



## Research Code of Practice

### Why have a Code of Practice?

A wide range of individuals and organisations contribute to the work carried out by the National Foundation for Educational Research (NFER), for example, participants in research, commissioners of research, partners in research and individuals carrying out research.

All of these have a right to expect to be easily and well-informed about the purposes of the work they are involved with, and to understand the extent of their involvement. Equally, and particularly for individuals who are the subject of any studies carried out by NFER, there is a clear need to demonstrate that there are ethical and data protection principles which determine how research is undertaken.

The NFER Code of Practice guides all of the work which NFER carries out. It also sets the standards expected of any partners, associates or sub-contractors with which the NFER works. The Code of Practice applies to all our work – regardless of whether it is funded by NFER or by an external client.

### What is the NFER Code of Practice?

The NFER Code of Practice sets out the principles and practices which affect all of the work carried out by NFER. The Code of Practice itself is a short and accessible document which draws together, in one place, the key policies and guidelines which help to ensure that work undertaken by NFER is completed with the highest level of integrity possible.

The NFER Code of Practice is underpinned by five key ideas:

- That the physical, psychological and emotional safety and well-being of 'data subjects' is the overriding priority in NFER research.
- That all research participants should be able to exercise their right to participate in research or not.
- That NFER has an obligation to the wider research community and society to uphold professional standards in relation to quality, integrity and honesty in the way it conducts its research.
- That NFER sees ethical issues as central and relevant to all aspects of its business.

- That the confidentiality of research participants is maintained, except where responses raise concerns about the research participants' safety or where we have written permission to name or otherwise identify an individual or organisation.

The NFER Code of Practice sets out guiding principles relating to:

- Ethics
- Data protection<sup>1</sup>
- Data security
- Caring for the research participants.

All staff are also provided with the more detailed Code of Practice Implementation Guidelines. As changes are made to the Code of Practice and/or to the supporting documents, updates are issued to all staff in NFER to ensure that they operate within current effective practice guidelines.

## Ethics

In line with its articles of association and independent and charitable status, NFER only undertakes activities that are apolitical, non-partisan, free from bias and of an ethical nature.

NFER staff will not deliberately fabricate, falsify or misrepresent evidence, findings or conclusions. NFER staff will not plagiarise, misrepresent, misquote or otherwise misappropriate the work of other authors or researchers.

NFER's staff will conduct themselves, at all times, in a professional and ethical manner. This involves:

- respecting the privacy of individuals and institutions
- being sensitive, polite and helpful in their dealings with others
- keeping a professional distance from, and not placing oneself under personal obligation to, clients and research participants
- being mindful of cultural, religious, gender and other relevant differences within the research population in the planning, conducting and reporting of their work
- protecting the confidentiality of the data collected
- producing findings and judgements based on sound research evidence
- disseminating research findings openly, honestly and in accessible forms to audiences who can use the outcomes to help improve the practice and understanding of those who work with and for learners.

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<sup>1</sup> NB NFER also has separate data protection and security policies which provide greater detail on these subjects.

NFER will ensure that all participants in its activities are informed about the nature and purpose of each information gathering exercise. All participants have the right to opt out of any research activity. NFER recognises that the appropriate consent for participation should be obtained from the parents, guardians or other appropriate adult as well as, or instead of, the individual, depending on the research activity and the age of the participant. Further information about this is provided in the Implementation Guidelines. This approach may be altered by the nature of the work or the necessity of securing views from particular groups of individuals. In such cases, a well-reasoned and agreed rationale for using an alternative approach (such as non-recorded oral consent) will have to be proposed to NFER's Code of Practice Committee.

All members of staff and Research Associates who have access to children, young people, vulnerable adults or data relating to them undergo an enhanced Criminal Records Bureau check.

NFER requires that all projects with which it is involved – from the proposal stage onwards – consider Code of Practice issues. All project teams that intend to deviate from the recommendations in the Code of Practice in any way must complete a Code of Practice Impact Assessment. This requires project directors and project leaders to describe the extent to which project activities deviate from NFER's preferred ways of working and is submitted to the Code of Practice Committee for discussion and sign off.

## **Data Protection**

NFER is registered under the Data Protection Act 1998 and provides advice and training for all staff as to the correct implementation of the Act.

NFER undertakes its work in accordance with the eight principles of data protection as set out by the Act.

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an

adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

In general, NFER uses the eight principles to ensure that all staff: ‘...collectively and individually carry out their work under the Data Protection Act to ensure that we collect, store, use and delete data correctly. This means data on paper as well as data held electronically.’

In doing so, it is imperative that:

- any data collected on an individual is done so for a specific purpose
- the individual is informed of this purpose
- the individual understands the reasons for the data collection activity
- data is not then used for any other purpose
- data that identifies individuals must be deleted in accordance with the client contract or within 6 months of the project finishing.

## Data security

Matters of data security are closely linked to concerns about data protection. NFER has a data security policy which covers the security of its premises, computer systems and the ways of working for staff. NFER takes steps to ensure that data protection is maintained by the use of secure data gathering, processing and reporting systems. This includes the use of encrypted laptops and memory sticks, password protected computers for all staff, records (paper, electronic and recordings) being anonymised and stored securely.

Additionally, in some cases, clients (for example, with regard to international datasets and assessment materials) may ask for other elements of data security to be made part of the working arrangements of NFER.

All staff have agreed, in writing, to comply with NFER’s data security policy. In general, NFER applies the following approach to managing data security: *‘Since data can only be used for a specified purpose, we need to ensure that no data is passed to anyone who may use it for another purpose. We need to take care to ensure that data, electronic or on paper, does not leave the secure confines of the NFER computer network or the physical security of our buildings. We need to ensure that data is not saved to devices such as laptops or USB sticks that can go missing. If we have agreed to transfer data to a third party we should do this securely, making use of passwords, encryption, courier or secure electronic transfer. To ensure that the third party uses the data appropriately we will set up Data Sharing Agreements with the third party so that the same protection is given to the data as if we were processing it ourselves.’*

## Caring for the research participants

NFER works on behalf of a number of clients to secure evidence about learning with a view to improving outcomes for children, young people and adults. In doing so, it calls upon a very large number of organisations, education settings and providers of services to children, young people and adults. In order to maintain the cooperation of

individuals and the settings within which they operate, NFER attempts to manage the burdens we impose upon them.

NFER's approach to its research participants is underpinned by its purpose, business goals, Code of Practice and quality assurance procedures. NFER defines its purpose as being 'to provide independent evidence which improves education and training - and thereby the lives of learners.'

NFER has stringent internal quality assurance procedures which ensure that projects are managed effectively and delivered to time and budget. NFER has also developed a 'working with schools' policy which gives guidance for NFER staff on how to work with schools, teachers and pupils to gather research evidence without overburdening them or taking them away from their normal school work. The guidance, although aimed at schools, is applicable to other settings and organisations working with children and young people and adults.

NFER has a complaints policy and procedure, outlining the process whereby clients or research participants can make a complaint and providing a timescale for responses to that complaint. At all times, those making a complaint will be handled respectfully and sensitively and their complaint will be dealt with in confidence and within current information legislation. Formal complaints will be acknowledged in writing within two working days of receipt of the complaint, while a full response is expected from the complaints officer (the Head of Human Resources) within 20 working days of receipt; complex queries may receive an interim reply specifying when a full response might be anticipated.

## How does the Code of Practice operate?

The Code of Practice is overseen by an internal Committee at NFER. The Code of Practice Committee meets twice each year to consider the overall content of the Code of Practice and its related documents.

The Committee also manages a fast-track review process for staff preparing proposals or conducting work. This process uses the **Code of Practice Impact Assessment** as its starting point and the Committee will respond to non-urgent queries and propositions within one working week. Urgent queries which arise during the course of project work will be responded to in 24 hours.

All of the decisions of the review process are added to the 'In Practice' section of the Code of Practice area on the intranet.

Staff have recourse to appeal against the decisions of the Committee. Appeals are handled in the first instance by the Chair of the Committee. If required, a second level of appeal can be made to the Chief Executive of NFER.