

OPS Data Sharing: Terms & Conditions

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Introduction:

The Health and Wellbeing Online Pupil Survey (OPS) is a snapshot in time of children and young people's health and wellbeing needs. It ensures 'pupil voice' influences how education settings: construct their development plans; update their policies, procedures, and practices; and plan, deliver, and evaluate targeted interventions and support.

For South Gloucestershire Council and its stakeholders, OPS data, as the voice of South Gloucestershire's children and young people, helps shape the actions required to meet the overarching Council Plan priorities of:

- **Reducing health inequalities; and**
- **Supporting children and young people to thrive**

Context:

The children and young people who participate in the OPS do so on the understanding that:

- a) They do not have to provide any personally identifiable information, they are not compelled or required to answer any questions they are not comfortable answering, and that their data is kept anonymous and confidential.
- b) Their anonymity and confidentiality are further ensured through the data suppression protocols that are followed for small numbers and restricting access to the row-level data.
- c) Their data will be used to inform, shape, and / or influence decisions and actions in relation to the allocation of resources, the planning and evaluation of interventions, and / or the availability of services designed to benefit the health, wellbeing, and / or educational attainment of children and young people in South Gloucestershire.

These data are the aggregated experiences, feelings, beliefs, and opinions of South Gloucestershire pupils in school year groups 4 to 13. As such, there is a necessity to ensure these data are used sensitively, respectfully, and above all else – accurately and without misrepresentation.

Any use and / or publication of South Gloucestershire Council's Health and Wellbeing Online Pupil Survey (OPS) data must be strictly in accordance with the Terms and Conditions outlined in this document.

OPS Data Sharing Terms and Conditions:

1, Agreement

- 1.1 Written acceptance of the terms and conditions outlined in this document is required prior to your receipt of the requested data asset.
- 1.2 Please copy and paste the text in 1.3 below as the body of your email and send to: healthpromotionineducation@southglos.gov.uk
- 1.3 *I / we confirm that I / we have read South Gloucestershire Council's OPS Data Sharing: Terms and Conditions document and agree to use the OPS data I / we have requested in accordance with details specified in the document. I / we understand that a breach of these terms and conditions may result in my / our access and usage rights being withdrawn.*

2, General statement of Data Ownership

- 2.1 South Gloucestershire Council is the Owner and Registered Controller of all OPS data.
- 2.2 All data provided through the OPS remains the intellectual property of South Gloucestershire Council. Access or usage rights may be withdrawn at any time if these Terms and Conditions are breached.

3, Misrepresentation of data

- 3.1 As a general principle, those seeking to use, present, and / or publish OPS data must present findings accurately, avoid selective reporting, and refrain from emphasising data points out of context to support specific agendas. Data misrepresentation can lead to misleading or incorrect insights that may impact stakeholders adversely.
- 3.2 Those using OPS data are required to give due consideration to the underlying messages audiences, readers, stakeholders, and / or communities are likely to receive because of your use, presentation, and / or publication of these data.

4, Publication of OPS data

- 4.1 Anyone wishing to present and / or publish OPS data must have the prior written approval of the OPS Leadership Team. Requests should be emailed to: healthpromotionineducation@southglos.gov.uk
- 4.2 Any presentation and / or publication of data must acknowledge the data source as: South Gloucestershire Council, Health and Wellbeing Online Pupil Survey. The year of the data / survey being quoted must also be clear.
- 4.3 Where an OPS data asset you are seeking to present and / or publish has been provided for you following an analysis request to the Public Health and Wellbeing Division, and where this asset contains narrative analysis of said data, you are required to use this unamended. No alteration to terms, structure, language, or figures is permitted.
- 4.4 Requesters are not permitted to draw conclusions or make inferences that were not part of the data asset received from South Gloucestershire Council's Health and Wellbeing Division.

- 4.5 Approval from the OPS Leadership Team to publish and / or use data extends only to the purpose or purposes given in the initial request. Where you seek to use and / or publish these data for a different purpose, or where the context has changed, a new, separate request must be made (follow 4.1 above).
- 4.6 It remains the responsibility of the requester to ensure that, where they are sharing OPS data with third parties (e.g. via a presentation where slides will be shared, or a strategy that is circulated to stakeholders), these third party groups or individuals are themselves aware of their responsibility to use these data in accordance with the Health and Wellbeing Online Pupil Survey Data Sharing Terms and Conditions.

5, Commercial use of data

- 5.1 Under no circumstances is OPS data to be used for commercial purposes. We define a commercial purpose as one primarily intended for commercial advantage or monetary compensation.

6, Media requests / releases

- 6.1 Any media requests should be immediately forwarded to South Gloucestershire Council Strategic Communications: StrategicCommunications@southglos.gov.uk
- 6.2 The OPS Leadership Team must also be informed of the request by email to: healthpromotionineducation@southglos.gov.uk
- 6.3 Only following communication with, and approval from, South Gloucestershire Council Corporate Communications and the OPS Leadership Team should any data be released to the media.
- 6.4 Guidance on how, when, and in what format this will be released will be provided where necessary.

7, Use of school-level data

- 7.1 Under almost all circumstances, except where the school and / or Governing Body are the requester, requests for individual school data will not be granted.
- 7.2 Where the OPS Leadership Team agrees that there is a 'best interests' case to the requester having access to these data, the request can only be approved after the school/s in question have given written approval for their data to be shared based on the request received.
- 7.3 If the requester intends to use, share, or reference this individual, school-level data outside of their immediate team / Department / Division / Organisation, this must be made explicitly clear prior to these data being used. This must only occur where explicit permission has been given by the school for the data to be used in this way.

8, Use and / or receipt of raw OPS data

- 8.1 In the rare case that a request has been made and granted for an organisation, institution, Department, Division, team, or individual to have access to a raw data file, their processing of that data must be strictly in accordance with any conditions imposed by the OPS Leadership Team and in full compliance with the Data Processing Agreement that will be signed between the requester and South Gloucestershire Council.

9, GDPR

- 9.1 The data received by most requesters will have been aggregated and, where small numbers exist, suppressed. As such, the OPS data that features in the assets made available to most requesters is not considered personal data under GDPR. Therefore, this aggregated form of OPS data will not be subject to GDPR regulation, despite being children's data.
- 9.2 In accordance with GDPR, and South Gloucestershire Council's Information Governance Policy, we will not accept data requests from personal email addresses.
- 9.3 In accordance with GDPR, and South Gloucestershire Council's Information Governance Policy, any requester receiving a data asset (report, presentation, etc) must not engage in any onward sharing of said asset to personal email addresses.
- 9.4 Please contact healthpromotionineducation@southglos.gov.uk if you would like details of how South Gloucestershire Council will store information about you and your data request.

10, Safeguarding

- 10.1, If any safeguarding concerns are identified through the interpretation of aggregated data, please contact healthpromotionineducation@southglos.gov.uk with details of your concern and a member of our safeguarding team will provide you with additional guidance.