|  |
| --- |
| The Department for Education (DfE) through the  Education & Skills Funding Agency (ESFA)  Data Sharing Agreement with a lead local authority  for Local Enterprise Partnerships (LEPS)  Data Cube and Localism Dashboard |
| This form is to be used to request access to:   * The LEP Data Cube including personal and / or sensitive personal data controlled by the Secretary of State for the Department for Education, through the Education and Skills Funding Agency, hereinafter referred to as the “ESFA”. * The Localism Dashboard. |

The LEP data cube can only be requested by, and provided to, a designated individual working for the lead local authority to deliver work for and on behalf of the LEP, and registered with the Information Commissioner’s Office. When completing this document please note:

* Please complete the required fields
* All fields marked with a red asterisk \* must be completed.
* Some sections have been pre-populated – please do not overwrite or amend this text.

|  |  |
| --- | --- |
| **LEP Name**\* |  |

|  |  |
| --- | --- |
| **Name of the Data Controller i.e. lead local authority acting for for and on behalf of the above named LEP**\* |  |

|  |  |
| --- | --- |
| **Controller Organisation Address**\* |  |

|  |  |
| --- | --- |
| **Controller Contact Number** |  |

Once completed, please email to the Data Governance Team at:

[DataSharing.ESFA@education.gov.uk](mailto:DataSharing.ESFA@education.gov.uk)

Or post to

Data Governance Team

Cheylesmore House

Quinton Road

Coventry

CV1 2WT

|  |  |  |
| --- | --- | --- |
| Section 1: Data Controller Details | | |
| |  |  | | --- | --- | |  |  | | | |
| 1.1**\*** | **Lead individual for Controller: Name and Role/Position in organisation** |  |

|  |  |  |
| --- | --- | --- |
| 1.2**\*** | **Controller Email Address**  *(Must be a Company/Organisation Email)* |  |

|  |  |  |
| --- | --- | --- |
| 1.3**\*** | **Controller Contact Number** |  |
| **Data Controller Registration**   |  |  |  |  |  | | --- | --- | --- | --- | --- | | Data can only be provided if the Data Controller is registered with the Information Commissioner’s Office (ICO) unless you are exempt from registration. If you are exempt from registration, please provide an explanation in box 1.5.  Registration must be valid before data can be issued. | | | | | |  | | | | | | 1.4**\*** | **ICO – Data Protection**  **Registration Number** | | **Registration Renewal Date** | | |  |  | | | |  | | | | | | 1.5 | **Reason for Exemption**  *(where applicable)* | |  | | | | |

**Data provided will be in the format of data cubes and MI reports for the LEP Area named in the cover sheet. This will include the constituent Local Authority districts of the LEP**

**No bespoke data will be provided**

**Data Required By Other Parties**

Under the Data Controller’s authority, LEP Cubes can be shared with the appropriate people within the LEP and their partners and Local Authorities as necessary ONLY for the purposes described in section 3.

Please use section 1.6 to list all organisations who you expect to need access to the Data Cube for the purpose set out in Section 3.

The ESFA expects that the data will be made available to partner organisations to the LEP and others who require access to the data as part of delivering the purpose described in Section 3. Where this data cube needs to be shared with / provided to other parties acting on behalf of the LEP to compete this work,*(e.g. contractors, agents, partnerships etc)*, then their details must also be listed 1.6 along with the reason why they require the data.

If you need to replace names on the list at any point during the life of the DSA we will require confirmation from the Data Controller.

|  |  |  |  |
| --- | --- | --- | --- |
| *(Please expand this section if more organisations are receiving data)* | | | |
| 1.6 | **Other Organisation Details** | |
|  |  | |
|  | **Other Organisation**  **Name & Address** | **Contact Name** |
|  |  |
| **Contact Email Address** |
|  |
|  | **Other Organisation**  **Name & Address** | **Contact Name** |
|  |  |
| **Contact Email Address** |
|  |
|  | **Other Organisation**  **Name & Address** | **Contact Name** |
|  |  |
| **Contact Email Address** |
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| --- | --- | --- |
| Section 2: Legal Basis for the Request | | |
|  | | |
| **THIS SECTION HAS BEEN PRE-POPULATED PLEASE DO NOT ALTER ANY WORDING IN THIS SECTION.** | | |
| |  |  |  | | --- | --- | --- | | 2.1 | **Data requested for own purpose(s)**  **(not on a statutory basis)** | **Enter Y**  **below if applicable** | | **Y** | | | | |
|  | | |
|  | 2.1.1 | **Data requested for own purpose(s) (not on a statutory basis)**  I confirm our organisation is requesting personal data for our own non-statutory purposes stated below, that the data is confidential, and may only be processed by our organisation as a Data Controller with the consent of the ESFA for the purpose set out in Section 3. |

|  |  |  |
| --- | --- | --- |
| 2.2**\*** | **Data Protection Act Compliance**  Please state below the relevant condition(s) under Schedule 2 and/or 3 of the Data Protection Act 1998, which provide(s) justification for the ESFA to provide the data to your organisation.  Where Personal and/or Sensitive Personal data are required you MUST ensure that the appropriate Schedule(s) and condition(s) are stated below. These details will be considered with the data requested and if not appropriate the form will not be validated. | |
| **Schedule *2***  **Condition(s)** *5 The processing is necessary—*  *b) for the exercise of any functions conferred on any person by or under any enactment*  *c) for the exercise of any functions of the Crown, a Minister of the Crown or a government department* | | |
|  | | |
| **Schedule 3**  **Condition(s)** *7 (1) The processing is necessary –*  *b) for the exercise of any functions conferred on any person by or under any enactment*  *c) for the exercise of any functions of the Crown a Minister of the Crown or a government department* | | |
|  | | | |
| **Schedule 3**  **Condition(s)** *9 (1) The processing –*  *a) is of sensitive personal data consisting of information as to racial or ethnic origin,*  *b) is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatment between persons of different racial or ethnic origins, with a view to enabling such equality to be promoted or maintained, and*  *c) is carried out with appropriate safeguards for the rights and freedoms of data subjects.* | | | |
| **Section 3:** Processing Purpose and Method | |

THIS SECTION HAS BEEN PRE-POPULATED   
 PLEASE DO NOT ALTER ANY WORDING IN THIS SECTION

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| |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Purpose** | | | | | |  | | | | | | **3.1**\* | | **Summary of why you need the data** | | The primary purpose of the Data Cube management information reports is to inform the continued development and implementation of the LEP Local Growth and Strategic Economic Plans and support the process of addressing priority skills issues. Other data sets may be released from time to time by the Agency to supplement the data cube using these data sets. The terms in this Agreement apply to any supplementary information supplied to LEPs by the ESFA for the purpose set out in this section. | |  | | | | | | **Data Selection Criteria** | | | | | |  | | | | | | **3.2**\* | | **Only essential data can be supplied, please state the selection criteria(s) you wish to be applied** | | The Operational data suite will be based on four years of data based on academic year. The detail needs to be sufficient to enable patterns of provision, learning aims, providers and demography to be identified. | |  | | | | | | **3.3** | | **Where Personal and/or Sensitive Personal data are requested, please state the reasons why** | | The data cube contains personal characteristics of learners but does not contain any information or unique identifiers that enable any individual learner to be directly identified from these characteristics. | |  | | | | | | **Processing Method & Outputs From Data** | | | | | |  | | | | | | **3.4**\* | | **Details of how this data cube can be used** | | All data provided can be used unaltered for internal information or operational purposes and discussions. The data and reports produced containing this data **can be** **externally** published as long as the requirements set out below are followed.  Where further guidance on publication is provided, all signatories to, and individuals and organisations bound by, this Data Sharing Agreement are expected to comply.  No data which enables the direct or indirect identification of an individual must be published. This includes data where the individual could be identified by linking the data to other data.  Any numbers derived and published must be presented in such a way as to not undermine the rounding and disclosure control of the Statistical First Release and other published tables. Where data shows a value of 5 or less, then this data must be suppressed and replaced with an asterisk (“\*”). All values must be rounded up/down to the nearest 10. | |  | | | | | |  | **3.4.1** | | **State what output (if any) will be created using the data** | Tables, graphs and other info graphics, narrative text for the purposes of operational discussion, supporting the presentation & evaluation of published economic plans and developing skills priorities. | |  | | | | | |  | **3.4.2** | | **Recipient of output(s) and how handled** | Data will be made available to the Data Controller named in section 1. | |  | | | | | | **3.5** | | **Is data to be matched in any way with any additionally sourced data?** | | The data must not be used to match with other data. | |  | | | | | | **Contacting Data Subjects** | | | | | |  | | | | | | **3.6** | | **Are you planning on contacting any individuals listed within the data, if so state the reason for contact?** | | The data must not be used to contact any individuals or be matched to other data sets to identify individuals. | |  | | | | | |  | | | | |  | Recipient of output(s) created and how handled? | *(Must be completed if relevant)* | |

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| **Section 4:** Data Requirements |

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| |  |  | | --- | --- | | 4.1 | **LEP Cube Data** |   The ESFA is providing LEPs with a range of information about learners in the geographical region of their LEP. The information required comes from a variety of systems and data sources of the ESFA including the ILR, Apprenticeship Vacancies and the National Careers Service.  The information provided will consist of annual and in-year scheduled offline cubes and supplementary MI reports for Learner Participation and Workplace Count.  The cubes will contain data from the Single Individualised Learner Record, Large Employer Outcome Pilot and Employer Ownership Pilot.  Annual Cubes  Annual offline cubes provided before April 2018 will contain full end of year data for 2011/2012 onwards. Cubes provided after April 2018 will only contain data for 2014/15 onwards. Data from years 2010/2011 and earlier has already been provided to the LEPs.  Two annual offline cubes will be provided for each LEP:   * One is based on the learner’s home postcode and includes learning aims and Apprenticeship frameworks where the learner’s home postcode is in one of the constituent local authority districts of the LEP. * One is based on the delivery location postcode and includes learning aims and Apprenticeship frameworks where the delivery location postcode is in one of the constituent local authority districts of the LEP   Scheduled Cubes  Scheduled in-year offline cubes will contain full year historic data and quarterly data for the current academic year. As per the annual offline cubes, two in-year offline cubes will be provided for each LEP:   * One is based on the learner’s home postcode, as above * One is based on the delivery location postcode, as above   Learner Participation Report  A separate MI report will be provided for Learner Participation data at the same time as the scheduled and annual cubes. It will not be provided in the off-line cubes.  Workplace Count Report  A separate MI report will be provided for Workplace Count data at the same time as the scheduled and annual cubes. It will not be provided in the off-line cubes | | |
| 4.2 | **Data Delivery** |

The LEP Cube Data will only be delivered by File Transfer Protocol (FTP) to the Data Controller named on the front page and in Section 1.

If as a Data Controller, you wish to nominate **ONE** **Key Recipient** who will receive the data on your behalf, then please provide details below (these details must also be present in section 1.6). Please note that in giving these details you remain the Data Controller and are responsible for ensuring the data is handled in accordance with this request and fulfils the Terms and Conditions set.

**Please note**: Access to the Localism Dashboard is covered under section 4.3 and 4.4.

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| --- |
| **Key Recipient Details** |

|  |  |
| --- | --- |
| **Name** |  |

|  |  |
| --- | --- |
| **Email Address** |  |

|  |  |
| --- | --- |
| **Organisation** |  |

|  |  |
| --- | --- |
| 4.3 | **Access to the Localism Dashboard** |

As access to the secure site is limited to FOUR people per LEP area, please use section 4.4 to list all organisations and people who you expect to need access to the Localism Dashboard. The access credentials are issued solely for the use of the people named below and must not be shared with anyone else. If you are the Data Controller and also require access, you must include yourself on this list.

Please ensure that the contact e-mail address is supplied as this will be used as the user name to access the Dashboard.

If you need to replace names on the list at any point during the life of the DSA we will require confirmation from the Data Controller.

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| --- | --- | --- |
| 4.4 | **People who need access to the Localism Dashboard** | |
|  | **Organisation Name** | **Contact Name** |
|  |  |
| **Contact Email Address (User Name)** |
|  |
|  | **Organisation Name** | **Contact Name** |
|  |  |
| **Contact Email Address (User Name)** |
|  |
|  | **Organisation Name** | **Contact Name** |
|  |  |
| **Contact Email Address (User Name)** |
|  |
|  | **Organisation Name** | **Contact Name** |
|  |  |
| **Contact Email Address (User Name)** |
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| |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **Section 5:** Declaration & Agreement | | | | | | | | | | | All requesters **MUST** confirm their agreement and compliance to the following conditions by completing or indicating ‘**Y’** for Yes to all of the questions below. If any of the conditions cannot be fulfilled then data will not be supplied. | | | | | | | | | | | 5.1\* | | On behalf of my Organisation, I hereby apply for access to the data held or controlled by the ESFA as specified in this Data Sharing Agreement. | | | | | | | | **Enter Y**  **below**  **if applicable** | | **Y** | |  | | | | | | | | | | | | 5.2\* | | | | Confirmation that as Data Controller your organisation has in place suitable arrangements for processing the requested data to meet your obligations under the Data Protection Act 1998 including, but not limited to:   * You maintain up to date policy available to all staff for handling personal data * Relevant people within your work place have been trained in how to handle personal data * Records of personal information are accurate and where necessary, up to date and are kept no longer than necessary * When collecting personal data you tell people how you intend to use it, and have a process in place to deal with requests for this information * You maintain appropriate technical and organisational measures to protect against unauthorised or unlawful processing of, accidental loss or destruction of, or damage to, personal data   You have a process in place to handle any security incidents involving personal data, including notifying relevant third parties of any incidents | | | | | | **Enter Y**  **below**  **if applicable** | | **Y** | |  | | | | | | | | | | | | 5.3\* | | I declare that my organisation has given notification to the Information Commissioner and that the registration is up-to-date and complete, and that the agreed processing falls within the terms of the notification / registration. | | | | | | | | **Enter Y**  **below if applicable** | | **Y** | |  | | | | | | | | | | | | 5.4\* | | | I declare that my organisation agrees to the terms and conditions of this Data Sharing Agreement.  *(Terms & Condition details can be found in Appendix A)* | | | | | | | **Enter Y**  **below if applicable** | | **Y** | |  | | | | | | | | | | | | 5.5\* | | | I agree to **DELETE** each set of the supplied data (including destruction of any discs) within 12 months of receipt. | | | | | | | **Enter Y**  **below if applicable** | | **Y** | |  | | | | | | | | | | | | 5.6\* | | | **Signature of Data Controller** | |  |  | 5.7\* | **Date** |  | |   The completed form must be signed and dated by the Data Controller (*signatures must be handwritten*) and sent to the address on the cover page. Once validated, data can then be released to the Data Controller. |

# Appendix A – Notes & Guidance

Terms & Conditions

Details can be found within the embedded document below,



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Privacy Notice

The Agency issues Privacy Notices for the processing of personal data.  When Learners enrol for learning funded by the Education & Skills Funding Agency their Provider must ensure that they are aware of the Privacy Notice, including how their personal information may be used,

The Privacy Notice is published on the gov.uk website, scroll down to the latest version of the ILR Specification 2017 to 2018 appendix F, privacy notice at:

<https://www.gov.uk/government/publications/ilr-specification-validation-rules-and-appendices-2017-to-2018>

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