



The Pupil Behaviour Survey

Privacy notice



This Privacy Notice explains who is processing your data, the personal data we collect, how we use it, who we share it with, and what your legal rights are.

Who we are

This work is being carried out by Kantar Public who are conducting this series of surveys on behalf of the Department for Education (DfE). For the purpose of data protection legislation, the DfE is the data controller for the personal data processed as part of this project.

How we will use your information

DfE receive your personal data from the information you provide in the survey. We have a contract in place with Kantar Public to administer the Pupil Behaviour Survey on our behalf. We will carry out statistical analyses of the results. This means that Kantar Public cannot legally do anything with your personal data unless DfE have instructed them to do it. Kantar Public will not share your personal data with any organisation apart from DfE, except where DfE authorise them.

We will also receive some personal data from the *National Pupil Database (NPD)* a key DfE data store which covers education, skills and children's services data for individual pupils and learners.

The aim of the survey is to help DfE to give pupils in secondary schools the chance to have their say about pupil behaviour, and the key issues that affect their ability to learn. This will have public benefit, as it will provide the DfE with the evidence it needs to make evidence-based policy decisions. Understanding the perspectives of children and young people will help us better support families and children's education now and in the future.

Giving and withdrawing your permission to take part in the Pupil Behaviour Survey

We ask your permission to be part of the survey. We do this so that, after receiving information about how your data will be used, you can choose whether to take part in the study. You can contact us at any time to request to change any of the permissions that you have given. You do not need to give a reason for this. To contact Kantar Public to withdraw your permission, please email DfEpbs@kantar.com or telephone 0800 008 3240.

DfE will keep your survey answers separate from your contact details. This is called 'pseudonymisation' and is allowed under a GDPR exemption on keeping personal data for scientific, or historical research purposes in accordance with Article 89(1). Due to this pseudo-anonymisation, any requests for your data to be removed from the dataset must be given within 6 months of participation in the survey, while identifiers are still available. Once identifiers have been removed it will not be possible to do so.

As part of Kantar Public's Company Business Continuity plan and as required by their ISO 27001, ISO 9001, ISO 20252 certifications, and in certain instances the law, Kantar Public's electronic systems are backed up and archived. These archives are retained for a defined period of time in a strictly controlled environment. Once expired, the data is securely deleted.

The nature of your personal data we will be using

The categories of your personal data that we will be using for this project are:

- your full name,
- gender,
- age,
- email address,
- telephone number,
- ethnic origin,
- language,
- free school meal eligibility,
- Special Educational Needs and Disabilities status,

- Children in Need status.

Why we process your data

Your contact details

We collect your contact details, such as your email and phone number, to invite you to take part in surveys and activities that relate to the survey. Your contact details are shared securely with Kantar Public so that they can administer the Pupil Behaviour Survey on our behalf.

Your postal address is shared securely with Greens (a postal organisation) who printed and posted your invite letter.

Survey data

We collect your survey data with your permission. You can also withdraw from the survey at any time. You do not need to give a reason. To contact Kantar Public to withdraw from the survey, please email DfEpbs@kantar.com or telephone 0800 008 3240.

Your answers and personal details will be kept in the strictest confidence and stored safely. Only researchers at Kantar Public and the Department for Education will know what you have said. All statistics will be reported anonymously, meaning that it will not be possible to identify you in any published reports. However, if we believe someone is in direct threat of harm as a result of something that's been disclosed, we may email to advise on where to go for support, or – in some exceptional circumstances – contact your parent or the school/college.

Why our use of your personal data is lawful

To use your personal data in a lawful way, we need to meet one (or more) conditions in data protection legislation. For the purpose of this project, the relevant conditions are:

- Article 6(1)(e) GDPR, to perform a public task as part of our function as a department.
- Article 9(2)(g) under the substantial public interest condition.

In addition, general powers granted to the Secretary of State under Section 10 of the Education Act 1996, allows DfE to promote the education of the people in England and Wales. Furthermore, Section 83(1)(a) of the Children Act 1989 grants the Secretary of State the power to conduct, or assist other persons in conducting, research into any matter connected with their functions. It is necessary for DfE to process personal data to understand the perspective of children, young

people and parents on education, in order to support DfE's objective to provide world-class education, training and care for all children and young people.

When Kantar Public conducts surveys, their invitations/platforms and questionnaires clearly identify them and explain the purpose of their contact and if applicable, the purpose for collecting your personal data. You may decline to answer any questions or withdraw from a survey at any time.

All research for this project is being carried out in compliance with the Data Protection Act 2018 and UK GDPR.

Who we will make your personal data available to

DfE sometimes need to use other research organisations to help us deliver large pieces of work. In such instances we have a contract with these organisations. For the purposes of this project our contracted partner Kantar Public - and its approved sub-contractors - has been employed to process your personal data on our behalf. Only researchers at Kantar Public and at the DfE will be able to see your individual survey responses. However, if we believe someone is in direct threat of harm as a result of something that's been disclosed, we may email to advise on where to go for support, or – in some exceptional circumstances – contact your parent or the school/college.

By completing the survey, you give consent for researchers at Kantar Public and the DfE to use information that is on the National Pupil Database and link these to your survey answers (including pupil's age, gender, and ethnicity).

Your data protection rights

More information about how DfE handles personal information is [published here](#).

Under the Data Protection Act 2018, you have the following rights in relation to your personal data:

- Right to change your mind and to withdraw your consent
- Right to access your personal data
- Right to rectify your personal data
- Right to erase your personal data from our systems, unless we have legitimate interest reasons for continuing to process the information
- Right to port your personal data (portability right)

- Right to restrict processing of your personal data
- Right to object to the processing of your personal data

Right to not be discriminated against for exercising any of the rights available to you under applicable data protection laws.

For further information and how to request your data, please use the 'contact form' (https://form.education.gov.uk/service/Contact_the_Department_for_Education) in the Personal Information Charter under the 'How to find out what personal information we hold about you' section: <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

If you need to contact us regarding any of the above, please do so via the DfE site: <https://www.gov.uk/contact-dfe>

Further information about your data protection rights appears on the Information Commissioner's website: <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/>

Cookies

Cookies are small text files stored on your computer or device by a website that assign a numerical user ID and store certain information about your online browsing. They are used by web developers to help users navigate their websites efficiently and perform certain functions. The website sends information to the browser which then creates a text file. Every time the user goes back to the same website, the browser retrieves and sends this file to the website's server.

Kantar Public do not use cookies on this survey. Where cookies are required by a partners' platform, this is notified by the platform privacy notice/policy.

As is true of most online surveys, Kantar Public gather certain information automatically and store it in survey data files. This information may include things like Internet Protocol addresses (IP address), browser type, Internet service provider (ISP); referring/exit pages, operating system and date/time stamp.

Kantar Public use this automatically collected information to analyse trends such as browser usage and to administer the site, e.g. to optimise the survey experience depending on your browser type. Kantar Public may also use your IP address to check whether there have been multiple participations in the survey from this IP address.

Where will data be held and processed?

Your personal data may be collected, stored, transferred or processed by companies within the Kantar Group, or third-party service providers for research-related purposes, such as data processing, or incentives both within and outside the UK and the European Economic Area. Kantar Public are required to request approval from the DfE before making use of these sub-contractors.

All parties are contractually bound to keep any information they collect and disclose to us, or we collect and disclose to them, confidential and must protect it with security standards and practices that are equivalent to our own. If your personal data has been transferred to, stored, or otherwise processed to a territory outside the UK or EEA and that territory has not been recognised as providing an adequate level of protection of personal data; we will put in place an appropriate legal safeguard.

Your data would be protected through either a standard contractual clause (SCC) that has been agreed by the European Commission, binding corporate rules (BCR) between organisations, by getting your consent to transfer personal data or when the transfer is necessary to carry out or defend legal claims.

Accuracy

Kantar Public take all reasonable steps to keep your personal data accurate, complete, current and relevant, based on the most recent information provided to us. To contact Kantar Public to update your personal data, please email DfEpbs@kantar.com or telephone 0800 008 3240.

Contact Information

If you have any questions about how your personal information will be used, complaints or if you'd like to exercise your data protection rights please contact us at <https://www.gov.uk/contact-dfe> and enter Pupil Behaviour Survey as a reference. For the Data Protection Officer (DPO) please contact us at <https://www.gov.uk/contact-dfe> and mark it for the attention of the 'DPO'.

If you are not satisfied with how we handle and protect personal data, you have the right to complain to a supervisory authority such as The Information Commissioner's Office in the UK, whose details can be found at www.ico.org.uk

Last updated

DfE may need to update this privacy notice, so we recommend that you revisit this information from time to time. This version was last updated on 02/06/2023 and published on the Kantar Public website with permission.

Retention Guidance for the Pupil Behaviour Survey

Purpose

The purpose of this Guidance is to ensure that necessary records and documents are adequately protected and maintained and to ensure that records that are no longer needed by the Department for Education (DfE) are discarded at the proper time.

Data retained for business purposes will be registered on an Information Asset Register maintained within the DfE and will be reviewed quarterly by the designated Information Asset Owner (IAO) for this project. Records and data held centrally will only be duplicated when necessary and will be stored digitally in a DfE approved secure location.

Policy Principles

All data will be retained for no longer than necessary in accordance with the timescales detailed in this Guidance. The **DfE** designated IAO is responsible for regulating the retention period for data under this project in line with the DfE Retention and Disposal Schedule.

For specific advice on how long to retain certain data, the **DfE** designated IAO for this project will be the first point of contact, or alternatively the Privacy Assurance Team in the Data Protection Office.

Scope

The personal and/or special category data that will be retained for Pupil Behaviour Survey:

- your full name,
- gender,
- age,
- email address,
- ethnic origin,
- language,

- free school meal eligibility,
- Special Educational Needs and Disabilities status,
- Children in Need status.

The DPA and GDPR require that personal data should not be excessive and kept no longer than is necessary for the purposes for which it is required.

The DfE will keep your personal data for the purposes of this research for up to two years. This is as long as is needed to allow for any follow-up analysis. Where consent is not given for us to hold this named dataset, personal data will be kept for six months after the project has been completed. After this period, it will be securely destroyed.

Under data protection legislation and in compliance with the relevant data processing conditions, the DfE can lawfully keep personal data processed purely for research and statistical purposes indefinitely.

Disposal of data

When the retention period for identifying data relating to the survey has expired and a review indicates personal data is no longer needed, all electronically stored data will be deleted from DfE systems and any identifying data existing as a hard copy will be destroyed in line with DfE procedures. All versions (backup, portable, interim) of the data will also be deleted in a manner that they cannot be recovered.

Where data is managed by a processor on behalf of the DfE, we will obtain evidence of deletion by requesting confirmation in writing or any other method specified under contracts or agreement with the third party.

Any personal data retained for archiving, scientific, historic or statistical purposes will be pseudo-anonymised before being kept indefinitely. Due to this pseudo-anonymisation, any requests for your data to be removed from the dataset must be given within 6 months of participation in the survey, while identifiers are still available. Once identifiers have been removed it will not be possible to do so.