

## Children in Kinship Care

<b>Evaluator</b>	What Works for Children's Social Care (WWCSC)
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<b>Type of Analysis</b>	Secondary data analysis
<b>Age or Status of Participants</b>	Children aged 0-17 in care
<b>Number of Participating Local Authorities</b>	All English local authorities
<b>Research questions</b>	<p>To what extent are kinship foster care and SGOs used at a national level and how does the use vary by demographic group?</p> <p>How does the use of kinship foster care and SGOs differ across different local authorities and regions and how does this regional variation correlate with local authority characteristics?</p> <p>What are the outcomes of children in kinship care compared to those in foster care?</p>

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## Background and Problem Statement

Kinship care is a form of care that involves children being raised by non-parental family members, such as grandparents, an uncle, aunt, or a close friend of the family. This type of care plays an important role in the wider care system by providing an opportunity for children to live with family members when their birth parents are unable to care for them. Such care arrangements can be made both formally or informally. A formal arrangement either occurs when a child is taken into care by the local authority and then raised by an extended family member / friend or under a private law order whereby a child is placed under a Special Guardianship Order or a Children's Arrangement Order and parental responsibilities are shared between the parents and the carer. Under an informal arrangement made between the parents and the carer, parental responsibility is not transferred and despite legislation requiring informal arrangements to be signalled to local authorities (LAs), it is not clear to what extent LAs are aware of informal arrangements in their area. For the purposes of this analysis we will be limited to looking at formal kinship care arrangements due to the limited data availability on informal kinship care arrangements within the datasets we are focusing on.

Children in kinship care tend to have better outcomes compared to those in other placement types, such as residential care or foster care, for example, lower levels of mental health issues<sup>1</sup> and social and emotional problems<sup>2</sup> and higher educational attainment<sup>3 4</sup>. However, findings are inconclusive, mainly because impact evaluations are rare and estimating the causal effect of kinship care placements is difficult given the decision of which children are placed in kinship care is not random and thus lacks a suitable comparison group. Quasi-experimental impact evaluations have indicated that young people in kinship care experience greater stability, but more evidence surrounding educational outcomes would improve knowledge in this area. In addition, evidence specific to the context of England is lacking. Therefore, the goal of the current project is to utilise the availability of administrative data to carry out a quantitative national overview and answer important questions about this area. We will use descriptive statistics to provide a current national picture of the use of kinship foster care and Special Guardianship Orders (SGOs), where the child was previously looked after<sup>5</sup>. Further, we will analyse the use of kinship foster care and SGOs across different local authorities, how it varies both regionally and over time, and whether this correlates with other individual and local authority level variables. Moreover, outcomes for children in kinship care and children in other types of care will be compared. The research has been commissioned by the Independent Review of Children's Social Care.

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<sup>1</sup> Xu, Y. & Charlotte Lyn Bright, C. L. (2018) Children's mental health and its predictors in kinship and non-kinship foster care: A systematic review. *Children and Youth Services Review*, 89, 243-262.

<sup>2</sup> Winokur, M. A., Holtan, A., & Batchelder, K. E. (2018). Systematic review of kinship care effects on safety, permanency, and well-being outcomes. *Research on Social Work Practice*, 28(1), 19-32

<sup>3</sup> Selwyn, J. & Farmer, E. Meakings, S. & Vaisey, P. (2013) The poor relations? Children & informal kinship carers speak out. [online] University of Bristol. Available at: <http://www.bristol.ac.uk/media-library/sites/sps/migrated/documents/report.pdf>

<sup>4</sup> Harwin, J., Simmonds, J., Broadhurst, K. & Brown, R. (2019) Special Guardianship: A review of the English research studies. [online] Nuffield Family Justice Observatory. Available at: [https://www.nuffieldfjo.org.uk/wp-content/uploads/2021/05/Nuffield-FJO\\_Special-guardianship\\_English-research-studies\\_final.pdf](https://www.nuffieldfjo.org.uk/wp-content/uploads/2021/05/Nuffield-FJO_Special-guardianship_English-research-studies_final.pdf)

<sup>5</sup> We are unable to look at SGOs that were made where the child was not previously in the care of the local authority due to a lack of data on those arrangements within our datasets.

## Aims and Objectives

This study aims to improve the understanding of kinship care by providing more quantitative evidence regarding the use of kinship foster care and SGOs both nationally and across local authorities, illustrate how variation in use is correlated with other variables, and compare educational outcomes of children who have experienced kinship care compared to those that have experienced foster care.

### Research questions

More specifically, this analysis will answer the following research questions:

- To what extent are kinship foster care and SGOs used at a national level and how does the use vary by demographic group?
- How does the use of kinship foster care and SGOs differ across different local authorities and regions and how does this regional variation correlate with local authority characteristics?
- What are the outcomes of children in kinship care compared to those in foster care?

### Scope

Our population of interest for the purposes of this analysis are children that are cared for under a Special Guardianship Order (SGO) where the child was previously in care, or under kinship foster care. Due to data limitations, out of scope are children living under an informal arrangement between their birth parents and carers, child arrangement orders<sup>6</sup> and SGOs that were made where the child was not previously looked after. We will also be excluding SGOs resulting from former foster carers from our analysis on kinship care.

We will refer to our two groups of interest (children on SGOs and kinship foster care) using the term 'kinship care'. For the purposes of this protocol, the term encompasses only two forms of care arrangements: kinship foster care, in which a Looked After child is cared for by a friend or relative who has had a formal foster carer assessment (and does not have parental responsibility)<sup>7</sup>; and SGOs awarded by, an intentionally permanent, law order to a carer (who shares parental responsibility)<sup>8</sup> of a child who was previously Looked After by the Local Authority.

## Method and Analysis

This section will provide more detail on each individual research question. Due to the structure and availability of the data, the methods and analyses vary by research question and are explained in more detail below. Please note that the analysis will be limited to providing descriptive statistics and regression analysis, so will be able to establish correlations but not any causal link between kinship care placements and certain outcomes of interest.

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<sup>6</sup> Individual-level data for children cared for under a Child Arrangement Order (CAO) distinguishing between parental or kinship care is unavailable, and therefore excluded from analysis.

<sup>7</sup> Kinship ([No date]) 'Kinship foster care', *Kinship*, available online at <https://kinship.org.uk/for-kinship-carers/what-is-kinship-care/kinship-foster-care/> accessed 24 September 2021.

<sup>8</sup> Kinship ([No date]) 'Special Guardianship Orders', *Kinship*, available online at <https://kinship.org.uk/for-kinship-carers/advice-and-support/legal-options/special-guardianship-orders/>, accessed 24 September 2021.

## Data sources

We will use individual-level data requested from the ONS' Secure Research Service (SRS) for the analysis. The data requested includes national administrative data on looked after children provided by local authorities to the Department for Education (known as the SSDA903 collection). Annual SSDA903 returns for the years 1998/1999 - 2019/20 are used for analysis in order to compare the experiences of children for multiple cohorts over time. This data provides detail of a child's placements as a Looked After child, and their exit as a care leaver. Data from the children in need census helps to provide comprehensive information of a child's journey into care. Annual schools' census provides further information of a child's characteristics and educational outcomes.

## Overview of the use of kinship care

It is important to understand the current landscape surrounding the use of kinship foster care and SGOs in England in order to make well-informed policy decisions. This analysis strand will use descriptive statistics to provide a national summary of:

- The number of children in kinship foster care and who started to be on SGOs in 2019/20 as a proportion of all children in care
- Summary statistics for SGOs and kinship foster care by demographic such as age, gender, ethnicity, UASC status, SEN type, FSM eligibility, reason for entering care
- Age at entry into care and age at entry into kinship care
- Length of time spent in kinship foster placements
- Number of episodes of care prior to entering kinship care
- Number and type of placements in care after kinship care
- SDQ scores at KS1, 2 and 4 for children in kinship foster placements
- Placement stability (number of placement changes) for children in kinship foster placements
- Rate of reunification for children in kinship foster placements

## Variation in the use of kinship care

The purpose of this analysis is to provide descriptive statistics illustrating how kinship care is utilised by Local Authorities to provide care for children who are looked after. Existing evidence shows that, on average, 13-14% of the 80,000 nationally Looked After children are placed into kinship foster care, whilst 12% of the 30,000 children who cease to be Looked After annually leave under an SGO, with the vast majority in placement with a relative or friend<sup>9</sup>, however evidence on how this varies locally is limited<sup>10</sup>. Furthermore, little current research identifies characteristics associated with Local Authority usage of kinship foster care or SGOs.

In order to gain an understanding of how kinship care is used by local authorities, we will explore regional variation by focusing on:

- How local authorities vary in their use of kinship care (focusing on SGOs and kinship foster care) as a placement option

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<sup>9</sup> Office for National Statistics (2020) *Children looked after in England including adoptions*, Reporting Year 2020. [online] Available at: <https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions>

<sup>10</sup> Wade, J., Sinclair, I., Simmonds, J. & Stuttard, L. (2014) *An Investigation of Special Guardianship*, Social Policy Research Unit, University of York; Department for Education: York.

- How the use of different types of kinship care correlates with other local authority characteristics

There are limitations to this research which result from data availability, and any findings should be viewed within these constraints.

Furthermore, we note that the financial support Special Guardians receive differs across local authorities. We expect there to be a correlation between the support available to Special Guardians and the use and potential effect on outcomes of Special Guardianship Orders but will not be able to account for this due to a lack of available data on the support arrangements for all local authorities.

## Outcome measures

The outcome variables will measure the usage of SGOs and kinship foster care placements as a proportion of all children in care and those that ceased to be looked after to be under an SGO out of all children in care for a given year.

## Analytical strategy

Individual-level data will be aggregated to the level of Local Authorities in order to obtain number counts of Looked After Children in each type of kinship care, and their associated share of all children in care within the Local Authority. This will facilitate an understanding of the regional distribution of children in kinship care arrangements, and the types of arrangements in which they are cared for. Regional differences in the use of kinship care will also be summarised visually.

We will examine the characteristics associated with SGO and kinship foster care usage between Local Authorities using regression analysis.

Individual-level variables, aggregated to the level of Local Authority, will identify correlations between the outcome variables and the following factors:

- Average age at entry into care
- Gender
- Ethnicity
- Disability
- IDACI score

In addition to Local authority-level variables:

- Latest Ofsted rating
- LA population breakdown by ethnicity
- LA income deprivation score
- Rate of children looked-after in the LA (per 10,000 children)
- Number of UASC currently in the local authority's care
- Social worker workforce statistics (average caseload, turnover rate)

The regression specification will therefore estimate the correlation between local authority level characteristics and a Local Authority's use of kinship care through the following framework:

$$y_{lt} = \beta_0 + \sum_{m=1}^M \beta_m X_{lt} + \epsilon_{lt}$$

Where:

- $y_{lt}$  is a continuous measure of the use of SGOs/kinship foster care usage in Local Authority  $l$  at time  $t$  relative to the number of children in care in Local Authority  $l$  and those that cease to be looked after to be on an SGO in year  $t$
- $\beta_0$  is the regression intercept.
- $X_{lt}$  is a vector of  $M$  characteristics for  $l$ , composed of Local Authority-level variables and individual-level variables aggregated to the level of Local Authority<sup>11</sup> in year  $t$  (outlined above).
- $\epsilon_{lt}$  is the random error term equal to 0 in expectation for Local Authority  $l$ .

The regression will be run on the sample of children cared for under SGOs or in kinship foster care arrangements separately.

Table 1: Regression analysis for RQ2

<b>Population</b>	Two populations on which the regression will be run separately: <ul style="list-style-type: none"> <li>• Children who started to be cared for under Special Guardianship Orders by relatives or friends in year <math>t</math>, and</li> <li>• Looked After children cared for under kinship foster care arrangements at any point during year <math>t</math></li> </ul>
<b>Outcome Measures</b>	<p>The proportion of children in a Local Authority who are cared for under SGOs and kinship foster care arrangements out of all children in care.</p> <p>SGOs: All children who ceased to be looked after who go onto a SGO in year <math>t</math> out of all children in care at any point during year <math>t</math>, including SGOs that began in year <math>t</math></p> <p>Kinship foster care: all children in kinship foster care in year <math>t</math> out of all children in care in year <math>t</math>, including SGOs that began in year <math>t</math>.</p>
<b>Analytical strategy</b>	Ordinary least squares linear regression

## Outcomes for children in kinship care

It is important to understand the outcomes associated with experiencing kinship care. Previous research suggests that outcomes differ between children placed in kinship care compared to those in

<sup>11</sup> This will be achieved for the population of children cared for under SGOs and kinship care orders within each Local Authority, using mean averages for continuous variables (e.g. age of entry to care), and proportions of number counts for categorical variables (e.g. ordinal groups of ethnic groups).

other types of placements<sup>121314</sup>. This analysis will widen the evidence base on differences in outcomes for children in kinship care compared to other types of care in the English context.

## Outcome measures

We will look at educational outcomes for children in kinship care compared to children in foster care. Results will be provided separately for kinship foster care and SGOs to highlight any potential differences within the kinship care population. We will look at the following outcome measures:

- Educational attainment<sup>15</sup>:
  - KS1 attainment: average points (reading, writing, maths, and overall science; possible range 3-39)
  - KS2 attainment: total points (English, maths, and science; possible range 0-99)
  - KS4 Attainment 8 (pupil's achievement across up to 8 qualifications; English and Maths can be double-weighted; possible range 0-87)
  - KS4 Progress 8 (possible scores are negative and positive around a population mean of zero)
- School attendance at key stage (KS) 1, 2 and 4 (unauthorised absences as a proportion of total possible sessions)
- School exclusions at KS1, 2 and 4 (ever permanently excluded and number of fixed term exclusions)

## Analytical strategy

We will analyse whether specific types of kinship care placement correlate with the outcomes listed above. To increase comparability, we will match children in kinship care with children in foster care using coarsened exact matching<sup>16</sup> (CEM). The matching will be based on characteristics shown to significantly correlate with outcomes in existing research. Once the matching is complete, we will run the following regression:

$$Y_i = \beta_0 + \beta_1 KS_i + \sum_{l=2}^{L+1} \beta_l Z_l + \gamma LA_s + \epsilon_{is}$$

Where:

- $Y_i$  is a measure of one of the outcomes discussed above
- $\beta_0$  is the regression intercept
- $KS_i$  is a binary indicator indicating whether a child has ever been in kinship care at the time  $t$  of measurement
- $Z_i$  is a vector of child-level variables shown to be correlated with outcomes

<sup>12</sup> Xu, Y. & Charlotte Lyn Bright, C. L. (2018) Children's mental health and its predictors in kinship and non-kinship foster care: A systematic review. *Children and Youth Services Review*, 89, 243-262.

<sup>13</sup> Winokur, M. A., Holtan, A., & Batchelder, K. E. (2018). Systematic review of kinship care effects on safety, permanency, and well-being outcomes. *Research on Social Work Practice*, 28(1), 19-32

<sup>14</sup> Selwyn, J. & Farmer, E. Meakings, S. & Vaisey, P. (2013) The poor relations? Children & informal kinship carers speak out. [online] University of Bristol. Available at: <http://www.bristol.ac.uk/media-library/sites/sps/migrated/documents/report.pdf>

<sup>15</sup> Note that educational outcomes will only be available for children in kinship foster care and for children who ceased to be looked after to go on an SGO while they are already of school age.

<sup>16</sup> CEM balances treatment and control groups by grouping observations with similar characteristics (where the level of similarity is pre-determined by the researcher) into strata, to identify a treatment effect by comparing outcomes of treated and control groups within stratum. More information can be found here: <https://cran.r-project.org/web/packages/cem/vignettes/cem.pdf>



- $LA_s$  are local authority level fixed effects for the local authority  $s$  child  $i$  is in
- $\epsilon_{is}$  is the random error term equal to 0 in expectation for child  $i$ .

We expect to include the following child-level variables under  $Z_i$ :

- Gender
- Ethnicity
- Special educational needs and disabilities (SEND) type and provision
- Free school meal eligibility
- IDACI score
- Age at entry into care
- Child's category of need at start of care period
- Is child an Unaccompanied Asylum Seeking Child (UASC)
- Home language other than English
- Number of placements until the time of measurement
- School type

### Secondary analysis

We will run additional regressions looking at interactions between gender and ethnicity and gender and age by including the appropriate interaction terms.

Finally, we will run additional analysis to see how our main estimates change when we account for the share of time in care spent in residential care. We would expect some of the correlations between residential care and outcomes to be stronger the longer a child has been in residential care.

*Table 3: Regression analysis for RQ3*

<b>Population</b>	All children that turned 18 between April 2018-March 2019 <sup>17</sup> who have ever been in kinship foster care or on SGOs living with a relative/friend, and a matched group of children in foster care.
<b>Outcome Measures</b>	Educational attainment, school attendance, school exclusions, SDQ scores, placement stability, likelihood of reunification
<b>Analytical strategy</b>	Matched regression analysis  Coarsened exact matching (CEM) of children in kinship care or foster care based on characteristics associated with educational outcomes

## Ethics & Participation

We believe the research will have important public benefits by providing a national overview of the use of kinship foster care and SGOs, as well as analysis of regional variation and educational outcomes related to this which are informative for policy decision-making. We believe the risk of harm

<sup>17</sup> Due to the COVID19 pandemic, data for most educational outcomes will not be available for 2019/20 so we are restricted to looking at the 2018/19 cohort.

from this project is very low. The data used is administrative data which is collected / created in the course of day to day children's social work, and no further collection of data is required. The analysis does not involve innovative technology, denial of service, large-scale profiling, biometric data, genetic data, data matching, invisible processing, tracking or targeting of individuals for marketing purposes. The outputs will be presented as summary statistics and will be checked for statistical disclosure.

The low risk of harm mostly comes from the possibility of harm if the individual were identified (very unlikely) following a data breach (also very unlikely). We mitigate the risk of a data breach by using the ONS' secure research service (SRS). Data will be stored on the ONS' systems. Access to the data will be limited to the project team at WWCSO; all researchers have undergone rigorous data protection training. It is very unlikely that the data requested will enable re-identification because we only ask for the data necessary to undertake the analysis and this contains no "instant identifiers" (e.g. name, address etc) or "meaningful identifiers" (which would allow matching to other datasets with more information).

This project has received approval from the What Works for Children's Social Care Research Ethics Committee.

## Registration

The trial will be pre-registered on OSF (Open Science Framework, <https://osf.io/>) run by the Centre for Open Science (<https://cos.io/>).

# Data protection

## **Purpose for processing**

The purpose for processing personal data is to conduct research and an evaluation of data in order to improve the understanding of kinship care by providing a national overview, analysing the regional variation in the use of SGOs and kinship foster care and examining the outcome of children who experience kinship care compared to foster care (“Purpose 1”)

Another purpose (“Purpose 2”) will be to share the findings with the relevant stakeholders so that the results can contribute towards the Independent Review of Children’s Social Care and inform future policy decisions in this sector.

Through the processing of data the research is designed to be part of an evidence base to be used for the improvement of children’s lives and for the ability to make informed decisions on how children in kinship care should be treated in the future.

Data captured and subsequent findings, within legislative boundaries, will be archived in a manner which will aid secondary analysis of the data to inform further research conducted for the benefit of society and, in particular, societal practices in the children’s social care sector (“Purpose 3”).

### 1. **Relationships of parties**

The Independent Review of Children’s Social Care in England based in the UK Department for Education (“DfE”) is funding the research outlined in this Trial Protocol. WWCS is working with the DfE on the design and delivery of the research project on behalf of the DfE.

### **For the alleviation of doubt:**

The DfE shall be the data controller for the duration of the evaluation. WWCS is acting as a Data Processor on behalf of DfE who are acting as the Data Controller for data processed directly or indirectly for the research activities outlined in this Trial Protocol.

### 2. **Categories of Data Subject(s) and Personal Data**

<b>Category of Data subject</b>	<b>Number per Category</b>
<input checked="" type="checkbox"/> Children (aged under 13)	= Approx. 25,000 data subjects
<input checked="" type="checkbox"/> Children (aged 13 and over)	= Approx. 25,000 data subjects

#### **Data Categories**

- Date of birth
- Emotional Difficulties
- Behavioral Difficulties
- Substance misuse issues
- English Additional Language
- CIN, CPP or CLA Status
- Borough Council
- Pseudonymised Data

#### **GDPR Special Categories**

- Medical or health information
- Racial or ethnic origin
- Sexual orientation
- Sex life
- Biometric Data (e.g., fingerprints, facial recognition)
- Genetic Data
- Religion / Beliefs

### **Sensitive Category Data**

- Criminal record or offence information
- Proceedings for any offence committed or alleged
- Bank, payment card or tax information

### **School Information**

- Name of School
- Attendance
- Punctuality
- Eligibility for Free School Meal
- Academic Achievement
- Other - Please specify/add:
  - exclusions,
  - Not in Employment, Education or Training (NEET) status

- Political opinion
- Trade Union Membership

### **Equality Act - Protected Characteristics**

- Sex
- Age
- Disability
- Special Educational Needs
- Instances of harm
- Sex life
- Gender reassignment
- Pregnancy and maternity

### 3. **Method of collection and transfer**

The underlying data used to conduct this analysis consists of data held by DfE. The DfE will not share any data to be analysed directly with WWCS.

The data required for the analysis will be added to the Office for National Statistics Secure Research Service (ONS SRS) database. The SRS is managed by the ONS following their 'Five Safes' methodology (<https://blog.ons.gov.uk/2017/01/27/the-five-safes-data-privacy-at-ons/>).

The 'five safes' methodology maintains the anonymity of the data subjects within the cohort being analysed. Only ONS accredited researchers are allowed to access the data and access is restricted to specific locations and parameters guarding against removal of data from the SRS.

### 4. **Type(s) of dataset**

#### **Administrative Data**

- Baseline
- Interim
- Longitudinal (anonymised data uploaded to the SRS by the DfE)
- Endline

### 5. **Data Sharing requirements**

The DfE and WWCS are the data controllers. WWCS decided to process the data and decided the purpose of the processing, what data should be collected and which individuals to collect data about. The data is collected by the DfE.

### 6. **List of processing activities**

The following is a list of all processing activities involving personal data for the research to be conducted:

- Personal Data to be uploaded in an anonymised format to the SRS.
- To develop an understanding of the use and outcomes associated with kinship care.
- To provide descriptive statistics to provide a national summary of the use and characteristics of kinship care placements
- To predict values which are missing for other observations.
- To establish if there is a link between local authority level characteristics and a local authority's use of kinship care
- To establish if there is a link between educational outcomes for children in kinship care compared to children in foster care
- To augment the research through the use of special category personal data, namely ethnicity, gender and disability within the research conducted.
- To identify administrative data to be shared with WWCS for the purposes of the evaluation.
- To archive data collected within a central national database held by the Office for National Statistics.

## 7. Data Protection Lawful basis for processing

### GDPR Article 6.1

- (a) Consent
- (b) Contract
- (c) Legal obligation
- (d) Vital interests
- (e) Public task
- (f) Legitimate interests

### GDPR Article 9.2

- (a) Explicit Consent
- (b) Employment, social security and social protection (if authorised by law)
- (c) Vital interests
- (d) Not-for-profit bodies
- (e) Made public by the data subject
- (f) Legal claims or judicial acts
- (g) Reasons of substantial public interest (with a basis in law)
- (h) Health or social care (with a basis in law)
- (i) Public health (with a basis in law)
- (j) Archiving, research and statistics (with a basis in law)

### Explanation of Lawful Basis

What Works for Children's Social Care (WWCS) is acting upon the instructions from the DfE in accordance with Annex K of the Grant Offer Letter to WWCS, where it is stated that WWCS acting as a Processor on behalf of the DfE as Data Controller, and the subject matter of the processing "is needed in order that the Processor [WWCS] can effectively deliver the grant to provide a service to the Children's Social Care sector".

WWCS is therefore acting under the authority vested upon it by the DfE as its funder which appropriately corresponds to WWCS conducting its research under Article 6.1(e) of the UK GDPR:

*"Processing is necessary for the performance of a task carried out in the public interest."*

The point at which analysis for the purposes of research has begun the lawful basis for processing shall be in accordance with GDPR Article 6.1(e), and GDPR Article 9.2(j) and DPA18 Schedule 1 Part

1.4(a),(b)&(c) for special category data including data considered to be a protected characteristic under the UK Equality Act 2010.

Upon completion of the evaluation and associated research the lawful basis WWCS, as sole independent controller, shall rely on, for the purpose of archiving and any subsequent secondary analysis of the data, GDPR Article 6.1(e), and GDPR Article 9.2(j) and DPA18 Schedule 1 Part 1.4(a),(b)&(c) for special category data including data considered to be a protected characteristic under the UK Equality Act 2010.

Data archived within the WWCS instance of the Office for National Statistics Secure Research Service (“ONS SRS”) for the purposes of secondary research on the data within this evaluation shall be non-identifiable data and governed under the UK Digital Economy Act 2017 and the UK Statistics and Registration Service Act 2007.

## 8. Handling of Data Subject Rights

- If a Data Subject makes a request to exercise rights under the Data Protection Laws (“**Rights Request**”) to either WWCS or the DfE, the organisation that receives that Rights Request (“**Receiving Party**”) shall notify the other within 5 Business Days of receiving the Rights Request.
- Each organisation agrees to carry out any searches and investigations in relation to those systems and records under its control, which may be required in order to enable the organisations to comply with the Rights Request.
- The other organisation provides the Receiving Party with a copy of all personal data arising from the searches undertaken at least 10 Business Days prior to the deadline for responding to the data subject.
- The Receiving Party reviews the information arising from its own searches and the information provided to it by the other organisation(s) and determines how to comply with the Rights Request and shall draft a response to the requesting data subject (“**Draft Response**”).
- The Receiving Party notifies the other organisation(s) of any steps or actions it needs to take in order to comply with the Rights Request and sends a Draft Response to the other organisations prior to the deadline for responding to the data subject.
- The other organisation(s) provide comments on the Draft Response and confirm agreement to the Draft Response prior to the deadline for responding to the data subject.
- The Receiving Party shall send the Draft Response to the requesting Data Subject on or in advance of the deadline for responding to the Data Subject.

## 9. Data protection contact(s) for data subjects

**Organisation:** WWCS

**Job title:** Data Protection Officer

**Name:** James Robson

**Email Address:** [dpo@whatworks-csc.org.uk](mailto:dpo@whatworks-csc.org.uk)

### **Organisational Contact**

**Organisation:** WWCS

**Job title:** Senior Researcher

**Name:** Eva Schoenwald

**Email Address:** [eva.schoenwald@whatworks-csc.org.uk](mailto:eva.schoenwald@whatworks-csc.org.uk)

## 10. Accuracy

The Department for Education shall be responsible for ensuring that the Personal Data collected is accurate and appropriately kept up to date.

#### 11. **Security Provisions**

WWCSC and the Department for Education implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk and varying likelihood and severity for the rights and freedoms of natural persons.

WWCSC and the Department for Education, where possible, reduce or eliminate the identifiability of Personal Data including but not limited to the deletion, pseudonymisation and anonymisation of such data throughout the research.

WWCSC has conducted a Data Protection Impact Assessment (DPI) for the research being conducted. The outcome of this is the risk to the rights and freedoms of data subjects due to the processing of their data for the research is low.

#### 12. **Handling of data incidents and data breaches**

- If WWCSC and the Department for Education become aware of a Personal Data Breach they notify each other within 24 hours of becoming aware of the Personal Data Breach and share relevant information with each other to mitigate the breach.
- The organisation that suffered the Personal Data Breach, whether itself or via a processor that it engaged, immediately uses its best endeavours to end the Personal Data Breach and to mitigate the impact of the Personal Data Breach on data subjects.
- WWCSC and the Department for Education will then work together to establish the level of risk to data subjects which also determines if the Personal data Breach must be reported to the UK Information Commissioner's Office, and if the level of risk is high, report the Personal Data Breach to the affected data subjects.
- Any data incident or Personal data Breach is logged in a breach register which will be held by all organisations as required by the GDPR.

#### 13. **Supervisory authority for project**

The supervisory authority/Data Protection Authority for the processing of personal data as part of this research is the Information Commissioner's Office (ICO) in the UK.

#### 14. **Who has access to the data**

Only WWCSC researchers working on this evaluation will have access to the data. All WWCSC must be ONS accredited researchers to access the data in the SRS.

During the collection of personal data and subsequent research, access to the anonymous Personal Data is managed by the ONS.

Upon completion of the research WWCSC will request the DfE securely transfer the anonymous Personal Data to WWCSC's Data Archive location also in the SRS. This is separate to the SRS location for the research to be conducted.



The ONS accredited researcher who are also WWCS employees who will have access to the data once it has been uploaded to the SRS research location will be:

- Aoife O'Higgins
- Eva Schoenwald
- Chris Mitchell
- Jessica Gwyther
- Eve Smyth
- Emily Walker
- Amar Alam

#### 15. Provision of data privacy notice(s)

The organisation that collects Personal Data and any Personal Data that will be shared with any other organisation for the purposes of the research project is known as the "Collecting Party". An organisation is a Collecting Party when they are collecting personal data directly from a data subject or data subjects, or from a third party who is supplying the personal data to that organisation specifically for the research project.

The Collecting Party is responsible for making sure data subjects are provided a Data Protection Notice (DPN) setting out all of the information required under Article 13 or 14 of the GDPR. Article 13 requires a DPN to be provided to data subjects when the data is collected directly from a data subject(s) and Article 14 requires that a DPN is provided to data subjects when the data is not collected directly from data subjects.

A copy of the Data Privacy Notice is available upon request.

#### **Explanation of provision of a Data Privacy Notice:**

For Purpose 1, 2 & 3 WWCS shall be the Collecting Party. WWCS has no direct relationship with the Data Subjects and so the Privacy Notice shall be accessible on the WWCS website next to the link to the project Trial Protocol document.

#### 16. Retention Period

All data will be processed for the duration of the research project and each organisation minimises Personal Data where it is no longer required. Each organisation only holds Personal Data for a defined retention period outlined in an agreement with them and is responsible for their own secure destruction of the Personal Data they hold. Each organisation requires the other(s) give at least 30 days' prior written notice if they intend to delete any Personal Data before a defined retention period. Each organisation has agreed to notify WWCS in writing of the confirmation of destruction/deletion of Personal Data processed for the project and has agreed to evidence destruction/deletion to other Parties upon request at the end of the defined retention period.

#### **Defined Retention Period and Destruction**

The current license grants WWCS access to the data until July 2022. The delivery of the final report is scheduled for January 2022. Data, including personal data will be archived by the Department for Education for one year after the delivery of the final report. Therefore the instance of the location within the SRS WWCS uses for the project will be deleted by January 2023.



The DfE will move this data (from that point anonymised to WWCS without another application process) to the WWCS Data Archive on our behalf which is governed under the rules of the Digital Economy Act 2017 and it will be held in this location indefinitely.

WWCS/All organisations recognise there is a possibility for the scheduled date of final report delivery to change. Should this happen this will be reflected in a Grant Variation Letter between WWCS and the relevant organisation(s). The new agreed date of delivery of the final report will be the point at which the timeframe for when deletion begins.

Upon delivery of the final report, the DfE will anonymise the data and request the data be moved into the WWCS Data Archive. The WWCS Data Archive is within the Office for National Statistics Secure Research Service (ONS SRS) and is an instance in the SRS separate to the instance used to conduct the research. WWCS is the sole controller of the data held in its Data Archive. The data held in the WWCS Data Archive is non-identifiable and held indefinitely.

If you would like further information or explanation about this please contact us at [dpo@whatworks-csc.org.uk](mailto:dpo@whatworks-csc.org.uk).

### 17. **Data Processors**

Where an organisation engages a third-party to process any personal data for the project, that third party is known as a “Data Processor” and each organisation has agreed to enter into a Data Processing Agreement (DPA) with each third-party. The DPA incorporates all the provisions required under [Article 28](#) of the GDPR. Each organisation remains fully liable for the acts and omissions of the third-party processor(s). Each organisation is also responsible for being able to provide copies of DPAs upon request to any other organisation involved in the project.

### 18. **Data Location**

#### **Data Location**

- United Kingdom (UK)
- European Economic Area (EEA)
- Outside UK/EEA

#### **Data Access Location**

- United Kingdom (UK)
- European Economic Area (EEA)
- Outside UK/EEA

### 19. **Data Protection ID** (internal reference)

#2118

### 20. **Archiving**

WWCS seeks better outcomes for children, young people and families by bringing the best available evidence to practitioners and other decision makers across the children’s social care sector. It achieves this objective by supporting and/or funding social care intervention programmes in order to conduct real-world evidence-based research on the effectiveness of the intervention programmes it supports.

The data archive continues WWCS’s service to the Social Care sector as is its remit from the funding it receives from the UK Department for Education. Creating an accessible data archive means the data collected from our evaluations can be used to conduct re-analysis, additional new analysis, including meta-analysis and the ability to merge and use the data for new research to be conducted within the aim of having a positive social impact to society as a whole.

Research data from a large proportion of the evaluations WWCS either conducts or commissions, is stored in perpetuity, to be accessed (on formal request and subsequent WWCS approval) by researchers. Researchers may or may not be employed or commissioned by WWCS.

WWCS has conducted Data Protection Impact Assessment (DPIA) on its Data Archive and sought outside consultation from the Information Commissioner's Office, the Department for Education and the Office for National Statistics who also house the data. The outcome of the DPIA is that the capture and use of data within the Data Archive and for future research is of low risk to data subjects.

Should the data for this project be appropriate for the Data Archive it will have been indicated earlier in this document. The nature of the processing is for transfer to a secure Data Archive, the indefinite storage within a secure Data Archive location and the subsequent re-use of data for research purposes based on ethical and ONS and separate WWCS approval for the access and re-use of the data.

The WWCS Data Archive is stored in the Office for National Statistics' (ONS) Secure Research Service (SRS). The ONS acts as a processor for WWCS when storing the WWCS Data Archive in the SRS. WWCS has entered into a legally binding Data Processor Agreement with the ONS, which will comply with the requirements of Article 28 of the UK GDPR.

The SRS data location is in the UK and the source of the data for the archive will be a combination of WWCS and external evaluation partners funded and commissioned by WWCS which are also located in the UK. The retention of the data in the Data Archive is indefinite. There is no sharing of data outside the SRS due to the security protections and methodology for accredited subsequent access which is highly regulated by the ONS through their "5 safes" framework.

The data in the SRS is of a highly sensitive nature as it will relate to children in the social care environment, parents, teachers, social workers and related third party representatives, and, depending on the context of the research the data relates to, could contain special categories of data including but not limited to ethnicity, health, religion, sexual orientation and/or parental background and abuses that may have been suffered.

No data in the SRS will be directly identifiable to any data subject to which it relates through a process of decoupling, reducing where possible, de-identifying, pseudonymisation and/or anonymising data where possible. The nature of the de-identification process will have similarities for each dataset, although may also have differences so that each dataset remains usable but the data in the SRS remaining not directly identifiable.

## 21. **Definitions:**

**Data Controller** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

**Joint Controller** means where two or more controllers jointly determine the purposes and means of processing. They shall in a transparent manner determine their respective responsibilities for compliance with the obligations of the GDPR.

**Independent Controller** means each controller shall determine the purposes and means of processing of the personal data being processed independent of each other and each have their own data controller responsibilities for the processing of that data.

**Data Processor** means the natural or a legal person, public authority, agency or other body which processes personal data on behalf of a Data Controller.

**Personal Data** means any information relating to an identified or identifiable natural person ('data subject').

**Shared Personal Data** means any Personal Data captured that shall be shared with other parties named in this agreement. Shared Personal Data may not, in all circumstances, mean all Personal Data collected for the Agreed Purpose.

**Data Subject** means a natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Processing** means any operation or set of operations which is performed on personal data or on sets of personal data.

**Recipient** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.

**Data Protection Laws** means all applicable data protection and privacy legislation, regulations and guidance including the UK General Data Protection Regulation ("GDPR") and the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003; and any guidance or codes of practice issued by the ICO from time to time (all as amended, updated or re-enacted).

**Joint Controller Arrangement** ("JCA"): means an arrangement between two or more controllers who jointly determine the purposes and means of processing. The JCA shall in a transparent manner determine each controller's respective responsibilities for compliance with the obligations of the GDPR.

**Personal Data Breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise processed.

**Receiving Party or Parties** means the party or parties who receive data shared for a specific purpose by another Party, the Sharing Party. The Receiving Party or Parties become the Controller or joint Controllers of the data.

**Sharing Party** means the Party sharing data they are the Controller of with one or more parties, the Receiving Party or Parties.

**Data Archive:** means the storage location used by WWCS to retain de-identified, pseudonymised and/or anonymised evaluation data for use in subsequent research projects by WWCS and/or external researchers. The WWCS Data Archive location is the Office for National Statistics (ONS) Secure Research Service (SRS) based in the UK accredited under the Digital Economy Act 2017 (further information can be found on our website).

**Trial Protocol** means a document that describes the objectives, design, methodology, statistical considerations and aspects related to the evaluation.

## Personnel

Aoife O'Higgins (Director of Research, WWCS) is the principal researcher on this project. The analysis will be led by Eve Smyth and Jessica Gwyther (Researchers, WWCS) and overseen by Eva Schoenwald (Senior Researcher, WWCS).