

DATA PROTECTION ACT 1998

Early Years Settings, Schools, Local Authorities (LAs), the Secretary of State for Education and the Department for Education and Skills (DfES), the government department which deals with education and children's services, the Qualifications and Curriculum Authority (QCA), Her Majesty's Chief Inspector for Schools and the Office for Standards in Education (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 DfES 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** 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 by them.

The **Qualifications and Curriculum Authority** uses information about children to administer national assessments such as the Foundation Stage Profile. Any results passed on to the DfES 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 for Schools and **Ofsted** use information about the progress and performance of children to help inspectors evaluate the work of Early Years Settings, to assist them in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Inspection reports do not identify individual children.

The **National Assessment Agency** 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 Education** and the **Department for Education and Skills** 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 DfES 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 DfES 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 DfES 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.

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 at St Hilda's School, High Street, Bushey, Hertfordshire, WD23 3DA;
- The Local Authority's ICT Legislation Assistant, Hertfordshire County Council, Corporate Services, ICT Infrastructure, County Hall, Pegs Lane, Hertford SG13 8DE;
- 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 National Assessment Agency Data Protection Officer at NAA, 29 Bolton Street, London W1J 8BT;
- the DfES's Data Protection Officer at DfES, 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.