

RE: FAIR PROCESSING OF DATA

Early Years Settings, Schools, Local Authorities (LAs), the Secretary of State for Education and the Department for Education (DfE), the government department which deals with education and children's services, Her Majesty's Chief Inspector for Schools and the Office for Standards in Education (Ofsted) 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 DfE and to agencies that are prescribed by law, such as 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 from them.

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 Secretary of State for Education and the **Department for Education** 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 DfE may 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 DfE 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 DfE 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, please contact the relevant organisation in writing:

- the Early Years Setting that your child attends;
- the Local Authority at Calderdale MBC, Northgate House, Northgate, Halifax, HX1 UN;
- Ofsted's Data Protection Officer at Alexandra House, 33 Kingsway, London WC2B 6SE;
- the DfE's Public Communications Unit at Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

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.