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Phase 2 Report. Embedding information rights in the primary
and secondary education systems of the United Kingdom

For the Information Commissioner's Office

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31st March 2012

Acknowledgements

This Report has been commissioned by the Information Commissioner's Office. It was assisted by: the support of Fife and North Lanarkshire Councils for the school reference groups, the schools who were willing to host these groups, and the children who participated; the teachers in the 16 schools across the UK who agreed to be interviewed; those who participated in the seminar in Edinburgh on 7 March 2012; and the involvement of all those interviewed and who provided further resources.

The project is grateful to the three experts who offered advice and comment: Anne Crowley Doctoral Student SOCSI at Cardiff University; Neville Harris, Professor of Law at the University of Manchester; and Laura Lundy, Director of Research Forum for the Child at Queen's University, Belfast.

The Children's Parliament (<http://www.childrensparliament.org.uk/>) facilitated the school reference groups.

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Note

This report builds on the Phase 1 Report on the feasibility of embedding children's information rights in the UK. We have not duplicated information contained in the Phase 1 report within this report.

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Summary

This project explores how to embed children and young people's information rights in their learning, within the education systems of the United Kingdom (UK). The project looks across the four separate educational jurisdictions of England, Northern Ireland, Scotland, and Wales.

Phase 1 of the project concluded that a strategy could be developed by the Information Commissioner's Office (ICO), particularly

1. to develop a teaching resource;
2. to engage with teachers and related organisations to inform teachers of their own, and children and young people's, information rights; and
3. to link with other organisations in delivering the above.

Phase 2 of the project sought to detail these further, as well as exploring the new opportunities provided by changes within the English National Curriculum Review. The information is based on: investigating initiatives in other countries; interviews with people involved with teaching, developing curricula and teaching resources; reference groups of children and young people in primary and secondary schools; an intensive seminar held in Edinburgh 7 March 2012, to discuss emerging recommendations.

'Information rights' can be taught at primary level with clear progression to secondary education. 'Information rights' include the right to make a freedom of information request to public authorities, individuals accessing their own personal data and the wider safeguards contained in data protection laws. These other legally enforceable safeguards include:

- individuals being aware of how their information may be used and disclosed and being able to control this in some circumstances;
- organisations not holding excessive personal information or for longer than necessary;
- ensuring personal information is accurate and fit for purpose;
- respecting limitations on wider use and disclosure; and
- ensuring that it is kept securely.

Embedding information rights and responsibilities in the curriculum would:

- develop the knowledge, skills and understanding of children and young people so that they better understand their own information rights and the obligations of those who hold information of concern to them;
- ensure children and young people know where to go for help, information, advice and action if they have a concern or a problem;

- recognise that these skills and knowledge develop the workforce of tomorrow – whether working in the private, voluntary or public sectors;
- equip children and young people to use data protection and freedom of information to wider benefit, in line with policy agendas across the UK. These include the 'Big Society' agenda in England,¹ the 'Big Agenda for a New Society' in Northern Ireland,² 'Developing Global Citizens'³ in Scotland and Gwirvol, Communities First and Funky Dragon in Wales.⁴
- encourage entrepreneurialism in using data and information released by government; and
- assist children, young people, teachers and parents/ carers to be aware of the advantages as well as the duties of using technology and information responsibly.

From the research and interviews undertaken, privacy does matter to children and young people as well as to adults in the education system. Whilst there is clear understanding of the risks of using the internet and social media, the lack of awareness about rights and enforcement of duties remains a problem. The ICO is in a unique position to identify a common agenda between children, young people, parents/ carers and teaching staff and positively promote information rights.

No dedicated teaching resource focuses on 'information rights' across the UK. There is widespread support, and an identified need, for more information within the education sector on data protection and privacy. The importance of freedom of information is also understood.

However the case would still need to be made to schools that a teaching resource should be adopted, as schools receive lots of pitches to adopt 'useful' resources. The ICO, with its UK-wide activities,⁵ is the body that can focus on and drive forward this work in the education systems across the UK.

Embedding information rights and responsibilities in the curriculum requires a number of factors to be in place:

- Increased understanding of teachers about data protection and privacy, and freedom of information and democratic participation. This

¹ <http://www.thebigsociety.co.uk> (accessed 14 May 2012)

² http://www.dsdni.gov.uk/print/index/publications/ministers_speeches/ministers-speech-big-society-seminar.htm (accessed 14 May 2012)

³ www.ltscotland.org.uk/learningteachingandassessment/learningacrossthecurriculum/themesacrosslearning/globalcitizenship/index.asp (accessed 14 May 2012)

⁴ <http://www.assemblywales.org/ki-022.pdf> (accessed 14 May 2012)

⁵ The Freedom of Information (Scotland) Act 2002 (FoISA) is enforced and promoted in Scotland by the Office of the Scottish Information Commissioner, which was established and is funded by the Scottish Parliament. <http://www.itspubliacknowledge.info/>

can be achieved individually – eg through continuing professional development, teacher union support – and on area-wide training – eg ‘in service’ days.

- An accessible, free teaching toolkit that offers a range of materials online and in paper version. The toolkit needs to be versatile, meeting the different subject needs of teachers and the needs of children with different abilities and interests;
- Knowledge that the materials exist, of how to access them, and about where to go for further help.

Recommendations

The following recommendations recognise the on-going English curricular review. Curricula reviews have been recently completed elsewhere in the UK but further changes may occur.⁶

The ICO already produces materials that can be highlighted, adapted and drawn upon: for example, the existing dedicated ICO website pages for young people (<http://www.ico.gov.uk/youth>), which aim to help young people protect their information.

1. Consistent with its independent status, the ICO should initiate and develop a work programme to embed information rights within the education curricula across the UK. The focus should be to empower children, young people and adults with knowledge, skills and understanding. A range of suppliers already focus on keeping children safe. The work programme should have three strands:
 - a. provide support to teachers so they can confidently teach this subject,
 - b. develop a free teaching resource applying across the four Nations of the UK. There should be a version for primary schools and one for secondary schools; and
 - c. plan a programme of engagement to ensure schools/headteachers are aware of the teaching resource and are encouraged and supported to use it, in the long term.

To embed information rights in the education systems of the UK will require a sustained programme of focused activity initiated by the ICO. Leadership must drive take-up and ensure distribution of the teaching resource.

2. Partners can assist with the process, eg developing and promoting the teaching tool. Partners should be drawn from the public and voluntary sector, including trade unions and qualification bodies.

⁶ For example in implementation of Curriculum for Excellence in Scotland <http://www.google.com/hostednews/ukpress/article/ALeqM5h6IoVLcN32nEwCCmi7h-ZqO3d03w?docId=N0004491332274808996A> (accessed 14 May 2012)

3. In a changing education environment, a tool must be flexible. The teaching resource should be generic and cover the curricula across the UK. The resource should be designed to be used for general subjects such as Personal and Social Education (PSE, PHSE in England, Personal Development in Northern Ireland) as well as specific subjects such as ICT. Children should progress from a primary based curriculum on information rights to a secondary based one. Indeed, consideration should be given extending to early years settings.

4. The ICO can take up four opportunities immediately:

- a. work with Education Scotland to build the knowledge and capacity of teachers in Scotland on data protection, on freedom of information and on privacy to coincide with the moving of GLOW into the public cloud;
- b. explore any similar opportunity with the recent Northern Ireland announcement, of a contract for cloud services, for schools; and
- c. Highlight and produce materials that can be used by teachers in England to coincide with the announced withdrawal of the existing National Curriculum Programme of Study for ICT from September 2012. Existing materials may be highlighted in dedicated page on ICO website on teaching resources that can include case studies, short videos (currently under production) and legal facts.
- d. The ICO should highlight the relevance of its work on education and in delivering an unmet need for knowledge, information and skills by responding to the Government's consultation on changes to the ICT curriculum in England and by writing to the Secretary of State for Education.⁷

5. The ICO should embark on a programme of engagement with other organisations to inform these organisations' existing work within schools, with teachers and pupils, and specifically:

- to incorporate information rights within existing rights based, skill based and knowledge building activities, eg Child Exploitation and OnLine Protection Centre's (CEOP) teaching resource, ChildLine's School Outreach programme, the four Commissioners for Children & Young People and their work on rights;
- with Amnesty International's programme of support for schools and UNICEF's Rights Respecting Schools Award.
- with Education Scotland and other statutory bodies who can work with schools to build teachers' knowledge, skills and understanding.
- work with trades unions proactively, to inform teachers about information rights. Materials currently available could be promoted, eg

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<http://www.education.gov.uk/consultations/index.cfm?action=consultationDetails&consultationId=1802&external=no&menu=1> (accessed 14 May 2012)

taking stands at teaching conferences, writing articles for 'in house' journals, and promoting links to the ICO website

6. Embedding information rights in the curriculum should include a strategy to engage with and build the knowledge, skills and understanding of information rights for parents/carers and teachers. Technology changes all the time so resources prepared for adults and delivered via schoolchildren can build understanding, deliver a skill set and develop a knowledge base that enables adults, children and young people to cope.

7. In developing and delivering the above strategy, the ICO should be mindful that the work forms three distinct strands:

- co-ordinating developing, servicing and sustaining partnership working;
- producing the factual information for the teachers and for the teaching resource; and
- designing, developing, road testing and producing a teaching resource for primary and secondary schools.

The ICO should consider if the three work strands each require a different skill set.

8. The Children's Rights and Business Principles have been published by UN Global Compact, UNICEF and Save the Children. The Principles guide companies "on the full range of actions they can take in the workplace, marketplace and community to respect and support children's rights".⁸ For example, Principle 5 is: "Ensure that products and services are safe, and seek to support children's rights through them".⁹ Using this Framework, the ICO should explore opportunities to work with private sector companies that have an interest in products that relate to the use of social media and/or individual privacy. The collaboration may extend to the provision of information rights direct to consumers of all ages or support for the production of an accessible teaching resource. Any collaborations can be investigated for feasibility as it is understood that the independence of the ICO must be maintained.

⁸ http://www.unglobalcompact.org/Issues/human_rights/childrens_principles.html (accessed 14 May 2012)

⁹

http://www.unglobalcompact.org/docs/issues_doc/human_rights/CRBP/Childrens_Rights_and_Business_Principles.pdf pg 24 (accessed 14 May 2012)

1. Introduction

This project explores how to embed children and young people's information rights in their learning, within the education systems of the United Kingdom (UK). The research project looks across the four separate educational jurisdictions of England, Northern Ireland, Scotland, and Wales. This report sets out a strategy that can be delivered by the Information Commissioner's Office (ICO).

'Information rights' can be taught at primary level with clear progression to secondary education. 'Information rights' include the right to make a freedom of information request to public authorities, individuals accessing their own personal data and the wider safeguards contained in data protection laws. These other legally enforceable safeguards include:

- individuals being aware of how their information may be used and disclosed and being able to control this in some circumstances;
- organisations not holding excessive personal information or for longer than necessary;
- ensuring personal information is accurate and fit for purpose;
- respecting limitations on wider use and disclosure; and
- ensuring that it is kept securely.

Information rights also engage wider issues of personal privacy. All these elements, and their interdependence, make this teaching resource unique. It has been said that privacy is not about secrecy: "it's about disclosure... but disclosure with consent and control appropriate to the context".¹⁰ This concept is important in terms of child protection, but is also realistic as children and young people will share information about themselves and others on social media. The challenge is to educate them to consider what to share, when and with whom and the protection they should expect for their personal information including how to enforce these in practice. The enforcement role and powers of the ICO is an important element in their learning.

Following the UN Convention on the Rights of the Child (UNCRC), children and young people are defined up to the age of 18.

The project explores what skills children and young people need to exercise these rights. It considers the benefits, to individuals, of knowing about these rights and recognising how these and other rights benefit communities.

The project also identifies a number of curriculum developments and organisational changes, which will require teachers to be more aware of

¹⁰ Robin Wilton, Director, Future Identity Ltd, Director of Privacy and Public Policy, Kantara Initiative, presentation to ICO Data Protection Officer Conference March 2010, Salford

the importance of data protection. Examples include: the intention to move GLOW, the online community for Scottish schools, from a private to the public cloud in Scotland by September 2012. Schools in Northern Ireland will also have access to teaching resources, 'immediate data' including pupils work and schools' management information, through a contracted private cloud service.¹¹

By Phase 2, the project has three questions:

1. What kind of teaching resource is most useful and why?
2. What support is needed for teachers so they can confidently teach this subject?
3. What engagement is needed to ensure schools/headteachers are aware of the teaching resource and are encouraged and supported to use it?

To address these, the project:

- investigated initiatives in other countries;
- discussed the above questions with those involved in curriculum development and teaching unions, government officials concerned with education policy, children's commissioners, relevant personnel in the voluntary sector;
- interviewed teachers in 16 schools (4 per jurisdiction). The teachers were asked about their ideas of how information rights could be integrated successfully in the curriculum and/or other school initiatives;
- organised reference groups of children and young people in primary and secondary schools; and
- held an intensive seminar to discuss the findings and develop this report's recommendations.

The project has been undertaken at a time of curriculum change. In England, the National Curriculum is under review. This offers specific opportunities: Michael Gove (Secretary of State for Education) initiated a Department for Education consultation on withdrawing the existing National Curriculum Programme of Study for ICT, from September 2012:

"By withdrawing the Programme of Study, we're giving schools and teachers freedom over what and how to teach; revolutionising ICT as we know it ... ICT will remain compulsory at all key stages, and will still be taught at every stage of the curriculum."¹²

¹¹ This contract started on 1 April 2012 and applies to all state schools across Northern Ireland. <http://www.guardian.co.uk/government-computing-network/2012/mar/12/cloud-classroom-2000-northgate-contract?CMP> (accessed 14 May 2012)

¹² Speech to BETT Event, 11 January 2012 <http://www.education.gov.uk/inthenews/speeches/a00201868/michael-gove-speech-at-the-bett-show-2012> (accessed 13 January 2012)

From this September, all schools in England can use resources that already exist on the web and new courses and exams may be created.

The Department for Education's consultation on the Government's proposal "to disapply the National Curriculum Programmes of Study for Information and Communication Technology (ICT)" is scheduled to close on 11th April.¹³ The ICO can submit a response highlighting its work on developing a teaching resource. Additionally, the ICO may wish to write to the Secretary of State for Education highlighting the work on developing the teaching resource and its commitment to producing materials that can be used for the teaching of ICT.

Information rights can also be part of Personal, Social, Health and Economic Education (PSHE) in England, which is not the subject of an exam. PSHE is under particular scrutiny in the English National Curriculum Review. In Wales, information rights fit well within PSE (Personal and Social Education), as it includes citizenship courses. Similarly, information rights could be taught within Personal Development and Citizenship in Northern Ireland.

In Scotland, the recently introduced 'Curriculum for Excellence' has a strand of health and well-being that should be taught by every subject. 'Information Rights' can fit with this strand: for example, in English where children and young people can develop writing skills to make information requests; in history where they can learn the first the country to pass a freedom of information law was Sweden in 1766. In the assessed Modern Studies course, it can be covered in 'Rights and Responsibilities of Citizens' and in National Qualification in Modern Studies in the 'Democracy Unit'.

2. Making the Case for Information Rights in Schools

Teaching information rights is seen positively by everyone interviewed. Generally, interviewees quickly accept that it is a good idea. Then they acknowledge that information rights are not currently taught (although privacy is taught in Personal and Social Education (PSE) and data protection in business studies).

However, a range of teachers and government officials emphasise that they are bombarded with 'good' issues to include in the existing curriculum. The question has been posed, "how do you make this Toolkit stand out on the headteacher's desk?" The importance of teaching information rights needs to be emphasised. The case may include:

- Research suggests the best way to inform children and young people about their information rights is for the subject to become a

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<http://www.education.gov.uk/consultations/index.cfm?action=consultationDetails&consultationId=1802&external=no&menu=1>

mainstream component of a child and young person's formal education.¹⁴

- To prevent an abuse of rights by children and young people in respect of others: for example, using Facebook to share private information about a classmate or using Twitter to complain about a teacher. An abuse of information rights threatens the rights of others.
- To help children and young people learn. A DEMOS report¹⁵ calls for 'digital fluency' in young people. Young people are not "careful discerning users of the internet". They may trust dubious sources of information: for example, "they do not apply fact checks to the information they find". Children need to understand the significance, power and value of information and especially that factual information should be accurate. This feeds into students' learning more generally, since much work by pupils relies on the gathering, evaluating and using information.
- To develop appropriate knowledge and skills for life and for employment. There are over 10,000 public sector bodies that are covered by the Freedom of Information (Scotland) Act 2002 and over 100,000 covered by the Freedom of Information Act 2000. Data protection covers the public, private and voluntary sectors. Knowledge of the law, and understanding of its practical application, is useful to tomorrow's workforce.
- To alert children and young people to the possible permanency of their social media activities and the trend for employers to 'check out' selected candidates on social media.

There are other resources which focus on keeping children safe. The added value of this resource is that it is positive and leads to benefits in education, economic and personal growth. To emphasise the distinctiveness of the resource, the focus of the teaching resource should be promoted as positive, rather than reactive to danger, and practical. Publicity could include:

- To improve young people's employability through developing their knowledge and skills in using the laws and safeguarding their privacy when using social media.
- To improve awareness of the increasing availability of information through freedom of information legislation, the right to access personal data and the proactive disclosure of information by Government. The

¹⁴ International Data Protection and Privacy Commissioners' Conference, Jerusalem October 2010 <http://www.justice.gov.il/PrivacyGenerations/Sessions/plenary1.htm> (accessed 25 March 2011)

¹⁵ Bartlett, J. and Miller, C. (2011) *truth, lies and the internet: a report into young people's digital fluency*, http://www.demos.co.uk/files/Truth_-_web.pdf (accessed 25 March 2011), pp 3-4.

UK Government website www.data.gov.uk "aims to promote innovation though encouraging the use and re-use of government data-sets".

- To encourage children and young people to consider how to use this information in practice, the opportunities available to them, and the value of public sector information for societal benefit.

3. Accessible Teaching Resource

The challenge is to develop a resource that is accessible to teachers and valued by children and young people. Feedback from international colleagues suggests interest from a range of countries in any teaching tool developed by the ICO.

In order to address unmet need and focus on the issues affecting children and young people across the UK, the range and content of the teaching resource can be divided into four sections:

1. Ensure that children and young people are aware of data protection rights and threats to their privacy, and know how to protect themselves and their relationships.
2. Enable and encourage children and young people to access public information, to their advantage and for public benefit.
3. Enlist parents and carers so that they can better help their children to be safe and empowered when children and young people use social media, the internet and other digital resources. The teaching tool should provide resources for children and young people to take home and discuss.
4. Raise awareness of the ICO and enforcement powers.

Information from interviews, reference groups and seminar

A generic teaching resource is the simplest way to proceed. It will be better placed to survive changes in the curriculum across the UK. Teachers interviewed urged caution that generic should not equal bland. Making the resource real was a repeated 'ask' with many suggestions such as "interview people about their experiences, explaining how they overcome difficulties". This allows discussion about courage, confidence and support to exercise information rights – and for controversial issues to be acknowledged and explored.

As a generic teaching resource, the specifics of each education system would not be addressed but links with specific subjects could be emphasised. The subject can be taught in various ways in schools:

- as part of the broader human rights agenda including UN Convention on the Rights of the Child (UNCRC);
- in 'Citizenship' courses, such as Personal Development and Citizenship (Northern Ireland);

- PSE (PSHE in England);
- national programmes, like the Curriculum for Excellence in Scotland; and
- in assessed courses such as ICT, Business Studies and Modern Studies (Scotland).

Information rights can be threaded throughout the curriculum across assessed and non-assessed subjects.

Children, young people and adults all emphasise the need to start with primary schools. Young children are using social media. Early engagement on information rights is likely to be more effective than later engagement. Further, parental/carer engagement is more likely at primary school level. Indeed, suggestions were to address the subject in early year settings, where children are already frequently online.¹⁶

Care must be taken to ensure the resource does appeal to, and meets the needs, of schools across the UK. Teachers have experience of opening up a resource described as 'generic' but finding it applicable only to one education system. Within seconds they may put it down, if the wording fails to apply to their curriculum. The resource's precise wording, particularly on the front cover and introductory section, should emphasise the resource's inclusivity. A bilingual version should be produced for Wales. A Gaelic version should be considered for Scotland. Being sensitive and aware of the cross-cultural issues that may arise will also be important: for example, considering different cultural views on appropriate information sharing.

The resource should be 'dynamic', regularly updated with real examples to make it relevant. From teachers' experience, the best route to make a subject relevant is crafting the tool around the experiences of a named person(s). Cartoon characters have also been successfully used. Children and young people strongly advise a teaching resource that makes learning fun (eg quizzes, working together) and practical (eg learn by doing and applicable to children and young people's lives).

Children, young people and teachers think the resource should involve parents/carers. Children in particular identify the crucial role parents/carers often provide, for children to exercise and protect their information rights. Parents/carers thus need to be informed. This could be done overtly through resource information for parents/carers, as well as through learning tasks within the teaching resource. For example, children and young people could undertake a survey of family members' use of social media, with the additional benefit of making family members more aware of issues.

¹⁶ The project's methodology did not incorporate early year settings and professionals, so this suggestion has not been taken further. However, the ICO is recommended to consider this further.

The provenance of teaching resources is important. Teaching resources will be more respected when they have been created by teachers with current classroom experience and they have been 'road-tested' in schools. Successful 'road-testing' can lead to local champions. This development process could include appointing a Steering Group of teachers (including those teaching children with special needs), qualification bodies and pupils, and selecting schools in each of the four Nations.

As the resource will prompt children and young people to undertake research and ask questions, teachers asked if the ICO is prepared to receive children and young people's requests.

This initiative's timing is seen as fortuitous, as the National Curriculum Review in England will create a vacuum. A resource can fill it on several grounds, including personal development for teachers and delivered as part of a 'broad and balanced curriculum'. The Department for Education in England is developing *Principles for educational resources on the effective and safe use of the Internet*. Any future commissioned work can meet these principles. Other bodies are developing teaching materials on ICT, such as the Computing at School Working Group. The Group has produced publications: *Computing at School* (August 2010) and *Computing Science: A curriculum for schools* (March 2012).¹⁷ However what is proposed here is distinctive. It would focus on teaching skills and rights that build the resilience of children regardless of the technology they use, and highlight the ICO's enforcement powers so that children and young people are clear about where they can go for help.

Children and young people emphasise that teachers need to know and care about the subject, as this generates interest and enthusiasm in their teaching. An ICO resource will likely be taught by teachers who are not subject specialists. General knowledge across a range of subject specialisms is needed. Within each school there will be managers, who have expertise in helping the school meet its data protection and freedom of information obligations. So there are potential routes to cascade learning about information rights to teachers as well as pupils.

Information from reviewing existing resources

A selection of existing teaching resources were reviewed.

(1) *Right Here Right Now*, Ministry of Justice (MOJ) initiated.

The teaching resource took approximately three years to develop and produce. It was part of a three-part strategy, which also included teacher training on human rights and guidelines for secondary schools on how to develop a whole-school approach to human rights.

¹⁷ <http://www.computingatschool.org.uk> (accessed 14 May 2012)

The resource is targeted at English schools and pupils at Key Stage 3 Citizenship: Ages 11-14 (Years 7-9). It was published by the MoJ and is marketed with the support of Amnesty International, British Institute of Human Rights and the Department for Children, Schools and Families. Now in its second edition, the resource is actively promoted by the voluntary sector: for example, it appears on the Amnesty International list of teaching resources and they post out copies freely.

Two evaluations were undertaken. They provide useful lessons for this project. The first evaluation was of the teacher training events.¹⁸ All events were free to attend, with supply cover. Two days' supply cover was provided for certain attendees, with the expectation that teachers would use the second day to embed their learning. Even those who did not have full funding "gained a great deal from the training and have made extensive use of the resource".¹⁹

Teachers' attitudes towards a 'rights' subject influenced whether and how a teaching resource was used:

"The students we spoke to feel that citizenship teachers are different from many other teachers and treat them in a more rights respecting way. Those teaching maths and science were considered to be the least rights respecting of their students in each of the schools we visited."²⁰

The resource had been linked specifically to the citizenship curriculum. The evaluators found schools, which had less of an emphasis on citizenship, found it difficult to find time to include the teaching resource.

The evaluation gives clear guidance on what makes training accessible and useful. This includes:

- Trainers who are experts in their field and understand school life;
- Early in the summer term, so there is time to incorporate the learning in next year's planning; and
- Support from colleagues and Local Authority Advisors.²¹

The evaluation found a training gap, ie teachers were not trained how to discuss controversial issues.

The second evaluation was of the teaching resource.²² Relevant conclusions are:

¹⁸ Crucible and Roehampton University Social Research Centre (2009) *HRE Teacher Training Project Evaluation: Amnesty International UK and British Institute of Human Rights*, available from Amnesty International UK.

¹⁹ Ibid pg 1

²⁰ Ibid pg 3

²¹ Ibid pg 31

²² Hunter, C. and Evans, L. (2010) *Right Here Right Now Review* <http://www.cjp.org.uk/publications/archive/review-of-right-here-right-now-20-07-2010/> (accessed 25 March 2012)

- Main improvements suggested were more 'provocative' content, simplification of legalistic language, more detailed case study examples and slight revisions for Special Educational Needs (SEN) pupils.
- Extending the teaching resource to younger pupils would require re-writing, so young pupils could understand the material. Adaptations could be made in the current teaching resource, for older pupils.
- The guidance on implementing a whole school approach to human rights was appreciated.
- Marketing and distribution was challenging. The evaluation suggests "Uptake may be more successful if delivered through channels that allow for teacher interaction, namely, teacher courses and teacher training".²³ At the time of the evaluation, more printed copies had been requested than downloads from the Teacher Net website.

(2) What Students Need to Know about Freedom of Information and Protection of Privacy – A Resource Guide for Grade 11/12 Teachers, Information and Privacy Commissioner of Ontario, Canada²⁴

The resource contains four units that can be completed individually or all together. It is consistent with Ontario's curriculum. Teachers are encouraged to "use, modify or adapt the units and their activities to suit their students' needs".²⁵

This resource demonstrates several elements of desirable practice, as identified by those advising this project. The resource:

- Is a tried and tested resource. It was first published in 2004, with a substantially revised and updated edition in 2011.
- Sets out which part of the curriculum the materials apply to.
- Makes the information and discussion relevant. For example, 'Make an Informed Choice Online' sets out questions for young people to consider. These include why they may want to exercise online privacy, so that prospective employers will not see their personal information.²⁶
- Uses teaching devices such as games (eg quizzes and 'mini debates') so that children and young people can discuss and express their opinions in class.
- Cites international examples to illustrate that even 'important' people can make mistakes, eg news item on 'Spy Chief's wife puts him on

²³ Ibid pg 2

²⁴ http://www.ipc.on.ca/site_documents/Grade_11-12_Resource_Guide.pdf (accessed 25 March 2012)

²⁵ Ibid pg iii

²⁶ Ibid pg 49-72

Facebook; Head of MI6 learning millions have access to family details'.²⁷

(3) Equal Rights Equal Respect, Equality and Human Rights Commission (EHRC)²⁸

This is a free training and education resource for "Key Stage 3 teachers of all subjects to help teach equality and human rights in schools".²⁹ It is online.

The focus is quite deliberately on justiciable rights, ie using the Human Rights Act 1998. Teachers are provided with detailed information as well as guidance on how to teach the subject. Rights are emphasised but not obligations; the State, rather than individuals, has the obligation to ensure equal enjoyment of rights.

The online toolkit includes three videos to use in the classroom, 12 lesson plans and supporting materials, and interactive student activities. Lesson plans support citizenship and other subjects across the curriculum, and can be adapted to meet varying needs and abilities. A live online training session for teachers, presented by three experts, took place in November 2011. Any teacher could register and it was held from 16:30-17:30, so was outwith school hours.

This teaching resource covers a range of complex legal and rights information for teachers and for children. The EHRC ensured that the information is factually correct and simplified as appropriate. Turning the information into a teaching tool required a distinct skill set.

(4) Resources from Child Exploitation and Online Protection Centre (CEOP)

There are teaching resources designed to help keep children and young people safe when using the internet and social media. For example CEOP launched a *ThinkuKnow* education package³⁰ for schools in 2006 and between 2010 and 2011, there were over two million child viewings.³¹

The *ThinkuKnow* education package is delivered through a cascade model of dissemination. A specialist group of over 3,500 'Ambassadors' are trained by CEOP. The Ambassadors in turn work across all of the UK

²⁷ Ibid appendix 3.8

²⁸ <http://www.equalityhumanrights.com/advice-and-guidance/equal-rights-equal-respect/> (accessed 25 March 2012)

²⁹ EHRC Press Release, 28th September 2011.

³⁰ <http://www.thinkuknow.co.uk/> (accessed 25 March 2012)

³¹ CEOP Annual Review 2010-2011, http://ceop.police.uk/Documents/ceopdocs/Annual%20Rev2011_FINAL.pdf (accessed 25 March 2012), pg 9. Registered users are primarily from education sector and also youth workers, social workers, police professionals & from wider child protection community.

regions to help train and build a network of more than 70,000 registered users. The *ThinkuKnow* website has further advice for children and young people, divided into different age groups, as well as information specifically for parents/carers and for teacher trainers.

The ThinkuKnow programme for 11 to 16 year olds was reviewed, from young participants' perspectives.³² The evaluators found that young people's recall of safety messages appeared to fade over time. The young people suggested that the website could be improved by making it "fun" and "interactive" and reducing the amount of text. Suggestions for the programme included: less staged videos; a shorter presentation; delivery by an external person; the involvement of young people in programme delivery; development of a different programme for young people aged over thirteen.

(5) Get Set, London 2012³³

Get Set is the official London 2012 education programme with resources inspired by the London 2012 Olympic Games and the Paralympic Games. A generic Teaching Tool is available online including versions in Welsh and an audio version. This resource is regarded as a good model because it can be adapted and used by teachers across the UK. The resource can be used for three to 19 year olds. The resource includes activities, film, play and quizzes. Only those teaching in an educational establishment can register to use the full resource range.

Independent qualitative and quantitative research³⁴ was conducted in 2010 and the top three findings are:

- 65% of Secondary School teachers believe 'Get Set' has enriched teaching and learning
- 57% of teachers believe it has improved engagement in learning; and
- 45% of teachers believe the programme has had a positive impact on behaviour.

Such assessments help London 2012 monitor progress. Publicising the results can also encourage professionals to take up of the teaching resource.

³² Davidson, J. with others (2009) *Evaluation of CEOP ThinkUKnow Internet Safety Programme and Exploration of Young People's Internet Safety Knowledge*, <http://www.cats-rp.org.uk/pdf%20files/Internet%20safety%20report%204-2010.pdf> (accessed 25 March 2012)

³³ <http://getset.london2012.com/en/home> (accessed 25 March 2012)

³⁴ Independent research was conducted by Nielsen during May 2010 and July 2010 <http://getset.london2012.com/en/resources/educators/benefits-of-get-set-1> (accessed 14 May 2012)

(6) see me Resource Pack, see me campaign³⁵

'see me' is Scotland's national campaign to end the stigma and discrimination of mental ill-health. In February 2012, it produced a teacher's pack with a DVD, worksheets and information sheets. The worksheets include group work, paired work, class discussion and creative art work. It also has posters for around the school, leaflets for pupils and ones for parents. One free copy was sent to each school in Scotland. According to one teacher "It looks excellent. This is maybe the way forward for data protection?"

The online resource has all the materials, openly available. There are 16 different activities lasting from five to 50 minutes. Learning outcomes for each activity are set out clearly for teachers. A feedback form has been created for children and young people to complete and which can be collected and sent to 'see me'. An online feedback survey has been created for teachers and leaders in education.

(7) Resources from Amnesty International³⁶

Amnesty produces a wide range of teaching resources. These follow a set format. Lessons are designed on themes and actions. For example *Human rights through citizenship* has lessons on 'The Cabinet Game' and on 'Respecting Refugees'; there are opportunities to make rights real by suggested activities. The resources are a mixture of DVDs and handouts. Each lesson encourages children and young people to raise the topic at 'Assembly' and suggests a 'script'. General posters are freely available to display.

Amnesty organises volunteers to go into schools to speak about its work. This may prompt, or be a reaction, to the teaching resources. Amnesty operates 'a sign up for the TeachRights Scheme'. It is free to join for any teacher and members receive a regular electronic Newsletter. This helps Amnesty identify those teaching human rights, as well as an opportunity to update and inform them of developments.

(8) Rights Respecting School Award (RRSA), UNICEF³⁷

RRSA seeks to embed the UNCRC into schools' values and vision. It has four standards: leadership; management and knowledge about UNCRC; developing the changing ethos of the school so that it is 'rights respecting'; and empowering children and young people. The RRSA does not focus on particular rights. However information rights could be perceived as an 'add on' to the existing format, as the right to privacy is

³⁵ <http://www.seemescotland.org/whatsonyourmind/> (accessed 25 March 2012)

³⁶ <http://www.amnesty.org.uk/content.asp?CategoryID=301> (accessed 25 March 2012)

³⁷ <http://www.unicef.org.uk/rrsa> (accessed 25 March 2012)

crucial to children and young people's safety, and information rights are a tool to enjoy all UNCRC rights.

The Award has two levels. When a school believes it has met the standards, an external assessment takes place. If standards are met, a certificate is awarded. Over 2,500 schools are participating. Scotland has a substantial proportion of schools 'signed up' (about 20%),³⁸ partly because RRSA fits with the Curriculum for Excellence.

Charging for RRSA registration is new. Its impact is not yet clear. Costs to access materials and assessment may now be a barrier to schools' participation. In Scotland, children and young people can act as assessors and thus reduce the cost.

UNICEF's virtual learning environment has lessons, tools, information and links to internal and external sources of information, toolkits and more. It advertises training courses generally and offers specific school support for an extra charge. UNICEF delivers training to local authorities and school staff in Northern Ireland and Scotland.

The RRSA was externally evaluated for its impact.³⁹ RRSA was found to have "a profound effect on the majority of the schools involved in the programme".⁴⁰ This positive evaluation has helped promote RRSA.

Key Elements for Teaching Resource

The teaching resource needs to be well produced, focusing on content as well as teaching tactics, and freely available, with:

- One version for primary schools and one version for secondary schools, with clear progression from one to the other.
- A list of the generic and subject topics within the curricula across the UK, for which the resource can be used. Attention must be given to ensuring that the resource appeals to all jurisdictions of the UK, as well as sensitive to cultural and language issues.
- An online resource backed up by a printed version. Marketing materials – eye-catching posters reminding children and young people of key rights, stickers to emphasise key messages, leaflets summarising information rights – have proven successful for other teaching resources.
- Teaching on information rights need to be exciting, rather than boring. The resource should: include interactive games, a mix of team and individual tasks, activities that get pupils physically active, everyday

³⁸ As of November 2011

³⁹ Sebba, J., Robinson, C. with colleagues (2010) *Evaluation of UNICEF UK's Rights Respecting Schools Award Executive Summary*, http://www.unicef.org.uk/Documents/Education-Documents/RRSA_Evaluation_Summary.pdf (accessed 25 March 2012), p 2

⁴⁰ Ibid p 2

resources (eg credit card sized tool with key data protection information on one side and freedom of information on the reverse). It should utilise multi-media, although accommodating those schools who do not have such equipment.

- Tackling controversial issues assists the teaching of children and young people. It will be important to understand issues in which children are interested and which have been the subject of some activity. Examples include the use of biometric data in schools,⁴¹ the use of CCTV in schools,⁴² and exploring concepts such as libel (defamation in Scotland) in social media.⁴³
- A discussion of responsibilities. An abuse of information rights threatens the rights of others.
- A video setting out the law clearly and highlighting relevance to the everyday lives of children, young people and families. This can help teachers cover legal facts. It could be accessed via the ICO website as well as education facilities, such as GLOW in Scotland.
- Online video clips are effective as teaching tools. Further, they can be taken down if outdated, adapted or added to. A programme of updates, with the timetable published, help keep the resource “live and relevant”.
- Case studies should be a core element, including relevant examples. They could include pupils using freedom of information and data protection to access education records, cases that will interest them (eg cyber crime), and about people they recognise such as celebrities.
- Materials for children and young people to take home and share with parents/carers. Adults’ skills, knowledge and understanding can be further developed using interactive computer games with their children, available on the ICO website.
- On-going monitoring of the teaching resource, and subsequent evaluation.
- The ICO should ensure its support and advice are child and young person-friendly. It should encourage other likely advice providers on information rights to adopt a similar approach.

A free resource, that remains free, is likely to increase take-up substantially. This could be a marketing message, so that those interested in the resource know that it will not be charged for at a future time. The

⁴¹ Action on Rights for Children (2011) *Biometrics in Schools*, <http://www.archrights.org.uk> (accessed 25 March 2012).

⁴² Taylor, E. (2011) ‘Awareness, understanding and experiences of CCTV amongst teachers and pupils in three UK schools’, *Information Polity* 16: 303–318.

⁴³ Centre for Education, Law and Society, Simon Fraser University (no date) A Mock Trial: “You Can’t Say That! Its Cyber Libel!” (*Understanding libel and how it can occur in electronic communications such as Facebook, MySpace, Twitter*) <http://cels.sfu.ca/teachingApproaches/Cyber-Libel.pdf> (accessed 25 March 2012)

Children's Rights and Business Principles have been published by UN Global Compact, UNICEF and Save the Children. The Principles guide companies "on the full range of actions they can take in the workplace, marketplace and community to respect and support children's rights".⁴⁴ For example, Principle 5 is: "Ensure that products and services are safe, and seek to support children's rights through them".⁴⁵ Using this Framework, the ICO could explore opportunities to work with private sector companies that have an interest in products that relate to the use of social media and/or individual privacy eg to make a free teaching resource accessible. Such collaborations can be investigated for feasibility as it is understood that the independence of the ICO must be maintained.

4. Support for Teachers

Teachers interviewed see a range of support needs. Some teachers need accessible training on information rights and resources to simplify the complexity of information rights law. They need updates on practice and cases, so materials remain relevant. They need to know where to go for such materials. Such training and information would also support strategic partners, such as local authorities.

The project investigated the best way to provide teacher training, but there was no consensus. Various approaches could be piloted:

- Inclusion in teacher training across the UK
- Provision of training within organised 'in service days'
- As part of CPD process – online resources would enable teachers to study in their own time
- Twilight courses from 4 to 6 pm in individual schools
- Regional courses – organised in conjunction with trades unions, professional bodies such as GTC Scotland or local authorities.

Teaching information rights is recognised as a matter of mutual interest and benefit for children and young people, for teachers and wider family and friends. An important message is that the rights of children and young people are not in competition with, but match, those of teachers/adults.

Children, young people and teaching staff may have had adverse social networking experiences and are living with the consequences. In

⁴⁴ http://www.unglobalcompact.org/Issues/human_rights/childrens_principles.html (accessed 14 May 2012)

⁴⁵

http://www.unglobalcompact.org/docs/issues_doc/human_rights/CRBP/Childrens_Rights_and_Business_Principles.pdf pg 24 (accessed 14 May 2012)

December 2011, the General Teaching Council of Scotland (GTC) launched guidelines for teachers on the use of electronic communication and social media in response to union members' requests.⁴⁶ A recent freedom of information request in Scotland revealed "a number of councils across Scotland have disciplined teachers over the past year for misuse of social networking websites".⁴⁷

At a professional practice level, teachers could benefit from accessing information already provided by the ICO on the use of social media. By directly working with trades unions and professional bodies, the ICO can raise awareness of rights and obligations as well as promote its enforcement role. The ICO could: attend and participate in the National Association of Head Teachers conferences in England in October and November 2012; write articles for journals; and suggest links to the ICO website.

The increasing role of technology in the classroom means teachers will have to increase their skills. This includes skills on data protection, eg in relation to cloud services in Scotland and Northern Ireland. Such skills, knowledge and understanding are necessary to meet the changing operational requirements of teaching. Michael Gove, Minister for Education in England, has stated:

"It is vital that teachers can feel confident using technological tools and resources for their own and their pupils' benefit, both within and beyond the classroom, and can adapt to new technologies as they emerge. That means ensuring that teachers receive the best possible ITT and CPD in the use of educational technology."⁴⁸

It would be possible to link teaching on information rights with such professional developments in England.

There appears to be a lack of awareness about data protection and freedom of information rights. There may also be some myths and misunderstandings. In interviews, day to day issues were raised such as can references written by teachers be seen by pupils? The ICO could consider developing practice notes or information briefings for the teaching profession, in consultation with employers, professional bodies and teaching unions.

⁴⁶ <http://www.gtcs.org.uk/news-events/news/launched-guidelines-on-ecoms-social-media.aspx>

⁴⁷ <http://www.scotsman.com/the-scotsman/scotland/teacher-disciplined-for-posting-sectarian-images-on-facebook-1-2102484> Survey undertaken by Scotsman Newspaper 8th February 2012.

⁴⁸ <http://www.guardian.co.uk/education/2012/jan/11/digital-literacy-michael-gove->

5. Disseminating the Teaching Resource

For the teaching resource to be used, a sustained strategy of awareness raising and promotion is required (eg that it will always be freely available). The ICO could lead the strategy, working in partnership with the public and voluntary sectors.

Opportunities include:

(1) Complementing existing work around the UNCRC. The UNCRC requires that “children should be afforded the necessary protection and assistance so that they can fully assume their responsibilities within the community”.⁴⁹ The ICO proposed strategy meets the duty to provide children with the ‘special care and assistance’ to be safe and confident on using information technology. The ICO is therefore well placed to work with the four Children’s Commissioners, to promote the teaching resource as part of their UNCRC agenda.

(2) The ICO is well placed to promote its teaching resource to voluntary sector agencies that already work in schools including Amnesty International and UNICEF’s RRSA. Partnership working can be developed at many levels, such as:

- links to the ICO teaching resource can be posted on their websites;
- convene a series of seminars that offer practical suggestions on how information rights can be embedded into their existing work;
- identify shared initiatives around ‘International Right to Know Day on 28th September⁵⁰ each year and Data Protection Day on 28th January;⁵¹ and
- feed into the training these organisations offer to teachers.

(3) ChildLine has information about children and young people’s attitudes on, and concerns about, information sharing. As a response to calls received from children and young people, a roundtable seminar was held on children and young people’s privacy in the age of information sharing. In the seminar report,⁵² there is discussion and analysis of children and young people’s key concerns around confidentiality and their ability to control what is known about them by others. In this context, how and what information rights are taught in schools may have particular resonance for some vulnerable children and young people and for their friends who are supporting them.

⁴⁹ Preamble to the UNCRC <http://www2.ohchr.org/english/law/crc.htm> (accessed 14 May 2012)

⁵⁰ <http://www.foiadvocates.net/en/right-to-know-day-2011> (accessed 14 May 2012)

⁵¹

http://www.coe.int/t/dghl/standardsetting/dataprotection/Data_protection_day_en.asp

⁵² Wales, A. and Hill, L. (2012) Finding the balance: Children’s right to confidentiality in an age of information sharing, <http://tinyurl.com/7yfkjhr> (accessed 25 March 2012)

This seminar underlines professionals' needs for clear guidance on how to balance children and young people's privacy with their duty on information sharing, particularly in a multi-agency environment.

6. Conclusions and Recommendations

The following recommendations recognise the English curricular review, presently being undertaken. Curricular review has been recently completed elsewhere in the UK but further changes may occur.

The ICO already produces materials that can be highlighted, adapted and drawn upon: for example, the existing dedicated ICO website pages for young people (<http://www.ico.gov.uk/youth>), which aim to help young people protect their information.

A 'whole school approach' to information rights should be part of the ICO strategy.⁵³ Pupils, teachers and education staff can be involved in understanding that information rights are equally held, with their accompanying responsibilities. Local authorities may be recruited to assist, given they have dedicated information management, data protection and freedom of information officers who already assist schools with meeting information duties. The ICO may wish to seek their involvement in communicating effectively with education staff. School advisory services should also be used, where they exist, such as Advisory Centre for England (ACE). ACE provides free independent advice and information for parents and carers in England and Wales on a range of state education and schooling issues.⁵⁴

In short, this project recommends:

1. Consistent with its independent status, the ICO should initiate and develop a work programme to embed information rights within the education curricula across the UK. The focus should be to empower children, young people and adults with knowledge, skills and understanding. A range of suppliers already focus on keeping children safe. The work programme should have three strands:
 - a. provide support to teachers so they can confidently teach this subject,
 - b. develop a teaching resource applying across the four Nations of the UK. There should be a version for primary schools and one for secondary schools; and

⁵³ The 'Digital Literacies Programme' provides a possible model. The Programme aims to promote the development of coherent, inclusive and holistic institutional strategies and organisational approaches for developing digital literacies for all staff and students in UK further and higher education. JISC developed this programme. JISC is funded by Governments in Wales, England and Scotland and is the UK's expert on information and digital technologies for education and research

⁵⁴ <http://www.ace-ed.org.uk> (accessed 14 May 2012)

- c. plan a programme of engagement to ensure schools/headteachers are aware of the teaching resource and are encouraged and supported to use it.

To embed information rights in the education systems of the UK will require a sustained programme of focused activity initiated by the ICO. Leadership must drive take-up and ensure distribution of the free teaching resource.

2. Partners can assist with the process, eg developing and promoting the free teaching tool. Partners should be drawn from the public and voluntary sector, including trade unions and qualification bodies.

3. In a changing education environment, a teaching resource must be flexible. The teaching resource should be generic and cover the curricula across the UK. The resource should be designed to be used for general subjects such as Personal and Social Education (PSE, PHSE in England and Personal Development in Northern Ireland) as well as specific subjects such as ICT. Children should progress from a primary based curriculum on information rights to a secondary based one. Indeed, consideration should be given to extending it to early years settings.

4. The ICO can take up four opportunities immediately:

- a. work with Education Scotland to build the knowledge and capacity of teachers in Scotland on data protection, on freedom of information and on privacy to coincide with the moving of GLOW into a public cloud;
- b. explore a similar opportunities with the recent Northern Ireland announcement, of a contract for cloud services, for schools; and
- c. Highlight and produce materials that can be used by teachers in England to coincide with the announced withdrawal of the existing National Curriculum Programme of Study for ICT from September 2012. Existing materials may be highlighted in dedicated page on website on teaching resources that can include case studies, short videos (currently under production) and legal facts.
- d. The ICO should highlight the relevance of its work on education and in delivering an unmet need for knowledge, information and skills by responding to the Government's consultation on changes to the ICT curriculum in England and by writing to the Secretary of State for Education.⁵⁵

5. The ICO should embark on a programme of engagement with other organisations to inform these organisations' existing work within schools, with teachers and pupils, and specifically:

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<http://www.education.gov.uk/consultations/index.cfm?action=consultationDetails&consultationId=1802&external=no&menu=1>

- to incorporate information rights within existing rights based, skill based and knowledge building activities, eg Child Exploitation and OnLine Protection Centre's (CEOP) teaching resource, ChildLine's School Outreach programme, the four Commissioners for Children & Young People and their work on rights;
- with Amnesty International's programme of support for schools and UNICEF's Rights Respecting Schools Award.
- with Education Scotland and other statutory bodies who can work with schools to build teachers' knowledge, skills and understanding.
- work with trades unions proactively, to inform teachers about information rights. Materials currently available could be promoted, eg taking stands at teaching conferences, writing articles for 'in house' journals, and promoting links to the ICO website.

6. Embedding information rights in the curriculum should include a strategy to engage with and build the knowledge, skills and understanding of information rights for parents/carers and teachers. Technology changes all the time so resources prepared for adults and delivered via schoolchildren can build understanding, deliver a skill set and develop a knowledge base that enables both adults and children to cope.

7. In developing and delivering the above strategy, the ICO should be mindful that the work forms three distinct strands:

- co-ordinating developing, servicing and sustaining partnership working;
- producing the factual information for the teachers and for the teaching resource;
- designing, developing, road testing and producing a teaching resource for primary and secondary schools.

The ICO should consider if the three work strands each require a different skill set. For example education provision across the four Nations is a busy and complex environment. In the course of this project, it was clear that organisations and staff are busy people with many demands upon their time. Delivering this strategy will be time intensive but will address an unmet need. Therefore the ICO should consider commissioning an organisation to co-ordinate and drive forward the delivery of this proposed strategy. This could include selecting and servicing a reference group, to advise on developing the teaching resource which is being designed by another contractor.

8. There are cost implications of producing and sustaining a free teaching resource. It is suggested that the ICO should explore opportunities to work with private sector companies that have an interest in products that relate to the use of social media and/or individual privacy. Any such

initiative would fit with the 'Children's Rights and Business Principles' framework but must respect the independence of the ICO.

Appendix 1: Summary from Phase 1 Report

This project explores how to embed children and young people's information rights in the primary and secondary education systems of the United Kingdom (UK). The project looks across the four separate educational jurisdictions of England, Northern Ireland, Scotland, and Wales.

The ICO already has a number of initiatives to reach children and young people. This includes: a youth area on its website, a data protection DVD for secondary schools, a presence on online community games website Habbo Hotel, and an annual Student Brand Ambassador Campaign. However, 'mainstreaming' information rights within schools will help ensure children and young people recognise their information rights.

For this project, information rights are the right to make a freedom of information request, the data protection right to access your files, and the right to privacy. Children and young people's information rights sit within the human rights framework generally and the United Nations Convention on the Rights of the Child specifically.

Each part of the UK has a separate education system. But a common trend is a 'loosening' of central control on the curriculum, with less prescription of what should be studied and more flexibility for teachers on how to deliver it. Topics are more likely to be adopted if they resonate with teachers' lives and potentially make their job easier. Information rights could meet both criteria. One trade unionist described the project as "both exciting and potentially very useful".

Following desk-top research, interviews with people involved in education provision and curriculum design, and reference groups with children and young people, the findings are:

- There is enthusiasm for embedding children and young people's information rights in the curriculum across the UK. This is a view shared by children, young people and adults.
- There is a gap in information rights knowledge in current resources for teachers and in materials for children and young people.
- Teaching staff need a good knowledge base about information rights, to teach them effectively. They need credible and tested resources to make the topic engaging and interesting.
- At a time when greater control is being devolved to schools and teachers, and diminishing financial resources, the ICO needs to consider barriers to, and incentives for, schools and teachers incorporating information rights.

- Parents and carers need to be informed about the children and young people's information rights, to support their children and young people in realising them.

To address the above, the most effective and feasible options identified are:

1. An explicit programme between the ICO and teaching unions, to inform teaching staff of their own and children and young people's information rights. This could include specific guidance and contributions to union-organised conferences.
2. More generally, ICO guidance for education providers could debunk some myths around data protection in particular, provide rights information relevant to the sector, and publicise where education providers can go to for advice and assistance.
3. Linking with other organisations that inform schools, children and young people on related activities. Connections range from:
 - website links;
 - incorporating information rights within out-reach activities (eg Child Exploitation and OnLine Protection Centre, ChildLine, Commissioners for Children & Young People, Parliamentary education services); and
 - school teaching resources (eg Amnesty International, UNICEF's Rights Respecting Schools Award).
4. Dedicated school resources to teach children and young people about their information rights, with complementary information for parents and carers.

The next project phase could develop options 3 (links with other organisations) and 4 (dedicated school resources). The results would detail what each option could involve, likely partners, feasibility and quality considerations.

Appendix 2: Towards a Tender Specification for the Teaching Resource

Based on tenders for other teaching resources, the following begins to draft out a potential tender specification for the teaching resource proposed here. It is intended to prompt discussion within the ICO about: the precise content and approach; what work would be undertaken 'in house' and what needs to be undertaken by a contractor; and how materials would be put online. For example: is a separate contractor required to write the information from the contractor who designs and produces the teaching resource for primary and secondary schools?

Invitation to Tender: A Teaching Toolkit on Information Rights

Project budget code:

Summary of requirement

The Information Commissioner's Office (ICO) is inviting tenders to develop a generic Teaching Toolkit to embed information rights in the education systems across the UK: one version for primary schools and one for secondary schools. The primary audience is classroom practitioners working with learners aged five to 18 years. old.

The toolkit must be accessible to teachers and valued by children and young people. The toolkit needs to focus on four outcomes:

1. Ensure that children and young people are aware of data rights and threats to their privacy, and know how to protect themselves and their relationships.
2. Enable and encourage children and young people to access public information, to their advantage and for public benefit.
3. Enlist parents and carers so that they can better help their children to be safe and empowered when children and young people use social media, the internet and other digital resources.
4. Raise awareness of the ICO and its enforcement powers.

The ICO is looking for a supplier who can:

- offer a creative and innovative approach to all aspects of this project;
- develop a toolkit that supports and enables schools to develop a successful whole-school approach to information rights; and
- look beyond the time-scale of the project, to consider how to market, monitor and update the resource.

Curriculum

As a generic toolkit, the specifics of each education system in the UK would not be addressed. However, links with specific subjects should be emphasised. For example, the subject can be taught in various ways in schools:

- as part of the broader human rights agenda including UN Convention on the Rights of the Child (UNCRC);
- in 'Citizenship' courses, such as Personal Development and Citizenship (Northern Ireland);
- PSE (PSHE in England);
- national programmes, like the Curriculum for Excellence in Scotland; and
- in assessed courses such as ICT, Business Studies and Modern Studies (Scotland).

Key Elements for Teaching Toolkit

The toolkit needs to be well produced, focusing on content as well as teaching tactics, with:

- One version for primary schools and one version for secondary schools, with clear progression from one to the other.
- A list of the generic and subject topics within the curricula across the UK, for which the resource can be used. Attention must be given to ensuring that the resource appeals to all jurisdictions of the UK, as well as being sensitive to cultural and language issues.
- Consideration of special schools and the learning needs of children and young people with special educational needs (additional support needs in Scotland).
- An online resource backed up by a printed version and marketing materials.
- Teaching on information rights needs to be exciting, rather than boring. Suggestions are:
 - Utilising multi-media, while accommodating those schools who do not have such equipment.
 - Using online video clips. These could include an initial video setting out the law clearly and highlighting relevance to the everyday lives of children, young people and families. Subsequent video clips can be on case studies.
 - Addressing everyday issues for children and young people.
 - Being activity-based.
- Assistance for teachers to tackle controversial issues with children and young people.

- Materials for children and young people to take home and share with parents/carers.
- Means for the teacher to monitor and evaluate the resource and children and young people's learning; means for the ICO to monitor and evaluate the resource's effectiveness.
- List of other websites and communities to support learning and teaching and promote collaboration between professionals.

Audience

The primary audience is classroom practitioners working with learners aged five to 18 years.

Secondary audiences should also be considered:

- School staff leading on related issues: e.g. global citizenship coordinators in Scotland
- School leaders, including headteachers and depute headteachers
- School governors in England
- Staff involved in the regulation, inspection and professional development of staff including the GTC, the Council for Catholic Maintained Schools and the CCEA (Council For Curriculum Examinations and Assessment) in Northern Ireland.
- Local authority education staff, information technology staff, and freedom of information and data protection compliance officers.
- Education workers in non-governmental organisations and Children's Commissioners

Project Overview/Background

In October 2011, the ICO commissioned the Centre for Research on Families and Relationships (CRFR) at the University of Edinburgh to explore the feasibility of embedding children and young people's information rights in the primary and secondary education systems of the United Kingdom (UK). The project looked across the four separate educational jurisdictions of England, Northern Ireland, Scotland, and Wales.

The ICO already has a number of initiatives to reach children and young people. This includes: a youth area on its website, a data protection DVD for secondary schools, a presence on online community games website Habbo Hotel, and an annual Student Brand Ambassador Campaign. However, 'mainstreaming' information rights within schools will help ensure children and young people recognise their information rights.

'Information rights' can be taught at primary level with clear progression to secondary education. 'Information rights' include the right to make a

freedom of information request to public authorities, individuals accessing their own personal data and the wider safeguards contained in data protection laws. These other legally enforceable safeguards include:

- individuals being aware of how their information may be used and disclosed and being able to control this in some circumstances;
- organisations not holding excessive personal information or for longer than necessary;
- ensuring personal information is accurate and fit for purpose;
- respecting limitations on wider use and disclosure; and
- ensuring that it is kept securely.

Information rights also engage wider issues of personal privacy. All these elements, and their interdependence, make this teaching resource unique. It has been said that privacy is not about secrecy: "it's about disclosure... but disclosure with consent and control appropriate to the context".⁵⁶ This concept is important in terms of child protection, but is also realistic as children and young people will share information about themselves and others on social media. The challenge is to educate them to consider what to share, when and with whom and the protection they should expect for their personal information including how to enforce these in practice. The enforcement role and powers of the ICO is an important element in their learning.

Children's information rights sit within the human rights framework generally and the United Nations Convention on the Rights of the Child (UNCRC) specifically.

Upon receipt of the Phase 1 Report, the CRFR was commissioned to undertake Phase 2 which considered three questions:

1. What kind of teaching resource is most useful and why?
2. What support is needed for teachers so they can confidently teach this subject?
3. What engagement is needed to ensure schools/headteachers are aware of the teaching resource and are encouraged and supported to use it?

The ICO is now seeking to commission a supplier to deliver the recommendations contained in the Phase 2 Report.

⁵⁶ Robin Wilton, Director, Future Identity Ltd, Director of Privacy and Public Policy, Kantara Initiative, presentation to ICO Data Protection Officer Conference March 2010, Salford

Key deliverables

The deliverables will be:

- A teaching toolkit, one for primary schools and one for secondary schools, which applies across the UK. The toolkit includes online and print version, and marketing materials. The toolkit must be updatable and translatable.
- The servicing of a Reference Group that advises on developing the resource.
- Trials of the teaching resource in a primary and a secondary school in each of the four Nations.
- A strategy for schools to monitor the toolkits' effectiveness for the ICO
- List of other websites and communities to support learning and teaching and promote collaboration between professionals.
- Written content to populate the pages across the website
- Monitoring process within schools and for ICO.

Additional Work

The ICO will arrange for the website development using the ICO's current technology platform and using existing functionality. The ICO may produce in-house, commission a separate supplier or consider a single supplier to also provide:

- Photography depicting information rights to add to the visual impact of the webpages on the proposed online resources. It is also intended that these will be available for download from a photogallery.
- Animations and videos for use in the Teaching resource
- Interactive computer games for parents/carers to play with their children.

It is essential that the proposed resource is designed in such a way to facilitate additional material that will become available at later dates.

The ICO will arrange for the translation of the materials into the Welsh Language (Gaelic, Braille and any other languages)

Resources

The ICO will make available two commissioned reports on embedding information rights in schools across the UK, which include examples of teaching resources, plus a list of key people to contact.

Deadlines

Xxx and yyy

Anticipated costs are between XXX and YYY**Quotes**

You should clearly indicate a full breakdown of costs ***including*** the total costs (excluding and including VAT).

Quotes should also clearly state whether or not the deadlines detailed will be met.

Appendix 3: Children and Young People's Reference Groups

The reference groups were facilitated by the Children's Parliament in March 2012. The groups were the same as those involved in Phase One. The two schools were a semi-rural village Primary School and one large urban Secondary School. Eight children aged 10/11 years old participated in the Primary School group; this session was their second meeting. Ten young people aged 13 took part in a third meeting in the Secondary School setting.

Discussion was facilitated on four themes.

1. Teaching and learning

Both the Primary and Secondary School group considered what makes for good teaching and learning experiences.

The Primary group made a number of observations including:

- Relationships are the most important element of learning.
- Make learning fun. This means using technology in the classroom and avoiding textbooks and worksheets. Problem solving helps you learn.
- Make learning cooperative. This means learning with your friends, working in groups.
- Learning can happen outside the classroom. This means using the library in school and places/spaces in the community.

The Secondary group said:

- Relationships are at the heart of learning.
- Time passes quickly when 'there's a bit of banter'.
- Lessons should be interactive, engaging, you should be able to ask questions and discuss issues rather than just be told things.
- Discussing real scenarios and making learning relevant to young people's lives helps learning.
- There should be time for thinking about things rather than just "doing" work.
- Learning must respect that everyone likes to work in different ways and has different abilities.
- The teacher needs to care about the subject.

2. Projects or programmes to help children learn

The Primary School group created a project so that children can learn about their information rights. The Secondary School group revisited the draft plans they had developed in an earlier session and added to these.

The Primary group said:

- The key message is that learning about information rights should be done through an interactive game; games could use smartboards.
- Children like quizzes (which can be incorporated into the game).
- You should be able to work in teams – and 'learn by doing something'.
- Learning is affected by the way teachers talk to you.

The Secondary group added to previous work:

- People who hold information about you should come to the class and explain what they hold and what they do with it.
- Teachers need to be informed; this comes across in their delivery of projects. They need to have a passion for a subject.
- Learning on information rights needs to be revisited but not repetitive.
- Pupils need control and freedom over their learning – this might help them to understand it from their own perspective. Pupils should have more choices about what to learn about, helping to create their own projects.
- Teachers should help pupils apply their information rights to their real lives.

3. Supporting adults to learn

The Primary School group considered what teachers and parents need to learn themselves in order to support children and young people's learning. The Secondary School group considered what teachers need to learn.

The Primary group said teachers need to learn about:

- The technology children use.
- How to keep kids safe online.
- What's important to children and why.
- How to use websites safely.
- How to keep information safe.

- What websites children go to first.
- Which websites are safe and which aren't.
- What privacy means.

The Primary group said parents/carers need to learn about:

- What their children are doing online; making sure their child isn't speaking to unknown people.
- How to use technology properly.
- What children do on line and make sure we are safe online.
- What to do if their child is in danger.
- What children are learning about this in school.

The Secondary group said teachers need to learn about:

- How to make children better informed and confident about using their information rights.
- Where information is held about people and why this is held.
- How to access information about themselves and how to request information – and tell this to the pupils.
- Safety on the internet.
- Know about their rights – and make connections between information rights and their lives and then the pupils.

4. Using information rights

The Secondary School group also considered how they might use their information rights now, and what might enable or block them exercising these rights. The questions which young people chose to explore in small group discussion were:

- Why do hospitals and schools need my information?
- Who has our information? Who can get it and how easily?
- Even though my Mum hasn't told the school do they know I have a blood condition?
- What information do the Government and the Police have about me?
- The young people discussed things they could do to find out more about their questions, eg ask parents what they know or your MSP.
- They also identified what might get in the way of finding out more without a teaching resource that makes them confident to use their rights:

- People we ask might be patronising and not take us seriously.
- The people you ask might not know themselves who can get information and why.
- You might not be able to identify the place where information is held.
- It might be hard to get your medical records.
- You probably just can't walk into a place and demand information.
- They might just say no.
- Your parents might not know where information is held about you or what is held either.
- The person or place that holds information about you might think you should not know what they have.
- The person who holds information might think you are too young to know.
- The person who holds information might think you will use the information for the wrong reasons.
- While the Primary school children were not set a specific task on this question they did comment at other stages of the workshop on these issues:
 - They discussed school records and were of the view that they are not allowed to see these. They suggested that if they were allowed to see information held at school this might as one child put it 'help me to see what I need to improve on'. There were concerns that school records 'might only record one side of the story'.
 - There were concerns about 'people using information about you against you'.
 - There were concerns that 'adults might know some rights but might not know all of them' and 'even if I know my rights it doesn't mean to say that other people will know about them'.

Appendix 4: Seminar Report 7 March 2012

Embedding information rights in the primary and secondary education systems of the United Kingdom

Report of a Seminar held on 7 March 2012 at Edinburgh University

Overview

The seminar was facilitated by the Centre for Families and Relationships (CRFR) at Edinburgh University. The project has been commissioned by the Information Commissioner's Office (ICO), to explore how to embed children and young people's information rights in the primary and secondary education systems across the UK.

The seminar invited those interviewed for the project to date, for an intensive seminar held under Chatham House Rules. Participants included academics, teaching unions, education specialists, those working with children and young people and the ICO.

A week in advance of the event, a detailed briefing was circulated including ten questions to be addressed in discussion groups on the day. A range of materials were on display that had been produced by the two reference groups of children and young people along with teaching materials from Amnesty International, UNICEF and the Ministry of Justice.

This seminar was an opportunity to hear from a range of people about developing ideas and to influence the report submitted to the ICO at the end of March 2012. The seminar was divided into three distinct sections to hear views on:

1. Developing an effective teaching resource
2. Developing a strategy for working with teachers
3. Working with others – influence and collaboration

The seminar was rich with ideas and discussion. A selection is presented below.

(1) Developing an effective teaching resource

To persuade the take-up of a teaching resource, the following benefits were identified:

- Teachers, children and young people, and their parents/ carers all need to learn about information rights – as part of their personal as well as professional development. All these groups, currently, have questions about information rights. For example, can a pupil ask to see the reference a teacher writes?

- Social networking in particular can have adverse consequences for children and young people, and for teachers. A positive approach to teaching 'information rights' can support both rights and responsibilities towards information rights.
- Information rights address real life issues. Information rights are not "just the scary stuff", they can help understand the concept of rights and help to develop "a culture of children as rights holders".

A generic teaching resource was the best way forward as the subject should be available to all pupils. A generic resource has to be relevant to the education systems in all four nations. Teachers may need to tailor resources to their pupils' needs, which could lessen take-up. Participants agreed that there are lots of good generic teaching resources, which are used widely.

Realistically, the teaching resource will exist in a crowded market with schools/headteachers overwhelmed by requests.

The teaching resource could fit within assessed subjects, such as ICT and Business Studies. It could fill a vacuum in PSE resources (although some concern about the valuing by students and schools of PSE) or citizenship. With the move towards more flexible curriculum, there was potential that information rights will rely on an 'opt in' from an interested school/teachers – and some children and young people will thus miss out.

Primary schools should be a focus, as well as secondary schools.

Parental/Carer engagement is more likely at primary schools. Young children are using social media, according to statistics, and early engagement on information rights is likely to be more effective than later engagement.

Technology would have an important role in delivering the

resource: eg use of videos, YouTube. It could be a good way to engage parents and for children and young people to utilise at home. However, there were practical caveats, such as:

- How welcome mobile phones are in schools, in some schools they are confiscated whereas in other schools, despite the rules, they are tolerated. In the future, schools may be more accepting within a teaching context. Children and young people have suggested that an app associated with the teaching resource.
- Certain internet sites may be blocked by local authorities in schools.

Technology should be only one delivery means, and mix of assets and approaches would be advisable.

A successful resource should:

- be updated easily;
- have clear learning outcomes the motivated teacher can pick it up. There should not be too many outcomes;
- locate learning in broader human rights / questions of ethics, preparing children for work, skills in using ICT;
- be set within the context of “dignity and respect”, relationships with people, discussing/agreeing understand “good” behaviour online;
- use teaching videos or short films to help you teach eg Dignity Drive on EHRC website.⁵⁷ Films can interview people about their experiences and explain how to overcome difficulties (eg allows you to talk about courage, confidence and support to exercise their information rights);
- be approved by a national or local body;
- contain various materials/ activities within the resource; and
- be developed by teachers with current classroom experience. This encourages the credibility of the teaching resource, to other teachers.

Given the essential role of piloting (see below), a primary school resource could be developed first. After piloting and evaluation, it could be further developed into a secondary school resource.

A range of suggestions were made for the content and format:

- keep stickers, posters (eye-catching posters are more likely to be posted in schools/classrooms);
- video clips that go internet viral “create a buzz”;
- digital resources need to be of very good quality and short;
- natural context “real life”;
- want active learning (not dull);
- with teacher advice about appropriate material! eg cultural aspects;
- make use of ICO and other case studies (videos?);
- multimedia; and
- use characters and real-world scenarios.

To encourage children and young people to take their learning outside the classroom, and particularly to engage with their parents/ carers, the following were recommended:

- A task could be set within the teaching resource, which engaged parents/ carers. For example, children could be asked to survey family members and bring the results back in to class for analysis.
- Wallet cards could ‘market’ information rights

⁵⁷ <http://www.equalityhumanrights.com/wales/projects/dignity-drive/>

- Messages on milk cartons could reinforce information rights.
- A sticker could be put on school homework diaries and/or school handbooks.

It was noted that materials sent home with children and young people do not always reach parents. Effective distribution of postcards and leaflets is difficult.

On-going marketing is critical to the success of the teaching resource.

Should the teaching resource be successful, children and young people would likely seek more advice in regards to their information rights. Was the ICO prepared for this? What training do advice officers have in the ICO, for how to engage effectively with children and young people?

2. Developing a strategy for working with teachers

Teacher training could be provided, to support teachers in delivering the teaching resource. Consideration was given to training through: 'in service days'; as part of continuing professional development, on-line; twilight courses from 4-6 p.m. in schools; regional courses (likely school have to pay to attend). There was no consensus amongst the participants what would work best. It could be useful to pilot and evaluate different options, to see which were more effective.

Piloting the teaching resource would be essential. A reference group could guide and comment, with members from all four Nations. Children and young people should be consulted. The pilots would need to take place across all four Nations. Piloting could lead to the identification of local champions, who might in turn promote the resource locally. Special educational needs should be considered.

Initial teacher training. Information rights should be included in Initial Teacher Training, from social media to how children evaluate information.

Information at teacher induction an opportunity to inform teachers of information rights. "10 biggest internet mistakes for teachers" is an effective way to engage teachers. At the same time, a positive approach to information rights will address teachers' current concerns about social media, while encouraging awareness of other aspects of information rights like freedom of information.

There are opportunities to inform teachers of the teaching resource and information rights more generally. For example, the Learning Festival is organised by Education Scotland, with hundreds of teachers attending. The teaching resource could be put forward at this Festival. There are topic-specific groups of teachers – e.g. on citizenship or on Modern Studies – who could be accessed through their networks. There are opportunities to promote through professional bodies such as the GTC in Northern Ireland and the Modern Studies Association in Scotland,

3. Working with others – influence and collaboration

Strategic collaborations should include trade unions and professional teaching bodies. Other potential collaborations included: Amnesty, UNICEF and the Children’s Commissioners, due to their work on human rights and children’s rights; Equality and Human Rights Commission and the Scottish Human Rights Commission; the British Council; OfCom (media literacy) and British Computing Society.

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