher setting, provided by a Digital Economy Act (DEA) Accredited Processor.
- Peer Reviewer with access to secure data - they will access secure data in a safe setting provided by a DEA Accredited Processor to validate or replicate previous research. Will need to be an Accredited Researcher to perform this role.
- Peer Reviewer to view cleared outputs only - a reviewer who will view cleared research outputs only. They will have no access to the secure data in a safe setting provided by an Accredited DEA Processor. You do not need be an Accredited Researcher to perform this role.

The project lead is responsible for the overall project and is the main contact for any project changes throughout the process, including any discussions about the project. The project lead may be performed by an Accredited Researcher or Peer Reviewer.

Changes to the project timescales or requests for additional researchers must be submitted by the Project Lead or the Deputy project lead. Requests for output clearances or data ingests (bringing data into the secure system) can be made by anyone named on the project.

## SECTION 7 – DATA PROTECTION ROLES

For guidance on what is meant by “controller”, “processor” and “joint controller” please go to the ICO website – [here](#).

### 7.1 Type of Documentation to Facilitate the Data Share

Different types of data shares require different types of agreements. For crown organisations, a Memorandum of Understanding (MoU) is required. For DfE-commissioned projects requiring data to be shared with our processor, a commercial contract would be provided. For all other data shares, an Independent Controller to Independent Controller Data Sharing Agreement (DSA) would be required. So, it is really important you are applying for the right type of documentation so that we can deliver this in a timely manner.

#### 7.1.1 MoU - Name and address of Signatory Organisation(s)

Under Section 202 of the current draft of the Data Protection Bill, where a provision of the UK GDPR or the Act requires relations between a Controller and Processor to be governed by a contract (or other binding legal act) in writing, Crown bodies should use a MoU to satisfy this requirement, on the basis that the Crown cannot contract with itself. This is also stated in the [Crown Commercial Services Procurement Policy Note](#). If applying for an MoU, please provide all contact details<sup>2</sup> of the signatory organisation(s).

#### 7.1.2 DSA - Name and address of Signatory Organisation

If you are a third party requesting DfE personal data for use in your project, you will need to apply for a data sharing agreement. It is absolutely crucial that DfE signs the DSA with the correct organisation (i.e., the controller).

Under UK GDPR, where individuals from one organisation:

- are processing DfE personal data under instruction from another organisation, there must be a controller to processor contract in place (Article 28) between the organisations. DfE would sign a controller to controller DSA with the organisation that is providing those instructions to the other organisation.

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<sup>2</sup> The primary contact should be the individual who has overall responsibility for the project (e.g., for PhD students this would be the supervising tutor, principal researcher or director of research who is required to actively endorse and oversee the research application, for organisations this might be the SRO or Programme Manager).

- are working together on a jointly defined / common purpose (ie. working with the same DfE personal data for the same project) with individuals from another organisation, there must be a joint controller arrangement in place (Article 26) between the organisations. For the purposes of receiving DfE data, one organisation must choose to be the ‘main requester’ and the other a ‘joint requester’. DfE would then sign a controller to controller DSA with the main requester. Those individuals from the joint requester must sign a ‘joint requester IDF” before being allowed to have access to DfE data in ONS SRS.

Applicants must provide details of the arrangements / contracts they have in place with other organisations.

If you are having difficulties understanding who the controller is, please use the ICO’s [data protection roles checklist](#) by checking your project against each of the roles. If you need help identifying the controller, contact [data.sharing@education.gov.uk](mailto:data.sharing@education.gov.uk) to discuss further. Please use this section to provide all contact details, including the [Data Protection Officer](#)<sup>3</sup>, of the signatory organisation. Please also provide the organisation’s [ICO Registration Number](#)<sup>4</sup>.

### **7.1.3 Applications from Third-party Joint Controllers (or their processors)**

Under UK GDPR, where individuals requiring access to DfE personal data are from different organisations:

- where individuals from one organisation are processing DfE personal data under instruction from another organisation, there must be a controller to processor contract in place (Article 28) between the organisations;
- where individuals from one organisation are working together on a jointly defined / common purpose (ie. working with the same DfE personal data for the same project), there must be a joint controller arrangement in place (Article 26) between the organisations.

Applicants must provide details of the arrangements / contracts they have in place with other organisations.

If you are applying with another joint controller, you will receive our standard third party DfE DSA which is a bi-lateral agreement between DfE and one other party.

DfE will ask one of the joint controllers to act as sole signatory on the DfE DSA. We would then expect adequate documentation between the “Requester” and the “Joint Requester” to ensure that the DfE obligations on the signatory Requester also apply to the Joint Requester. The Requester can use Annex 2 in the DSA Schedule to document any special arrangements they have in place with the Joint Requester that they wish to see documented in the DfE-Requester DSA.

To note: Applicants can determine their Data Protection Role for each project using the [ICO's checklist](#). If you need further information, contact [data.sharing@education.gov.uk](mailto:data.sharing@education.gov.uk) to discuss further.

Whilst the DSA is between DfE and the signatory Requester, we do expect all contact details, including the [Data Protection Officer](#)<sup>3</sup>, to be provided for both the Requester and Joint Requester. Please also provide the organisation's [ICO Registration Number](#)<sup>4</sup> for both organisations.

### 7.1.4 DfE commercial contract - Name and address of Signatory Organisation

If you are, or will be, a DfE contractor (i.e., acting as our processor), please use this section to provide all contact details, including the [Data Protection Officer](#)<sup>3</sup>, of the signatory organisation. Please also provide the organisation's [ICO Registration Number](#)<sup>4</sup>. We are currently reviewing our DSA templates for controller to processor data shares – contact [data.sharing@education.gov.uk](mailto:data.sharing@education.gov.uk) if you have any concerns on this. Applicants should move to Check and Send section of the application form (i.e., there is no need for DfE processors to provide a lawful basis as that will already be taken care of by the DfE-commissioning team).

## 7.2 Any organisation(s) that require DfE personal data

Please provide name, address and contact details, including the [Data Protection Officer](#)<sup>3</sup>, of all organisations that need to use / access the data. Please also include the [ICO Registration Number](#)<sup>4</sup> for each organisation. There is no need to provide the contact details again of an organisation already named above.

### What is a DfE-commissioned project?

**DfE-commissioned** means that there is a formal contract in place between DfE and a third-party for them to do a piece of work on DfE's behalf, something that DfE would otherwise have had to do themselves.

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<sup>3</sup> Under the UK GDPR, you must appoint a [DPO](#) if a) you are a public authority or body (except for courts acting in their judicial capacity); b) your core activities require large scale, regular and systematic monitoring of individuals (for example, online behaviour tracking); or c) your core activities consist of large-scale processing of special categories of data or data relating to criminal convictions and offences. DfE's current policy is that we expect all organisations to have a DPO when requesting DfE data. This is because DfE's data is "large-scale" and parents would expect their children's data to be handled with as much care as special categories of data.

<sup>4</sup> There is a new [ICO registration and fees](#) model. It is a three-tier system based on staff numbers and turnover; exemptions still apply.

**DfE-funded** means that a pot of money has generally been made available by DfE to a specific organisation such that third parties can bid for research projects from that organisation. It's important to note that there is no contract in place between DfE and any third-party who is approved, and receives funding, from the specific organisation.

**DfE-sponsored** means that DfE is interested in the outputs from a piece of work that it has been notified of by a third-party and so has agreed to support the associated data request. There is no contract or funding between DfE and the third-party for doing the research. Look at the DfE's research [areas of interest](#) publication (last updated in 2018) for more information.

Under UK GDPR, where individuals from one organisation:

- are processing DfE personal data under instruction from another organisation, there must be a controller to processor contract in place (Article 28) between the organisations. DfE would sign a controller to controller DSA with the organisation that is providing those instructions to the other organisation.
- are working together on a jointly defined / common purpose (ie. working with the same DfE personal data for the same project) with individuals from another organisation, there must be a joint controller arrangement in place (Article 26) between the organisations. For the purposes of receiving DfE data, one organisation must choose to be the 'main requester' and the other a 'joint requester'. DfE would then sign a controller to controller DSA with the main requester. Those individuals from the joint requester must sign a 'joint requester IDF" before being allowed to have access to DfE data in ONS SRS.

Applicants must details of those other organisations and the arrangements / contracts in place.

### **7.3 Any organisation(s) involved in the project but does not require DfE personal data**

All organisations that have a role in setting up the proposed project must provide their name, address and contact details to DfE whether or not they require access to DfE personal data. For example, funding, sponsoring, or commissioning organisations of the proposed project. Where possible, please provide copies of any agreements that determines relationships with other organisations that have a role in the proposed project. We do not require names of organisations that provide web hosting.

## **SECTION 8 – LAWFUL BASIS**

### **8.1 Lawful Basis**

We need this information to complete our own DPIA and the Data Sharing Agreement or Memorandum of Understanding (for crown bodies). It is not for DfE to determine the validity of your selected lawful basis and all parties to the data sharing agreement will be responsible and accountable for their own compliance with data protection legislation. If you are unsure which lawful basis applies, please check your own Data Protection Impact Assessment (DPIA) and / or consult with your Data Protection Officer.

If relying on legitimate interests, you must provide the relevant Legitimate Interest Assessment (LIA) together with your application form. You must also confirm that you have decided to use this processing condition having identified that no other lawful basis applies. (Select one only).

### **8.2 Status of DfE DPIA**

For DfE teams, the Data Sharing Service needs to know when your DfE DPIA was completed, who you are working with in Office of the Data Protection Office and its outcome. If it is still in progress, we need to understand the reasons it has not yet been completed.

## **COMMUNICATIONS FROM DfE**

DfE is keen to offer you regular newsletters, ad hoc service updates and a mechanism for you to provide us with your feedback on how our service is doing. If you would like to opt into this service, please provide contact details of a key person in your organisation who can receive these and disseminate to those in your organisation.



## DECLARATION

The application form must be signed off by the independent [controller](#) that will sign the DSA or MoU with DfE, regardless of which organisation completed and submitted the application.

Where DfE is the controller that is sharing personal data with DfE's processor under contract, this section must be signed by the DfE contract manager.

## ANNEX 1 – Data Sources

Data Source	Description
Children in Need (CIN)	Individualised data on “children in need”
Children Looked After (CLA)	Individualised data on “looked after” children - contact <a href="mailto:CLA.STATS@education.gov.uk">CLA.STATS@education.gov.uk</a> to discuss your exact requirements before submitting your application form
Database of Qualified Teachers	The DTR is a by-product of the administration of the Teachers' Pension Scheme.
Get Information About Schools ( <a href="#">GIAS</a> )	Contextual information about schools is publicly available. Data about Governors and Headteacher is available through the data sharing service.
Independent Schools ( <a href="#">CSP</a> )	Contextual information about schools is publicly available. Data about Governors and Headteacher is available through the data sharing service.
Individualised Learner Record ( <a href="#">ILR</a> )	Individualised data from publicly funded colleges, training organisations, local authorities, and employers (FE providers).
Learner Record Service	The LRS collects information about learners registering for relevant post-14 qualifications and enables education and training sector organisations, and Awarding Organisations, to share information about participation and achievement in a consistent and approved manner.
Linked NPD-ILR-HESA	Individualised data from NPD linked to ILR and HESA. Contact <a href="mailto:data.sharing@education.gov.uk">data.sharing@education.gov.uk</a> for any queries on applying for Linked HESA data.
Longitudinal Educational Outcomes	See GOV.UK <a href="#">LEO</a> page for more information

Data Source	Description
Longitudinal Study of Young People in England (LSYPE)	The Longitudinal Study of Young People in England 2 (LSYPE2) has followed a cohort of young people since 2013, when they were aged 13/14.
National Pupil Database ( <a href="#">NPD</a> )	Individualised data on pupils from School Census, Alternative Provision, Early Years census, Foundation Stage Profile, Phonics, KS1, KS2, KS3, KS4, KS5, PLAMS, Absence, Exclusions, NCCIS.
Programme for International Student Assessment (PISA)	OECD's PISA measures 15-year-olds' ability to use their reading, mathematics and science knowledge and skills to meet real-life challenges.
School Preference Data	Pupil level data to understand the number of pupils that have an offer of a school place at a Primary/Secondary school of their preference.
School Workforce (SWC)	Individualised workforce data in schools

## ANNEX 2 – Five Safes

The application form tests for these Five Safes in the following way:

Five Safes	Application Form Sections
SAFE PROJECT	1 – Purpose 3 – Ethics
SAFE DATA	2 – Data 8 – Lawful Basis
SAFE SETTING	4 – Direct Supply 5 – ONS SRS
SAFE OUTPUTS	1 – Purpose 3 – Ethics
SAFE PEOPLE	6 – Individuals requiring access 7 - Data Protection Roles

### SAFE PROJECT

The Department for Education, and its Executive Agencies, have responsibility to ensure the provision of education and children’s services is effective and efficient. DfE shares data with third parties for projects where there is a clear value added to the education and children’s services. The following set of principles help us to approve those projects that add value and reject those that do not, especially those that are only for commercial gain. DfE shares data:

- a) for the purpose of adding value, informing debate, and benefitting the education or children’s service,
- b) which benefits the majority of the sector and is not solely for commercial gain,
- c) to encourage the research community to work collaboratively with the department and build the evidence base together, ensuring where research has significant impact to public debate appropriate consideration to the methodologies and peer review are used,
- d) for secondary research where it is commissioned, funded, sponsored, or supported by DfE and/or the wider education and children’s services sector, where it is consistent with DfE policy and where the output does not clash or duplicate DfE official statistics, publications and/or other services offered by the department.

Safe projects section of the application form is designed to demonstrate that the purpose of the project a) meets DfE principles, b) is ethical (either through a recognised ethics panel or through the UKSA ethics self-assessment framework), c) is not solely for financial gain, d) has sensible timelines, methodologies, and outputs.

### SAFE DATA

DfE have responsibility to ensure that the requested personal data a) is understood by DfE, including why unpublished data is not sufficient, b) is proportionate to the purpose of

the project, c) length of licence is appropriate, d) risk of re-identification and sensitivity of the data is understood and e) provides enough detail for DfE to understand whether the data can be accessed through ONS SRS.

For SAFE Projects, it is the responsibility of DfE to draft its own DPIA for each third-party data share. The only information we need from the third party, in order to draft the DSA or MoU, is the DPA roles of the third party and the lawful basis the third party is using to process DfE personal data.

## **SAFE SETTINGS**

DfE have responsibility to ensure a) the organisation in receipt of DfE personal data can demonstrate a healthy and up-to-date information security assessment, b), the organisation has approval from the ONS SRS to accessing data via their secure environment.

## **SAFE OUTPUTS**

DfE have responsibility to ensure that a) DfE and the ONS SRS understands the researcher's requirements for format of data, b) whether there is a specific file transfer protocol that needs to be used if DfE are to provide a direct supply of data to the requester and c) whether there are any software requirements for use in the secure environment.

## **SAFE PEOPLE**

DfE have responsibility to: a) ensure the DfE DSA is signed by the right organisation (the independent controller), b) ensure all individuals who have access to DfE data through direct supply have a DBS and a signed IDF before being allowed to use the data, c) to ensure all individuals who have access to DfE data through ONS SRS are Accredited Researchers and have a signed IDF before accessing data in the SRS.

## Further information

### Useful resources and external organisations

- [ICO Data Sharing Code of Practice](#)
- [Accessing secure research data from ONS as an accredited researcher](#)

### Other relevant departmental advice

- [How DfE shares personal data](#)
- [How to access Department for Education \(DfE\) data extracts](#)
- [DfE external data shares](#)
- [Longitudinal education outcomes study: how we use and share data](#)

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

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