

# Confidentiality and Disclosure Statement

## Introduction

This statement is based on the [Code of Practice for Official Statistics](#)<sup>1</sup> and the supporting National Statistician's guidance on [Confidentiality of Official Statistics](#)<sup>2</sup>. The statement sets out the general principles to be followed when dealing with data to be published as Skills Funding Agency (the Agency) outputs, and applies to all the Agency statistics released in the [Further Education and Skills collection on GOV.UK](#).

It sets out the arrangements that the Agency and statisticians in the Department for Business, Innovation and Skills (BIS) have put in place to protect the security of data used in the production of the Statistical First Release "Further Education & Skills: Learner Participation, Outcomes and Level of Highest Qualification Held", and uphold its guarantee that no statistics will be produced that are likely to identify an individual learner; while at the same time obtain maximum value from these data.

## Code of Practice

Principle 5 in the Code of Practice for Official Statistics has six practices regarding confidentiality of data. Each of these is set out below with information on how we comply with the practice:

### **1. Ensure that official statistics do not reveal the identity of an individual or organisation, or any private information relating to them, taking into account other relevant sources of information.**

Information on further education and skills statistics produced by the Agency or BIS does not identify individuals. Where a statistic identifies a small group of learners this information is not disclosed and a footnote is displayed to explain this. In addition, figures are rounded.

In the Statistical First Release (SFR) main tables, volumes of less than fifty learners are suppressed and figures are rounded to the nearest hundred. In the SFR supplementary tables and other official statistics, volumes of five/fifty learners or less are suppressed, with figures rounded to the nearest ten or hundred learners, depending on the level of disaggregation. If it is appropriate, a secondary suppression is performed to ensure that primary suppressed data cannot be calculated from other values in the table.

Official statistics could identify individual learning providers. This information is at an aggregated level and is provided in the public interest, for example success rates by learning provider. However, due to our rounding and suppression policies, individual learners will not be identifiable.

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<sup>1</sup> <http://www.statisticsauthority.gov.uk/assessment/code-of-practice/code-of-practice-for-official-statistics.pdf>

<sup>2</sup> <http://www.statisticsauthority.gov.uk/national-statistician/guidance>

Information on learners' attributes is available at a high level but identification of an individual is not possible.

## **2. Keep confidential information secure. Only permit its use by trained staff who have signed a declaration covering their obligations under this Code.**

All staff with access to individualised data in the Agency are subject to [Disclosure and Barring Service](#) (DBS formally known as CRB) checks. All Agency staff and statisticians in BIS are trained in information security and this knowledge is refreshed on an annual basis.

Individualised data is made available to analysts in order to produce statistics and analysis, but key identification information such as learner name, address and telephone number are removed from the data and are only available to a very small number of data processing colleagues according to need. The data is stored on a secure network with password protection for all users.

All staff working in the organisation and all visitors to the Agency and BIS require a security pass to access the premises. There is no public access to any part of the building where confidential statistical data may be held.

No confidential statistical data are held on laptops or any other portable devices or kept on unprotected portable storage media. All confidential paper documentation is stored in confidential cabinets.

Data and information is shared between the Agency and analysts in BIS in line with Cabinet Office guidelines, via a secure server and is encrypted.

Data is shared between the Office for National Statistics (ONS) and analysts in BIS in line with Cabinet Office guidelines, through appropriately secured delivery and encryption processes.

Vocational Qualifications data is submitted by participating awarding bodies. They submit data to a secure server. The named datasets received by the Department for Education (DfE) are stored on limited access departmental servers, and only the relevant team have access to the named data. Furthermore, the named data can only be accessed from within a secure room within the DfE building. Anonymised versions of each signed off data set are created. These are placed on a different secure server which also has restricted access - but this is again limited to those who need to access the data for analytical purposes. All users of the vocational qualifications data have undertaken information protection training.

## **3. Inform respondents to statistical surveys and censuses how confidentiality will be protected.**

Information produced in the Statistical First Release and other official statistics is mainly sourced from the Individualised Learner Record (ILR). The ILR is not a survey and it is not collected for the sole purpose of official statistics.

The ILR is an administrative data source and is a collection of data about learners and their learning that is requested from learning providers in the FE system. The data collected is used to calculate the funding allocated to learning providers. The data collected is also used to ensure that public money is being spent in line with government targets for quality and value for money, for future planning, and to make the case for the sector in seeking further funding. Further information on collection arrangements can be found at:

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

The Chief Executive of Skills Funding informs learners how their personal information will be used. This information is published in the Data Protection Statement, which can be found in appendix F for each ILR academic year:

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

In addition the Agency provides a basic guidance and signposting document for providers at <https://www.gov.uk/government/collections/individualised-learner-record-ilr>

The LFS is a sample household survey and collects information about the labour force including education attainment. It is managed by the Office of National Statistics, in conjunction with government departments, and is used for various different purposes including producing Labour Market Statistics and measuring national levels of education attainment. It is a sample survey and data is weighted so that it is representative of the whole country. Respondents are randomly selected to take part in the survey and are informed that the information they give will be treated in the strictest confidence and will not be made available to analysts in any form in which individuals, or their households, can be identified.

For the collection of vocational qualifications data, letters are sent out each year to participating awarding bodies that reassures them that data provided will be handled securely and confidentially at all stages. A secure website server is used to transfer data between organisations.

These letters accompany the format specification & guidance document which are updated annually to cover each year's data collection. The primary use of the data is to publish statistics on awarded vocational qualifications; the anonymised datasets are available to researchers & analysts who may use the data to inform policy developments.

**4. Ensure that arrangements for confidentiality protection are sufficient to protect the privacy of individual information, but not so restrictive as to limit unduly the practical utility of official statistics. Publish details of such arrangements.**

Information on data protection for learners is published as part of the ILR in appendix F as mentioned in practice 3 above. In addition data is rounded and suppressed as set out in practice 1 above. These measures protect confidentiality but still enable us to make full use of the ILR dataset to enable users of the SFR gain the information they require.

**5. Seek prior authorisation from the National Statistician or Chief Statistician in a Devolved Administration for any exceptions, required by law or thought to be in the public interest, to the principle of confidentiality protection. Publish details of such authorisations.**

Currently there are no such exceptions. The Agency has a Data Protection Compliance function as well as a legal function, these colleagues as well as the BIS Head of Profession would be able to advise on any exception required by law or in the public interest should they arise.

**6. In every case where confidential statistical records are exchanged for statistical purposes with a third party, prepare written confidentiality protection agreements covering the requirements under this Code. Keep an operational record to detail the manner and purpose of the processing.**

External partners, with a validated reason for doing so, can gain access to the ILR for the purposes of either Research or Education. If they request this information they are required to complete a Data Sharing Agreement for each and every instance of sharing. The Data

Sharing Agreement reminds the requestor of their obligations under the Data Protection Act, and also outlines a number of obligations incumbent on the recipient, including but not limited to; only request data for which they have a legitimate need, explain the basis on which they are requesting the data, detail for what purpose(s) the data will be used, that the data will be stored securely, only accessed by named and authorised individuals, not to onward share the data and the date by which the data will be destroyed.

The completed Data Sharing Agreement is validated against a stringent set of criteria to ensure the reason for requesting the data is valid and falls within the uses detailed under [Appendix F](#), and the organisation asking for the information is checked along with their data protection registration. If these checks are satisfactory, the data is processed and then passed to the requesting organisation in a secure, encrypted manner in line with Cabinet Office guidelines.

A record of each instance of data sharing is kept in line with recent Cabinet Office requirements, including details of what data were shared, when, with whom and the reasons for the information being shared.

If vocational qualification data is shared with researchers or analysts, they are required to sign a Confidentiality Declaration covering the use/storage & disposal/destruction of the data, before they receive it.

### **Queries and Feedback**

Any queries or feedback on this document should be forwarded to the service desk at the Skills Funding Agency. They can be contacted at [ServiceDesk@sfa.bis.gov.uk](mailto:ServiceDesk@sfa.bis.gov.uk)

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