

# Proposed amendments to Individual Pupil Information Prescribed Persons Regulations

## Consultation Response Form

The closing date for this consultation is: 18 December  
2012

Your comments must reach us by that date.



Department  
for Education

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Please tick if you want us to keep your response confidential.

Reason for confidentiality:

Name

[REDACTED]

Organisation (if applicable)

Association of School and College Leaders

Address:

[REDACTED]

If you have a query relating to the policy content of the consultation you can contact the Department by telephone: 0370 000 2288 or via the Department's 'Contact Us' page.

If you have a query relating to the consultation process you can contact the Public Communications Unit on:

Telephone: 0370 0002288

e-mail: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk)

Please mark an 'X' in the box that best describes you as a respondent.

<input type="checkbox"/> Teacher/Head teacher	<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Pupil/Student
<input type="checkbox"/> Teacher Union	<input type="checkbox"/> Voluntary Sector/Not-for-profit Organisation	<input type="checkbox"/> Local Authority
<input type="checkbox"/> Commercial Organisation	<input type="checkbox"/> Researcher/HEI	<input type="checkbox"/> Government Organisation
<input checked="" type="checkbox"/> Other		

**Please Specify:**  
The Association of School and College Leaders (ASCL) represents over 17,000 heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of maintained and independent schools and colleges throughout the UK. ASCL has members in more than 90 per cent of secondary schools and colleges of all types, responsible for the education of more than four million young people. This places the association in a unique position to consider this issue from the viewpoint of the leaders of secondary schools and colleges.

1 Do you agree with the proposal to widen the purposes for which data from the National Pupil Database can be shared? Please explain the reasons for your answer.

<input type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<input checked="" type="checkbox"/> Not sure
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**Comments:**

ASCL is minded to agree, as the extra areas of research seem entirely reasonable and compatible with the basic reason why the data is collected.

However, there is always the possibility of unforeseen and undesirable consequences, so ASCL would urge a cautious approach.

Further the present consultation does not specify what criteria are or would be used to evaluate requests for access to the data. These are actually crucial to whether the association can support such a move.

**2 How could you or your organisation potentially use the data?**

**Comments:**

ASCL is not primarily a research organisation, but there is the possibility of seeking alternative and more meaningful ways of analysing data so that when aggregated at the school level it would be more meaningful and less misleading than the majority of the measures in the current performance tables. ASCL might well be interested in working with a suitable research organisation to investigate this possibility. For example, well-respected measures of value-added have in the past been produced for A level course providers using data voluntarily supplied, it could be that access to this data set would enable such a system to make use of data from a more complete (and not self-selected) set of institutions.

**3 What do you see as the benefits of widening the purposes for which data can be shared?**

**Comments:**

See above.

4 Do you have any other comments you would like to make about the proposals in this consultation document?

**Comments:**

Considering that the expressed aim of this change is to increase transparency there is a worrying lack of transparency on the part of the department.

As noted above the document refers to strict conditions, but does not explicate them. It is imperative that data of such sensitivity only be shared with organisation of demonstrable probity; that can guarantee that it will not be used for purposes other than declared, that will make no commercial use of it for example, and that have the competence to prevent its theft and subsequent misuse by third parties. The process and the criteria that are to be used to identify bona fide research organisations, and decide whether their requests are to be approved is not clear.

The document refers to the 'Data Management Advisory Panel (DMAP)', but its composition and remit are also obscure. Searching the DfE website suggests that it is composed of DfE officials, in which case from the point of view of students, schools and colleges, and school and college leaders it adds no further security. ASCL suggests that its remit and membership be published, and that consideration be given to including on it, at least as observers and subject to disclosure rules and declaration of interest in particular cases, some representative stakeholders including of schools and colleges and of the research community. ASCL would be happy to facilitate the former.

At present, who has been granted access to this sensitive data and for what purposes is apparently known only to the department. Consideration should be given to making open the list of organisations that have been granted access. It may be that there are good reasons why that information cannot be published, but if so then that is all the more reason for a review body with a more widely drawn membership.

5 Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).

**Comments:**

The consultation process worked well, except that the time allowed was too short. The questions are a little leading, but there was an opportunity to challenge as well as concur.

I hope that this is of value to your consultation. ASCL is willing to be further consulted and to help in any way that it can.

[Redacted]

Association of School and College Leaders

29 November 2012

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply ✓**

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

✓ Yes  No

All DfE public consultations are required to meet the Cabinet Office Principles on Consultation

The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
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# Proposed amendments to Individual Pupil Information Prescribed Persons Regulations

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Please tick if you want us to keep your response confidential.

Reason for confidentiality:

Name

[REDACTED]

Organisation (if applicable) Royal Borough of Greenwich

Address:

[REDACTED]

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<input type="checkbox"/> Commercial Organisation	<input type="checkbox"/> Researcher/HEI	<input type="checkbox"/> Government Organisation
<input type="checkbox"/> Other		

Please Specify: Performance Analysis Service Officer for the Royal Borough of Greenwich Children's Services.

1 Do you agree with the proposal to widen the purposes for which data from the National Pupil Database can be shared? Please explain the reasons for your answer.

<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<input type="checkbox"/> Not sure
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Comments: At the moment, many of our data projects involve matching between different independent datasets and any data on children who move in or out of the borough relies on ad-hoc data-sharing arrangements with other authorities. Access to any part of the National Pupil Database would be of huge value to us. It would greatly improve the accuracy and completeness of our performance analysis, and enable us to provide a much more comprehensive picture of children who live in or pass through our borough.

Access to a more complete and unified system would both provide a basis for, and free up time to explore, more complex research into pupil attainment and other factors which will inform and improve the work of Children's Services in our borough.

## 2 How could you or your organisation potentially use the data?

**Comments:** We would use the data to double-check our own systems to ensure greater accuracy. We would also use it to provide data on children who move from Greenwich settings to other boroughs in order to fully track attainment. This is particularly relevant in tracking the progress of children who attend our Early Years settings. Many of our nurseries and children's centres are close to the borough boundary and their children subsequently attend schools in other authorities. At present, we have enormous difficulty in accessing attainment data for these children, which provides one measure of the impact of the settings.

In terms of using the data for socio-economic analysis – further avenues for research would no doubt be presented by actually seeing a sample of the data. At present, the full scope of this data is not clear, but we would be very keen to use such a resource to its fullest and broadest capacity.

## 3 What do you see as the benefits of widening the purposes for which data can be shared?

**Comments:** Whereas now we are reliant on our own data systems and any data that other local authorities are prepared to share, the NPD would provide a means of corroborating our own data to ensure greater accuracy and enable tracking of children who attend schools in other boroughs before or after being known to Greenwich services. Much of our data (on attainment or demographic factors) is collected piecemeal on separate and independent systems, and access to a more complete and comprehensive archive would make any analysis much more rigorous.

4 Do you have any other comments you would like to make about the proposals in this consultation document?

Comments: Not at this time.

5 Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).

Comments: An anonymised or fictional sample of data from the database would be helpful in understanding its full extent, and would suggest more potential uses for the data and therefore more advantages in broadening access to it.

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Please acknowledge this reply

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X Yes  No

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Please tick if you want us to keep your response confidential.

Reason for confidentiality:

Name

██████████

Organisation (if applicable) London Diocesan Board for Schools

Address:

██

If you have a query relating to the policy content of the consultation you can contact the Department by telephone: 0370 000 2288 or via the Department's ['Contact Us'](#) page.

If you have a query relating to the consultation process you can contact the Public Communications Unit on:

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Please Specify: Church of England Diocese

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<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<input type="checkbox"/> Not sure
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Comments:

The London Diocese is held accountable for its schools and we are reliant on schools and local authorities passing on data to use. Accessing data through third parties can delay action. Direct access would enable us to identify schools that require support and will help us to provide effective interventions at a much earlier stage.

2 How could you or your organisation potentially use the data?

Comments:

We provide advisory support and training for our schools (academy and voluntary aided). Analysis of the data by our advisers will help them to target interventions quickly. Data also help

3 What do you see as the benefits of widening the purposes for which data can be shared?

Comments:

Saving time and money in contacting our 18 local authorities and 149 schools to obtain the data.

Early interventions where data shows learning needs to be improved will lead to better outcomes

**4 Do you have any other comments you would like to make about the proposals in this consultation document?**

**Comments:**

**We have been badgering the Department for several years and are relieved that someone at last has got to the bottom of the issue.**

**5 Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).**

**Comments:**

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Please acknowledge this reply

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Yes

XNo

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Reason for confidentiality:

Name

Organisation (if applicable)

Experian Ltd

Address:

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Please Specify:

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<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<input type="checkbox"/> Not sure
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Comments: The NPD is a rich source of data that is currently under utilised. There are no other sources that provide such comprehensive insight into number of children by geographic area by age by attainment. Access to this data would improve a wider understanding of issues of deprivation and inequalities not only in education but wider societal issues, and provide the building blocks to address them.



## 2 How could you or your organisation potentially use the data?

### Comments:

Profiling by attainment at Key Stages by linking with Experian's data will improve insight into which groups in society under or over achieve. By understanding who these groups are and their likely lifestyle, our clients can develop intervention strategies to help raise attainment.

Currently many organisations rely on modelled data about presence of children. The depth and accuracy of the NPD would improve/replace these models and population projections by age. A more accurate view of presence of children combined with Experian data and other sources could improve the ability to understand not only attainment, but a raft of social issues relating to the family. These could be used with more confidence by other agencies looking to make evidence based decisions for strategic resource allocation and service provision.

Note that for Experian's purposes, whilst individual records will be needed with identifiable addresses (or postcode as a minimum), this is solely for the purpose of matching NPD to other data sources. All identifiers are then removed, and the Experian applications focus solely on analysis and modelling of an anonymised combined dataset.

## 3 What do you see as the benefits of widening the purposes for which data can be shared?

### Comments:

In combination with other datasets greater insight into under and over performance of schools can be gained and intervention strategies developed as appropriate. Through understanding attainment by lifestyle groups we can understand schools value added scores. For example, a school in an area of deprivation may actually be performing better than expected given the make-up of its pupils. Conversely a school in a more affluent area that appears to be doing well may not actually be achieving the results expected when the socio-demographic composition is considered.

Further understanding of the relationship between educational attainment and wider family circumstances should lead to developing planning strategies and driving funding that can improve educational outcomes and increase social mobility.

4 Do you have any other comments you would like to make about the proposals in this consultation document?

Comments:

Experian completely support the points raised in Section 5. Argument of the Proposed amendments to Individual Pupil Information Prescribed Persons Regulation document.

5 Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).

Comments:

The questionnaire has been simple and succinct and should encourage responses.

The formatting of the document could be improved as the check boxes were not properly enabled.

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Yes  No

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Reason for confidentiality:

Name

[REDACTED]

Organisation (if applicable) Newcastle City Council

Address:

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Comments:

Given the strain on resources in the public sector, access to rich data is critical to inform policy and strategy and resource deployment. As a Children's Service with the Local Authority, we make extensive use of similar data we have available locally and we can see potential benefits for other appropriately-accredited organisations as more services are commissioned rather than directly delivered.

2 How could you or your organisation potentially use the data?

Comments:

We have used school census data as a key source to underpin our Children and Young People's Plan, Joints strategic Needs Analysis and Child Poverty Strategy. We could also see the benefits of more granular data nationally for example for benchmarking or to identify geographical areas elsewhere with similar characteristics to share best practice

3 What do you see as the benefits of widening the purposes for which data can be shared?

Comments:

The consultation paper describes some very good examples. The greatest benefit is the possibility that widening the purposes for which data can be shared might lead to improved outcomes for children and young people. Even if that is just a possibility it's worth doing.



**4 Do you have any other comments you would like to make about the proposals in this consultation document?**

**Comments:**

**5 Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).**

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**THE RESPONSE OF THE NATIONAL UNION OF  
TEACHERS TO THE CONSULTATION ON THE  
PROPOSED AMENDMENTS TO INDIVIDUAL PUPIL  
INFORMATION PRESCRIBED PERSONS  
REGULATIONS  
DECEMBER 2012**

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1. The National Union of Teachers (NUT) welcomes the opportunity to respond to this consultation.

### **The DfE Proposal**

2. The NUT notes the DfE proposes to expand the range of 'prescribed' persons who currently have access (at the DfE's discretion) to the National Pupil Database (NPD). The proposed change would allow data to be shared with people and organisations for the purposes of:
  - a. Conducting research
  - b. Providing information, advice and guidance
  - c. Providing data based products and services

“for the purpose of promoting the education or well-being of children in England and who require individual pupil information for that purpose.”

3. The NUT also notes that the National Pupil Database provides information about:
  - a. children's education at different stages (pre-school, primary, secondary and further education)
  - b. their exam results
  - c. prior attainment and progression at different key stages
  - d. their characteristics (i.e. gender, ethnicity, first language)
  - e. their eligibility for free school meals
  - f. information about their special educational needs (if any)
  - g. detailed information about pupil absence and exclusions.

### **NUT concerns**

4. The NUT is concerned that the proposed changes are yet another attempt by the Government to create a new service industry through the exploitation of schools and pupils, in particular.
5. Under current regulations, the DfE has discretion to disclose information contained in the NPD to 'researchers'. The DfE has some experience, therefore, of vetting non-governmental organisations before disclosing what may on occasion be sensitive personal data relating to pupils. However, a consequence of expanding the range of

3<sup>rd</sup> parties to whom information could be disclosed is that the DfE will have to deal with significantly more requests for disclosure than it has hitherto. The consultation document says nothing about the Government's plans to resource the DfE sufficiently to maintain robust vetting standards. In fact the Secretary of State has just announced that 1,000 posts from the DfE are to be deleted.

6. The NUT is also concerned that there is no proposal to provide an 'opt-out' for parents and pupils who do not want their personal data to be disclosed to 3<sup>rd</sup> parties. There may, for example, be certain organisations which parents and pupils object to on ideological grounds and would not want to be the recipients of their personal and/or sensitive personal data.
7. The NUT would like to seek assurances that before information is placed on the NPD, the DfE seeks guarantees that schools, colleges and local authorities, which collect the information, are issue fair processing notices to parents to inform them that their children's data may be disclosed to commercial as well as educational interests. We would also recommend that parents and pupils should have the right to opt-out.

# Proposed amendments to Individual Pupil Information Prescribed Persons Regulations

## Consultation Response Form

The closing date for this consultation is: 18 December  
2012

Your comments must reach us by that date.



Department  
for Education

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Please tick if you want us to keep your response confidential.

Reason for confidentiality:

Name

[REDACTED]

Organisation (if applicable) National Society, Church of England

Address:

[REDACTED]

If you have a query relating to the policy content of the consultation you can contact the Department by telephone: 0370 000 2288 or via the Department's 'Contact Us' page.

If you have a query relating to the consultation process you can contact the Public Communications Unit on:

Telephone: 0370 0002288

e-mail: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk)

Please mark an 'X' in the box that best describes you as a respondent.

<input type="checkbox"/> Teacher/Head teacher	<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Pupil/Student
<input type="checkbox"/> Teacher Union	<input type="checkbox"/> Voluntary Sector/Not-for-profit Organisation	<input type="checkbox"/> Local Authority
<input type="checkbox"/> Commercial Organisation	<input type="checkbox"/> Researcher/HEI	<input type="checkbox"/> Government Organisation
<input checked="" type="checkbox"/> Other		

Please Specify:

The Church of England, through the National Society, is a major provider of statutory education. There are over 4,500 Church of England primary schools and more than 22 Church of England secondary schools educating nearly 1 million children.

1 Do you agree with the proposal to widen the purposes for which data from the National Pupil Database can be shared? Please explain the reasons for your answer.

<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<input type="checkbox"/> Not sure
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Comments:

Extending the access to certain elements of the pupil database would enable any body with responsibility for the effectiveness of its schools to better fulfil their role. There is an abundance of data that is collected about the performance of pupils and this should be better utilised to enable larger providers to drive school improvement and so be of benefit to the pupils concerned.

**2 How could you or your organisation potentially use the data?**

**Comments:**

**Dioceses have responsibility for the effectiveness of their schools and need to be able to access detailed information and data to enable them to carry out that role**

**3 What do you see as the benefits of widening the purposes for which data can be shared?**

**Comments:**

**Organisations such as Church of England dioceses, which have a wider responsibility than simply individual schools, need to be able to compare data across the group of schools to enable them to make system wide improvements.**



**4 Do you have any other comments you would like to make about the proposals in this consultation document?**

**Comments:**

**5 Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).**

**Comments:**

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

X Yes

 No

All DfE public consultations are required to meet the Cabinet Office Principles on Consultation

The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
- departments will need to give more thought to how they engage with and consult with those who are affected
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

Responses should be completed on-line or emailed to the relevant consultation email box. However, if you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Coordinator, tel: 0370 000 2288 / email: [carole.edge@education.gsi.gov.uk](mailto:carole.edge@education.gsi.gov.uk)

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 18 December 2012

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Send by e-mail to: [NPD.Consultation@education.gsi.gov.uk](mailto:NPD.Consultation@education.gsi.gov.uk)

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Name

[REDACTED]

Organisation (if applicable) University of York

Address:

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<input type="checkbox"/> Other		

Please Specify:

1 Do you agree with the proposal to widen the purposes for which data from the National Pupil Database can be shared? Please explain the reasons for your answer.

<input checked="" type="checkbox"/> Agree	<input type="checkbox"/> Disagree	<input type="checkbox"/> Not sure
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Comments:

The NPD is very rich data. Research would certainly benefit from allowing the NPD to be merged with other data. It would allow researchers to investigate broader research questions than those possible using only the NPD, without jeopardising the privacy of individuals. This is already standard practice in the Scandinavian countries, where all population registers can be linked using an individual ID (including data on education, health, income, taxes, mortality, migration, etc).

## 2 How could you or your organisation potentially use the data?

### Comments:

If the NPD can be merged with other data sources such as the NCMP, we would be able to use this in academic research, linking children's educational outcomes with (for the NCMP) children's heights and weights. Similarly, we may want to merge the NPD with other (administrative) data on house prices, crime rates, other existing data in the UK (such as the birth cohorts), etc. We would not be interested in identifying individual pupils, but it would allow for a much broader research agenda than that currently available using the NPD only.

Merging with other administrative data sources will allow researchers to examine factors of interest that occur relatively rarely, as this requires large samples (e.g. linking the NPD to the HES data means we can look at rare morbidities / mortality in the population). Merging the NPD with other existing data such as the birth cohorts will allow for a more detailed analysis, with many background characteristics that can be controlled for. This has already been done in e.g. ALSPAC and has led to much research. It would benefit research if this was expanded.

## 3 What do you see as the benefits of widening the purposes for which data can be shared?

### Comments:

See above

**4 Do you have any other comments you would like to make about the proposals in this consultation document?**

**Comments:**

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Xno

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