



## Literacy and Numeracy Test for Initial Teacher Education Students Data Access Protocols

### 1. Purpose

#### 1.1. The Data Access Protocols (the **Protocols**):

- a. guide and inform the dissemination, use and publication of outcomes data (known as **test data**) generated by the Literacy and Numeracy Test for Initial Teacher Education Students (**the test**)
- b. inform identified stakeholders of their obligations with regard to the use of test data
- c. establish a framework for sharing test data which ensures appropriate and effective use and disclosure of test data.

1.2. The Australian Government Department of Education, Skills and Employment, in consultation with the Governance Committee for the Literacy and Numeracy Test for Initial Teacher Education Students, will monitor and regularly review the Protocols and the use of test data by identified stakeholders.

### 2. Background

2.1. All Australian education ministers agreed at Education Council in 2015 that from 1 July 2016 all students undertaking an initial teacher education program will need to successfully meet the standard assessed by the test prior to graduation.

2.2. The requirement is reflected under Standard 3.5 of the *Accreditation of initial teacher education programs in Australia: Standards and Procedures*:

*Entrants to initial teacher education will possess levels of personal literacy and numeracy broadly equivalent to the top 30 per cent of the population. Providers who select students who do not meet this requirement must establish satisfactory arrangements to ensure that these students are supported to achieve the required standard before graduation. The National Literacy and Numeracy Test is the means for demonstrating that all students have met the standard.*

### 3. Key principles

#### *General principles*

3.1. The Australian Government Department of Education, Skills and Employment is responsible for the oversight of arrangements for sharing test data.

3.2. The Protocols are intended to facilitate access to test data by certain identified stakeholders, while mitigating the risk of its misuse.

3.3. As relevant, identified stakeholders agree to adhere to:

- a. the key principles;
- b. the specific provisions of the Protocols for that identified stakeholder in relation to their use and disclosure of the test data; and
- c. the general terms and conditions of use at item 7 of the Protocols.

3.4. Access to test data will involve balancing an identified stakeholder's right to data about the test with the need to avoid the misinterpretation or misuse of test data.

#### *Identified data*

3.5. Individual identified data will only be provided to an identified stakeholder where:

- a. it is legitimately required; and
- b. where the subject of the individual identified data provides consent to the disclosure and proposed use of his or her data<sup>1</sup>.

#### *Published data*

3.6. If the Protocols allow an identified stakeholder to release test data in the public domain, that release must not identify individual students or any other higher education providers.

3.7. The Commonwealth of Australia retains the right to publish test data. There is no intention to publish league tables or rankings of higher education providers.

3.8. If the Protocols allow an identified stakeholder to publicly report test data, the public reporting of the test data from each test window must not occur until results from the respective test window have been released to candidates.

## **4. Data flows**

4.1. Attachment 2 of the Protocols identifies current and proposed 'data flows' of the test data. 5.

### **Identified stakeholders – creators and/or disseminators of test data**

Item 5 sets out the roles and responsibilities of the identified stakeholders who are involved in matters such as the administration of the test, the creation of test data and the primary dissemination of test data.

### ***Australian Government Department of Education, Skills and Employment***

5.1. The Australian Government Department of Education, Skills and Employment has contracted the development and administration of the test on behalf of Australian education ministers.

5.2. The Australian Government Minister for Education, Skills and Employment, through the Australian Government Department of Education, Skills and Employment, will have access to all de-identified test data.

5.3. The Australian Government Department of Education, Skills and Employment will determine, as necessary and in consultation with the Governance Committee for the Literacy and Numeracy Test for Initial Teacher Education Students, policies and processes for the disclosure, use and dissemination of test data.

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<sup>1</sup> All candidates sitting the test agree to a privacy statement on registration which allows the test administrator to provide individual candidate results to relevant higher education providers, teacher regulatory authorities and tertiary admissions centres (a version of this statement extracted at Attachment 1).

### ***Test administrator***

- 5.4. The Australian Council for Educational Research has been appointed as the test administrator under a contract with the Commonwealth of Australia, represented by the Australian Government Department of Education, Skills and Employment, from 17 February 2016 to 31 January 2019.
- 5.5. The test administrator is responsible for collecting, storing and distributing data collected for the test.
- 5.6. The contract specifies that the test administrator will collect, store and use data collected for the purpose set out in the 'Privacy Statement' on the website administered by the test administrator.

### ***Initial teacher education students***

- 5.7. Initial teacher education (ITE) students receive individual reports with their results, via an online candidate account, for each test sitting completed. The report provides high level data on whether or not the standard of the test has been achieved, both overall and by sub-domain.

### ***Higher education providers***

- 5.8. Higher education providers have access, via the Australian Council for Educational Research secure portal (or other means approved by the Australian Government Department of Education, Skills and Employment), to comprehensive test data on the performance of their own ITE students. The test data indicates if students achieved, or did not achieve, the standard, students' performance against the established sub-domains and the scaled score for each component of the test attempted.
- 5.9. Higher education providers may publicly release or share their own institutional level data at their discretion.
- 5.10. Higher education providers must record students' successful test results, either on an academic transcript or through another method. As required, higher education providers must provide the applicable state and territory teacher regulatory authorities with verification of students' test results.
- 5.11. If higher education providers decide to use the test as an entry requirement to an ITE program, the number of *prospective students* who achieve, or do not achieve, the standard will not be attributed to individual higher education providers.

## **6. Identified stakeholders – recipients of test data**

- 6.1. Item 6 sets out the roles and responsibilities of identified stakeholders who are current or proposed recipients of test data from either the Australian Government Department of Education, Skills and Employment (by accessing an online secure portal administered by the Australian Council for Educational Research), directly from higher education providers or other means approved by the Australian Government Department of Education, Skills and Employment.
- 6.2. A deed containing terms and conditions governing the use and disclosure of the test data will be executed between the Australian Government Department of Education, Skills and Employment and each identified stakeholder before the applicable test data is disclosed by the Australian Government Department of Education, Skills and Employment.

### ***State and territory education departments***

- 6.3. State and territory education departments receive higher education provider level test data for their jurisdiction that indicates the number of students who sat the test and achieved, or did not achieve, the standard in their jurisdiction.
- 6.4. Data will be provided annually to state and territory education departments by the Australian Government Department of Education, Skills and Employment, via the Australian Council for Educational Research secure portal. Data will be provided following the conclusion of the final test window in each calendar year.

### ***Permitted disclosure of test data by state and territory education departments***

- 6.5. State and territory education departments may disclose test data, and reports and documents which include content derived from the test data, to the responsible minister(s); the respective higher education provider; and the responsible teacher regulatory authority.
- 6.6. In addition to the permitted disclosure set out in item 6.5, state and territory education departments may also disclose test data, or reports and documents which include content derived from the test data to other parties with the prior written approval of the Australian Government Department of Education, Skills and Employment.

### ***State and territory teacher regulatory authorities***

- 6.7. State and territory teacher regulatory authorities receive higher education provider level test data for their jurisdiction that indicates the number of students who sat the test.
- 6.8. Data will be provided annually to state and territory teacher regulatory authorities by the Australian Government Department of Education, Skills and Employment, via the Australian Council for Educational Research secure portal. Data will be provided following the conclusion of the final test window in each calendar year.
- 6.9. State and territory teacher regulatory authorities have an interest in higher education provider level results data for their jurisdiction for quality monitoring and accreditation purposes. The test data will, on request, be provided to state and territory teacher regulatory authorities by the Australian Government Department of Education, Skills and Employment, if the test data cannot be obtained from individual higher education providers.
- 6.10. State and territory teacher regulatory authorities may require verification of individual student result data to confirm prospective teachers are eligible for registration in their jurisdiction. The data will be available through the Australian Council for Educational Research secure portal (or other means approved by the Australian Government Department of Education, Skills and Employment) using a student's test identification number. The prospective teacher is responsible for providing their test identification number to the relevant state or territory teacher regulatory authority.

### ***Permitted disclosure of test data by state and territory teacher regulatory authorities***

- 6.11. State and territory teacher regulatory authorities may disclose test data, and reports and documents which include content derived from the test data to the responsible minister(s); the respective higher education provider; the respective state and territory department of education and the Australian Institute for Teaching and School Leadership (AITSL).

6.12. In addition to the permitted disclosure set out in item 6.11, state and territory teacher regulatory authorities may also disclose test data, or reports and documents which include content derived from the test data to other parties with the prior written approval of the Australian Government Department of Education, Skills and Employment.

#### ***State and territory tertiary admissions centres***

6.13. If a higher education provider decides to use the test as an entry requirement to any of their ITE programs, the corresponding tertiary admissions centre will require verification of results data as part of a prospective student's application process. Tertiary admissions centres will access the data via the Australian Council for Educational Research secure portal.

#### ***Australian Institute for Teaching and School Leadership***

6.14. AITSL will, as part of annual reporting requirements, require outcomes data to be provided by higher education providers. The data will be provided by higher education providers to state and territory teacher regulatory authorities for accreditation and quality assurance purposes. AITSL will have access to outcomes data only from state and territory teacher regulatory authorities in overseeing this process nationally.

#### ***Others***

6.15. Parties other than the identified stakeholders in the Protocols may also have an interest in test data. The Australian Government Department of Education, Skills and Employment will be responsible for considering requests for test data and will make a decision on a case-by-case basis, informed by the Protocols.

6.16. If the Australian Government Department of Education, Skills and Employment agrees to disclose test data (other than national level de-identified test data) to a party, the other party must first execute a deed.

6.17. The Australian Government Department of Education, Skills and Employment will maintain a register of all requests to access test data by other parties and, where applicable, test data released.

### **7. General terms and conditions of use of test data**

#### ***Storage, use and disclosure***

7.1. Identified stakeholders agree:

- a. to secure all test data in their possession and control against loss and unauthorised access, use or disclosure; and
- b. not to attempt to de-aggregate or otherwise manipulate the test data in order to identify individuals from the test data.

#### ***Identified data***

7.2. If, in relation to the test, an identified stakeholder obtains or has access to 'personal information' as defined in the *Privacy Act 1988* (Cth), that identified stakeholder must only handle that personal information in accordance with the Australian Privacy Principles of the *Privacy Act 1988* (Cth) and any relevant state or territory privacy legislation as applicable.

#### ***Stakeholders' obligations and rights under law***

7.3. For the avoidance of doubt, it is noted that nothing in the Protocols are intended to restrict or modify identified stakeholders' rights and obligations under legislation.

**Privacy statement contained on Australian Council for Educational Research's test website<sup>2</sup>**

The test is administered for the aims of: assessing aspects of personal literacy and numeracy skills of initial teacher education students prior to graduation ("the Aims"). In the course of your registering for and participating in the test, The Australian Council for Educational Research Ltd (ABN 19 004 398 145) ("ACER") may collect your personal information. Personal information is that information or opinion that tends to identify a particular individual such as name and date of birth.

ACER will only collect, store, use and disclose your personal information for the purpose of administering and reporting on the test ("the Purpose"). If you do not provide your personal information you may not be able to participate in the test.

**Sensitive Information**

ACER, in pursuing the Purpose, may collect your sensitive information such as health information, for example, in case you need special testing conditions in sitting the test. By ticking the box in your registration for the test, you consent to ACER collecting, using, storing and disclosing your sensitive information as specified in this Privacy Statement.

**Disclosure of your personal information (including sensitive information)**

ACER may disclose your personal information (including sensitive information) to:

1. government or statutory bodies (including teacher regulatory authorities), higher education providers and tertiary admissions centres which have instigated the test or have an interest in the Aims;
2. ACER contractors which may assist ACER in pursuing the Purpose from time to time;
3. medical or other professionals for the purpose of assessing any sensitive information; and
4. where ACER is required to do so by law, to government agencies, or individuals appointed by government, responsible for investigating and resolving disputes or complaints connected with the test.

Your results will only be provided to you and the higher education provider you are currently enrolled in (or have applied to if you are not yet enrolled, as a prospective student) and the relevant teacher regulator authority, tertiary admission centre, and in de-identified format to the Australian Government Department of Education , Skills and Employment.

If you are required to sit the test as part of an entry requirement, your results will be provided to you, the relevant tertiary admissions centre, and the higher education provider where you applied.

ACER will not transfer your personal information overseas in pursuit of the Purpose.

**Your rights**

ACER will abide by the *Privacy Act 1988* (Cth).

You have the right to:

1. inspect your personal information;
2. request amendment of your personal information; and
3. make a complaint in respect of a breach of your privacy.

To exercise any or all of the above rights please review [ACER's Privacy Policy](#) which sets out the processes of how you may attend to the same.

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<sup>2</sup> <https://teacheredtest.acer.edu.au/about/privacy-statement>

## DATA FLOWS

## PRIMARY DATA EXCHANGES

*Identified student data***1. Australian Council for Educational Research (ACER) – Initial Teacher Education (ITE) students**

ACER provides ITE students who sit the test with an individual report for both the literacy and numeracy components of the test which includes the following data:

- Candidate Name
- Higher Education Provider
- Test date
- Result (Standard achieved / Standard not achieved)
- Subdomain results (above Standard / below Standard)

**0. ACER – Higher Education Providers (HEPs)**

HEPs have access, via the ACER secure portal, to results data for ITE students from their institution who have sat the test in any test window. HEPs have access to the following test data:

- Candidate Name
- Student ID
- Date of birth
- Gender
- Course category
- Level of study
- Test centre
- Date of test
- Literacy results (Standard achieved / Standard not achieved; overall score; subdomain scores)
- Numeracy results (Standard achieved / Standard not achieved; overall score; subdomain scores)

**1. ACER – State and territory teacher regulatory authorities**

Teacher regulatory authorities will be able to verify individual results data for those seeking to register as teacher in their jurisdiction (e.g. in the case of a student who sits the test after graduation but prior to registration). Teacher regulatory authorities will receive access to the data, via the ACER secure portal, using a student's test identification number.

**2. ACER – Tertiary admission centres**

Should HEPs seek to use the test as an entry requirement, tertiary admissions centres will be able to verify result data for prospective ITE students seeking to enrol in an ITE program in their jurisdiction. Tertiary admissions centres will receive access, via the ACER secure portal, to the following test data:

- Candidate Name
- Date of birth
- Gender
- Prospective Higher Education Provider
- Course category
- Date of test
- Literacy results (Standard achieved / Standard not achieved)
- Numeracy results (Standard achieved / Standard not achieved)

**5. ACER □ Australian Government Department of Education, Skills and Employment (Education)**

**a. Registration data**

ACER provides Education with de-identified details of all ITE students who have registered to sit the test in any test window. Education receives the following test data:

- Higher Education Provider
- Course category
- Level of study
- Test centre
- Date of test

Education is also provided, or is able to generate, registration data at the HEP level, state and territory level and at a national level.

**b. Results data**

ACER provides Education with de-identified results data for all ITE students who sat the test in any test window. Education receives the following test data:

- Higher Education Provider
- Course category
- Level of study
- Test centre
- Date of test
- Attempt number
- Literacy results (Standard achieved / Standard not achieved)
- Numeracy results (Standard achieved / Standard not achieved)

Education is also provided, or is able to generate, results data at the HEP level, state and territory level and at the national level.



## SECONDARY DATA EXCHANGES

### *De-identified data*

#### 1. Education –) State and territory government education departments

Education provides test data to state and territory education departments for the HEPs accredited in their jurisdiction. Education provides state and territory education departments with the following test data, applicable to the jurisdiction, annually and more frequently on request:

- Number of candidates who sat the literacy component by HEP
- Results of candidates who sat the literacy component by HEP (number who achieved the standard/ number who did not achieve the standard)
- Number of candidates who sat the numeracy component by HEP
- Results of candidates who sat the numeracy component by HEP (number who achieved the standard/ number who did not achieve the standard)

#### 3. Education –) State and territory teacher regulatory authorities

Education provides test data to state and territory teacher regulatory authorities for the HEPs accredited in their jurisdiction. Education provides state and territory teacher regulatory authorities with test data regarding the number of students that sat the test, applicable to the jurisdiction, annually and more frequently on request.

#### 4. Education –) others (media, researchers etc.)

Education may receive data requests from the media, researchers or other bodies with an interest in the test. Requests will be considered on a case-by-case basis.

National level test data will be the standard test data released to other parties. Only de-identified test data will be released to prevent the identification of individual students and higher education providers. Test data will not be released that may lead to the development of league tables or rankings of higher education providers.

#### *Document Control*

Version-	Date	Comment
1.0	December 2016	Data Access Protocols approved
2.0	April 2017	Protocols amended to complement deed of agreement