

Data Sharing Agreement with Local Authorities

for personal data shared by the Chief Executive Education Funding EFA (part of the Department for Education)

Date of issue

Publication intent NOT PROTECTIVELY MARKED

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Data Request Form

Completion of request form instructions

The following form is to be used to request access to Personal data held and managed by the Education Funding EFA (EFA) or from the Skills Funding Agency in respect of data held on behalf of the EFA.

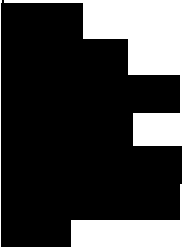
Any field marked with an asterisk e.g. * must be completed by all applicants.

Data Sharing Protocol		
Section 1: Requester Details		
(To be completed by all requestors)		
1.1 *	Requesters Name	Tim Corkery
1.2 *	Position	Planning and Commissioning Manager
1.3 *	Organisation	Warwickshire County Council
1.4 *	Organisation's Address	Saltisford Office Park Ansell Way Warwick CV34 4UL
1.5 *	Contact Number(s)	01926 743008
1.6 *	Email Address	timcorkery@warwickshire.gov.uk

Data Controller Registration with the Information Commissioner's Office		
. Your registration must have: a. At least one month to run before it expires, and b. A registered purpose of either "Education" or "Research".		
1.7 *	Data Protection Registration No.	Z4835730
1.8 *	Renewal Date for Data Protection Registration	30 June 2014

1.9 *	Registered Purposes	<p>We process personal information to enable us to provide a range of government services to local people and businesses which include:</p> <ul style="list-style-type: none"> • maintaining our own accounts and records • supporting and managing our employees • promoting the services we provide • marketing our local tourism • carrying out health and public awareness campaigns • managing our property • providing leisure and cultural services • provision of education • carrying out surveys • administering the assessment and collection of taxes and other revenue including benefits and grants • licensing and regulatory activities • local fraud initiatives • the provision of social services • crime prevention and prosecution offenders including the use of CCTV • corporate administration and all activities we are required to carry out as a data controller and public authority • undertaking research • the provision of all commercial services including the administration and enforcement of parking regulations and restrictions • the provision of all non-commercial activities including refuse collections from residential properties, • internal financial support and corporate functions • managing archived records for historical and research reasons • data matching under local and national fraud initiatives • priority (troubled) family work • administration of museums • administration of archives • commissioning, contracting and monitoring of provision of current and future services, market management and business intelligence
1.10 *	Reason for Exemption from Registration	None

Section 2 – summary of data requested and information required

A)Description of the data requested	B) Purpose for which the data is required, specifically, what will be done with the data	C) Are you planning to contact data subjects – Please answer ‘yes’ or ‘no’ and if ‘yes’ please explain fully the purpose	D) Do you require data subject contact details? Please answer ‘yes’ or ‘no’	E) Is matching proposed ? Please answer ‘yes or no’ and if ‘yes’ please provide details	F) Names of any other parties who will receive the data. Please provide the reason for sharing the data.	G) Legal basis for the request – a) quote <u>one</u> category – see notes guidance notes) b) Where category 1 has been selected – quote the relevant statute and section that enables or requires your organisation to undertake work requiring this data	H) DPA Compliance	I)Names and contact details of persons duly authorised to process the data
<p>DATA REQUEST 1 – 16-19 Learner Responsive & 19-24 Learners with Learning Difficulties and/ or Disabilities (LLDD) data in respect of the learners for which the Local Authority has a statutory responsibility for, specifically;</p> <ul style="list-style-type: none"> • Relevant Provider and Residency Data and MI Reports (learners are identified as residents by their postcode. A learner will be included if their resident postcode is within the local Authority, or the learner attends a provider based in the local authority) • Pivot Tables at Aggregated Student and enrolment Level • Participation and Success Rates Data (R14/R15 freeze) <p>These are based upon ILR data for the 2011/12 to 2014/15 academic years</p> <p>For young people in Young Offender Institutions, data sharing will be limited to numbers of learners and attainment in accordance with Ministry of Justice instructions.</p>	<p>The LA requires the data and information to enable the fulfilment of our statutory responsibility for commissioning education and training for young people aged 16-18 and for the commissioning of education and training for learners that are aged 19-24 and funded by the EFA.</p>	No	No	No	None	<p>In most cases this will be category 1 and section 122 of the Apprenticeships, Skills, Children and learning Act 2009.</p>	<p>Schedule 2, section 5(b)</p> <p>Schedule 3, sections 7(1) (b) and/or 9</p>	<p>Tim Corkery</p>  <p>Contacts applicable for all categories</p> <p>Contact on 01926 743008</p>

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<p>DATA REQUEST 2 - Learner responsive – School Sixth forms and Academies in respect of the learners for which the Local Authority has a statutory responsibility, specifically;</p> <p>(2011/12 to 2014/15 School Census Data)</p> <ul style="list-style-type: none"> • Relevant provider and Residency Data and MI Reports • Local Analysis to support Data and MI reports • Pivot Tables at Aggregated Student Level • Participation and Achievement Data 	<p>The LA requires the data for commissioning education and training for young people aged 16-19 and for the commissioning of education and training for that are aged 19-24 and funded by the EFA.</p>	No	No	No	None	<p>In most cases this will be category 1 and section 122 of the Apprenticeships, Skills, Children and learning Act 2009.</p>	<p>Schedule 2. section 5(b)</p> <p>Schedule 3, sections 7(1) (b) and/or 9</p>	
<p>DATA REQUEST 3- Detailed learner and aim data relating to schools (including 2011/12 School census data and matched qualifications data in respect of the learners for which the Local Authority has a statutory responsibility. Data to be shared directly with the relevant school as part of the Allocation Calculation Toolkit project</p>	<p>To understand their funding allocation and utilise the shared data to improve their data quality on future returns. Also enable correction to data quality for success rate data by submitting business case</p>	No	No	No	None	<p>In most cases this will be category 1 and section 122 of the Apprenticeships, Skills, Children and learning Act 2009.</p>	<p>Schedule 2. section 5(b)</p> <p>Schedule 3, sections 7(1) (b) and/or 9</p>	
<p>DATA REQUEST 4 - Employer responsive – Apprenticeship providers in respect of the learners for which the Local Authority has a statutory responsibility, specifically;</p> <p>(2011/12 to 2014/15 School Census Data)</p> <ul style="list-style-type: none"> • Relevant provider and Residency Data and MI Reports 	<p>The LA requires the data for commissioning education and training for young people aged 16-19 and for the commissioning of education and training for that are aged 19-24 and funded by the EFA.</p>	No	No	No	None	<p>In most cases this will be category 1 and section 122 of the Apprenticeships, Skills, Children and learning Act 2009.</p>	<p>Schedule 2. section 5(b)</p> <p>Schedule 3, sections 7(1) (b) and/or 9</p>	

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<ul style="list-style-type: none"> Local Analysis to support Data and MI reports Pivot Tables at Aggregated Student Level Participation and Achievement Data 								
DATA REQUEST 5 – High Needs Student data used to determine learner responsive allocations. EFA and LA will share data with respect to provision via a suitable data exchange	This data is required to complete allocations and allow the EFA to allocate appropriate funds to both the LA and institutions	No	No	No	None	In most cases this will be category 1 and section 122 of the Apprenticeships, Skills, Children and learning Act 2009.	Schedule 2, section 5(b) Schedule 3, sections 7(1)(b) and/or 9	
DATA REQUEST 6 – 14-16 FE students named data will be shared with LAs, as a result of the new programme of study that allows pre-level 3 provision to be supplied by FE institutions to 14-16 year olds	This data is being shared as part of an agreement between the EFA and the LAs, who have 14-16 learners in FE institutions, as part of this programme offer	No	No	No	None	In most cases this will be category 1 and section 122 of the Apprenticeships, Skills, Children and learning Act 2009.	Schedule 2, section 5(b) Schedule 3, sections 7(1)(b) and/or 9	

Guidance notes for completion of section 2

Column A – Description of the data requested. This has been pre-filled to describe the standard data normally available for sharing. Please read carefully and delete any information not required.

Column B – Please check that this applies.

Column C – Please provide as much detail as possible. If necessary use section 4 to provide additional information.

Column D – If answer is ‘yes’, column C must have been completed.

Column E - Please provide as much detail as possible. If necessary use section 4 to provide additional information.

Column F – Please provide Organisation name and address and the names and contact details of the persons who will be receiving the data. Please provide the reason for the proposed sharing of the data.

Column G – Please apply one of the following categories;

- **Category 1 - Data requested on a statutory basis.**
Where the requester requires the data to fulfil a statutory obligation or exercise a power conferred on it by law to use for your own purposes. You agree that your organisation will become a Data Controller of this data, alongside the EFA.
- **Category 2 - Data requested for own purpose(s) (not on a statutory basis).** Where the you are requesting personal data for your own non-statutory purposes, that the data is confidential, and may only be processed by your organisation as a Data Controller with the consent of the EFA.
- **Category 3 - Data processed on behalf of the EFA:** Where your organisation is processing personal data shared by or collected for or on behalf of the EFA for the purposes described in section 2. As a Data Processor, you will be acting only on the instruction of the EFA (the Data Controller) when processing the data and accept that the data is confidential.
- **Category 4 - Data processed on behalf of another organisation other than the EFA.**
Where your organisation is processing data requested by and under contract with a third party in accordance with either categories 1,2 or 3 above. You accept that your organisation will become a data processor of this data and accept that the data is confidential. If you are processing the data on behalf of another organisation, please provide their contact details.

Column H – Check and quote your DPA compliance and provide additional information if necessary.

Column I – Provide all details of persons who are authorised to process the data. Data will not be released to anyone who is not named.

Section 3 – relevant datasets

Please refer to the following two tables below if you are requesting ILR data. You need to supply both a technical specification of what you are doing, so that we can decide if the data is adequate for the purpose, and a plain English description of what you are using the data for, so anyone can understand how the data is being processed.

Table 1 -		Data Requirements – Please also complete Section 2		
If you are requesting ILR data files or data extracted from the ILR or data from the school census, please complete this section. The EFA has listed the data it holds which is considered relevant. Please delete any that are not part of your request. If you require individualised data then please contact the Data Service on 08702 670001 or by email: servicedesk@thedata-service.org.uk.				
Year	Funding Stream/Collection	Data Files/Set		
2011/12 to 2014/15 ILR Data	Learner Responsive 16-18 & 19-24 LLDD	Relevant Provider and Residency Data and MI Reports		
2011/12 to 2014/15 ILR Data	Learner Responsive 16-18 & 19-24 LLDD	Local Analysis to support Data and MI Reports		
2011/12 to 2014/15 ILR Data	Learner Responsive 16-18 & 19-24 LLDD	Pivot Tables at Aggregated Student and enrolment Level		
2011/12 to 2014/15 ILR Data	Learner Responsive 16-18 & 19-24 LLDD	Participation and Success Rates Data (LR05/R15 freeze)		
2011/12 to 2014/15 School Census Data	Learner responsive – School Sixth forms and Academies	Relevant provider and Residency Data and MI Reports		
2011/12 to 2014/15 School Census Data	Learner responsive – School Sixth Forms and Academies	Local Analysis to support Data and MI reports		
2011/12 to 2014/15 School Census Data	Learner responsive – School Sixth Forms and Academies	Pivot Tables at Aggregated Student Level		
2011/12 to 2014/15 School Census Data	Learner responsive – School Sixth Forms and Academies	Participation and Achievement Data		
The above list can be expanded by including additional copies of the “ILR data expansion form” in Appendix B.				
Will you be passing the data onto other parties? (If YES, please provide details of the other parties in section 2)			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Please supply a date by which the data will be deleted & discs destroyed				

Section 4: Additional information

Please provide details of any additional information to support your request that has not been included elsewhere in the document.

Warwickshire County Council requires the data in order to meet the statutory requirements relating to the role of the local authority in meeting the needs of young people aged 16-19 (up to 25 LLDD) in their area, as detailed below.

Under sections 15ZA and 18A of the Education Act 1996 (as inserted by the ASCL Act 2009) each local authority has a statutory duty to secure suitable education and training in order to meet the needs of all young people in their area. Young people are those who are over compulsory school age but under 19, or are aged 19-25 and subject to a learning difficulty assessment/Education, Health and Care Plan.

In addition to this, the Education and Skills Act 2008 places specific duties with regard to the role of local authorities in relation to Raising the Participation Age.

The Act sets out that from 2015, all young people (16 and 17 year olds) will be required to participate in education or training.

Local authorities will be required to:

Promote the effective participation in education or training of all 16 and 17 years olds resident in their area; and

Make arrangements to identify young people resident in their area who are not participating.

Specific tasks related to these responsibilities include delivering the 'September Guarantee' and the tracking of young people's participation. Local authorities will be supported by duties on learning providers to notify them when a young person leaves learning.

Section 5: Declaration & Agreement (To be completed by all requestors)			
All requesters should answer all questions within section 5. Please delete Yes/No option as appropriate.			
On behalf of the organisation specified in Section 1, I hereby apply for access to the data specified in sections 2 through to 4 and held by the EFA.		Yes	No
Where either Category 1 – (Data requested on a statutory basis), or Category 2 – (Data requested for own purpose(s) not on a statutory basis), has been selected I declare that our organisation has given notification to the Information Commissioner and registered the purposes for which the organisation may process data, that the registration is up-to-date and complete, and that the agreed processing described in Section 2 falls within the terms of the notification / registration.		Yes	No
I declare that our organisation agrees to the terms and conditions of this Data Sharing Agreement.		Yes	No
Name	Wendy Fabbro	Date	1.5.14
Position in Organisation	Strategic Director of People Group		
Signature			

Please send all completed requests to your EFA territorial office.

Appendix A – Additional notes & Guidance

Terms and Conditions

These are within the embedded document below:



Terms and conditions

Guidance

ILR definitions can be found at location:

<https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2014-to-2015>

Privacy Notice

The EFA issue Privacy Notices for the processing of personal data. Where learners provide data when they enrol for learning funded by either EFA, the learning provider is supplied with Privacy Notice wording to supply to the learner.

Privacy Notices are published by the *information authority* on their website. There is a privacy notice for each academic year so please refer to their website for the latest details at:

<https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2014-to-2015>

Appendix B – Additional Pages

This appendix contains copies of forms to be appended to the main request where additional space is required. The links are to the Data Service documents which can be used in conjunction with this Data Sharing Agreement.



section 2 other
parties expansion for

Section 2 other parties expansion form



section 4a ILR data
expansion form.doc

Section 3 ILR data expansion form



section 4b ILR
named expansion for

Section 3 ILR named expansion form