

## **Fair Processing Notice**

### **DATA PROTECTION ACT 1998**

Early Years Settings, Schools, Local Authorities (LAs), the Secretary of State for Children, Schools and Families and the Department for Children, Schools and Families (DCSF) (the government department which deals with education and children's services), the Qualifications and Curriculum Authority (QCA), Her Majesty's Chief Inspector of Education, Children's Services and Skills (Ofsted), and the National Assessment Agency (NAA) all process information on children and pupils in order to help administer education and children's services and in doing so have to comply with the Data Protection Act 1998. This means, among other things, that the data held about children must only be used for specific purposes allowed by law. We are therefore writing to tell you about the types of data held, why that data is held, and to whom it may be passed on.

The **Early Years Setting** holds information on children in order to support their development, to monitor their progress, to provide appropriate pastoral care, and to assess how well the Setting as a whole is doing. This information includes contact details, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information. From time to time Early Years Settings are required to pass on some of this data to LAs, the DCSF and to agencies that are prescribed by law, such as QCA and Ofsted. In particular, at age five an assessment is made of all children (the Foundation Stage Profile) and this **information is passed to the Local Authority and receiving maintained school.**

The **Local Authority** (LA) uses information about children for whom it provides services to carry out specific functions for which it is responsible. For example, the Local Authority will make an assessment of any special educational needs the child may have. It also uses the information to derive statistics to inform various decisions. The statistics are used in such a way that individual children cannot be identified from them.

The **Qualifications and Curriculum Authority** (QCA) uses information about children to administer national assessments such as the Foundation Stage Profile. Any results passed on to the DCSF are used to compile statistics on trends and patterns in levels of development. The QCA can use the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

**Her Majesty's Chief Inspector of Education, Children's Services and Skills** and **Ofsted** do not routinely process any information about individual children. However, whilst Ofsted holds no records of individual children's progress, it does use information about the achievement of groups of children to help inform its judgements about the quality of education in Early Years Settings.

The **National Assessment Agency** (NAA) uses information for those, relatively few, Settings undertaking the Foundation Stage Profile. The resulting data is passed on to the NAA which also uses information in working with schools, the QCA, and Awarding Bodies, for ensuring an efficient and effective assessment system covering all age ranges is delivered nationally.

The **Secretary of State for Children, Schools and Families and the Department for Children, Schools and Families (DCSF)** use information about children and pupils for research and statistical purposes, to allocate funds, to inform, influence and improve education policy and to monitor the performance of the education and children's services as a whole. The DCSF will feed back to LAs information about children for a variety of purposes that will include data checking exercises, and use in self-evaluation analyses.

Information about children may be held to provide comprehensive information back to LAs to support their day to day business. The DCSF may also use contact details from these sources to obtain samples for statistical surveys: these surveys may be carried out by research agencies working under contract to the Department and participation in such surveys is usually voluntary. The Department may also match data from these sources to data obtained from statistical surveys.

The DCSF may also disclose individual child and pupil information to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research, but each case will be determined on its merits and subject to the approval of the Department's Chief Statistician.

The Children Act 2004 permits the disclosure of information from registered childcare providers for inclusion on Contact Point. The purposes of ContactPoint are to:-

- help practitioners working with children quickly identify a child with whom they have contact;
- determine whether that child is getting the universal services (education, primary health care) to which he or she is entitled;
- enable earlier identification of needs and earlier, more effective action to address these needs by providing a tool to help practitioners identify which other practitioners are involved with a particular child; and
- encourage better communication and closer working between practitioners.

ContactPoint will hold for each child or young person in England (up to their 18<sup>th</sup> birthday):

- basic identifying information: name, address, gender, date of birth and an identifying number;

- name and contact details for a child's parent or carer;
- contact details for services involved with a child: as a minimum educational setting (e.g. school) and primary medical practitioner (e.g. GP Practice) but also other services where appropriate; and
- the facility to indicate if a practitioner is a lead professional for a child and/or if an assessment under the Common Assessment Framework has been completed.

ContactPoint will NOT contain any case information (such as case notes, assessments, attendance, exam results, medical records or subjective observations).

Access will be strictly limited to those who need it to do their job. All authorised users must have undergone relevant mandatory training, have security clearance and have a user name, a password, a PIN and a security token to access ContactPoint. To ensure high standards of accuracy, information on ContactPoint will be drawn from a number of existing systems, including the termly School Census from which pupils' home address will be collected.

For further information go to <[www.everychildmatters.gov.uk/contactpoint](http://www.everychildmatters.gov.uk/contactpoint)>

Children, as data subjects, have certain rights under the Data Protection Act 1998, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. If you wish to access the personal data held about your child, then please contact the relevant organisation in writing:

- the Early Years Setting - please contact your provider;
- the Local Authority at: Data Services, Schools Children & Families, Essex County Council, PO Box 47, Chelmsford, CM2 6WN;
- the QCA's Data Protection Officer at QCA, 83 Piccadilly, LONDON, W1J 8QA;
- Ofsted's Data Protection Officer at Alexandra House, 33 Kingsway, London WC2B 6SE;
- the NAA Data Protection Officer at NAA, 29 Bolton Street, London W1J 8BT;
- the DCSF's Data Protection Officer at DCSF, Caxton House, Tothill Street, LONDON, SW1H 9NA.

In order to fulfil their responsibilities under the Act the organisation may, before responding to this request, seek proof of the requestor's identity and any further information required to locate the personal data requested.