

**DOCUMENT REFERENCE COVER SHEET**

Please complete all fields in the first section.

Section 1

Document Purpose: (E.g. For information, for guidance etc)	For guidance
Document Title:	How to issue the Fair Processing Notice and a range of additional documents – some to be sent to parents
Author:	Gary Andrews
Number of Pages:	Multiple documents of varying length
Publication Date:	26 <sup>th</sup> August 2008
Target Audience:	Headteachers and School Data Administrators in Schools
Also Sent To:	
Further Copies from:	Gary Andrews
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Summary:	Guidance for Schools on the Annual Fair Processing Notice to be issued to parents/pupils
Replaces/Updates/Relates To:	Replaces all existing layers sent to parents in previous years

Section 2 For CYPIS use only

Copyright:	
Internet/Intranet Address:	
Controlled Vocabulary Terms	

This information can be made available in other languages, in large print, braille or on audio tape. Please phone 01454 868008 if you need any of these or any other help to access Council services.

## FAIR PROCESSING NOTICE SCHOOL CENSUS 2009 - LAYER TWO FULL TEXT

This notice gives additional information to the notice sent to you **(1)** and provides further information about the processing of pupils' personal data by the other organisations mentioned in that notice.

School **(2)** processes personal data about its pupils and is a "data controller" in respect of this for the purposes of the Data Protection Act 1998. It processes this data to:

- support its pupils' teaching and learning;
- monitor and report on their progress;
- provide appropriate pastoral care, and
- assess how well the school as a whole is doing

This information includes contact details, national curriculum assessment results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information. **(3)**

From time to time the school is required to pass on some of this data to local authorities, the Department for Children, Schools and Families (DCSF), (which also has responsibility for ContactPoint, a directory that will help people who work with children and young people to quickly find out who else is working with the same child, making it easier to deliver more coordinated support) and to agencies that are prescribed by law, such as the Qualifications and Curriculum Authority (QCA), Ofsted, the Learning and Skills Council (LSC), the Department of Health (DH), Primary Care Trusts (PCT), and organisations that require access to data in the Learner Registration System as part of the MIAP (Managing Information Across Partners) programme (applies to Secondary Schools only). All these are data controllers for the information they receive. The data will only be used for the specific purposes allowed by law.

The Children Act 2004 Information Database (England) Regulations 2007 requires all maintained schools to supply basic contact information to ContactPoint.

The **Local Authority (LA)** uses information about children, for whom it provides services, to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the child may have. This pupil information may be matched with other data sources that the LA holds in order to model and monitor the services children and young people receive. It also uses the information to derive statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. The statistics are used in such a way that individual children cannot be identified from them. The LA is also required to maintain the accuracy of the information held on ContactPoint about children and young people in their area.

[www.southglos.gov.uk](http://www.southglos.gov.uk)

**Data Protection Officer at Department for Children and Young People, Bowling Hill, Chipping Sodbury, South Gloucestershire, BS37 6JX**

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<sup>1</sup> Date when FPN Layer 1 was sent

<sup>2</sup> Name of School

<sup>3</sup> Website and postal address of school

FAIR PROCESSING NOTICE SCHOOL CENSUS 2009 - LAYER TWO  
FULL TEXT

The **Qualifications and Curriculum Authority (QCA)** uses information about pupils to administer the national curriculum assessments portfolio throughout Key Stages 1 to 3. This includes both assessments required by statute and those that are optional. The results of these are passed on to DCSF to compile statistics on trends and patterns in levels of achievement. The QCA uses the information to evaluate the effectiveness of the national curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

[www.qca.org.uk](http://www.qca.org.uk)      **Data Protection Officer, QCA, 83 Piccadilly,  
LONDON, W1J 8QA;**

**Ofsted** uses information about the progress and performance of pupils to help inspectors evaluate the work of schools, to assist schools in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Ofsted also uses information about the views of children and young people, to inform children's services inspections in local authority areas. Inspection reports do not identify individual pupils.

[www.ofsted.gov.uk](http://www.ofsted.gov.uk)      **Data Protection Officer, Alexandra House, 33  
Kingsway, London WC2B 6SE;**

The **Learning and Skills Council (LSC)** uses information about pupils for statistical purposes, to evaluate and develop education policy and monitor the performance of the education service as a whole. The statistics (including those based on information provided by the QCA) are used in such a way that individual pupils cannot be identified from them. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only. The LSC or its partners may wish to contact learners from time to time about courses, or learning opportunities relevant to them.

[www.lsc.gov.uk](http://www.lsc.gov.uk)      **Data Protection Officer, Cheylesmore House, Quinton  
Road, Coventry, Warwickshire CV1 2WT**

### **For Secondary Schools Only**

**Learner Registration System (LRS)** The Learning and Skills Council (LSC) also administers the Managing Information Across Partners (MIAP) Programme on behalf of the MIAP membership. More information about MIAP membership can be found at [www.miap.gov.uk](http://www.miap.gov.uk)

LSC is responsible for the development and operation of the Learner Registration Service (LRS) and also the creation of a learner record.

For pupils of 14 years and over and for pupils registering for post-14 qualifications, the school will pass on certain identification information to the LRS to create and maintain a unique learner number (ULN), and will pass on certain achievement information to the MIAP Service to create and maintain a learner record.

The Learner Registration Service will enable organisations allowed by law and detailed at [www.miap.gov.uk](http://www.miap.gov.uk) to access the ULN and contain it in their systems, thereby saving individuals having to supply the same information repeatedly to different organisations.

FAIR PROCESSING NOTICE SCHOOL CENSUS 2009 - LAYER TWO  
FULL TEXT

Details of how an individual may opt-out of sharing achievement data in their learner record with those organisations detailed on the MIAP website, which can be found at [www.miap.gov.uk](http://www.miap.gov.uk) **Data Protection Officer, Cheylesmore House, Quinton Road, Coventry, Warwickshire CV1 2WT**

**Primary Care Trusts (PCT)** use information about pupils for research and statistical purposes, to monitor the performance of local health services and to evaluate and develop them. The statistics are used in such a way that individual pupils cannot be identified from them. Information on the height and weight of individual pupils may however be provided to the child and its parents and this will require the PCTs to maintain details of pupils' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. PCTs may also provide individual schools and LAs with aggregate information on pupils' height and weight.

<http://www.nhs.uk/England/AuthoritiesTrusts/Pct/Default.aspx>

**South Gloucestershire Primary Care Trust, 1 Monarch Court, Emerald Park, Emersons Green, South Gloucestershire, BS16 7FH**

The **Department of Health (DH)** uses aggregate information (at school year group level) about pupils' height and weight for research and statistical purposes, to inform, influence and improve health policy and to monitor the performance of the health service as a whole. The DH will base performance management discussions with Strategic Health Authorities on aggregate information about pupils attending schools in the PCT areas to help focus local resources and deliver the Public Service Agreement target to halt the year on year rise in obesity among children under 11 by 2010, in the context of a broader strategy to tackle obesity in the population as a whole. The Department of Health will also provide aggregate PCT level data to the Healthcare Commission for performance assessment of the health service.

[www.dh.gov.uk](http://www.dh.gov.uk) **Data Protection Officer at Skipton House 80 London Road London SE1 6LH;**

The **Department for Children, Schools and Families (DCSF)** uses information about pupils for research and statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole. The DCSF will feed back to LAs and schools information about their pupils for a variety of purposes that will include data checking exercises, use in self-evaluation analyses and where information is missing because it was not passed on by a former school.

## FAIR PROCESSING NOTICE SCHOOL CENSUS 2009 - LAYER TWO FULL TEXT

DCSF, with the participation of LAs, operates the database known as ContactPoint. ContactPoint is an online directory available to authorised staff who need it to do their jobs. It is designed to allow practitioners to find out who else is working with the child or young person, making it easier to deliver more coordinated support. Schools are under a statutory duty to pass on to ContactPoint certain information. This consists of basic information about the child or young person, the contact details of the school and the contact address and telephone numbers for the parents or carers, with parental responsibility, of the child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. This means all natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person.

The DCSF will also provide Ofsted with pupil data for use in school inspection. Where relevant, pupil information may also be shared with post 16 learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans.

Pupil information may be matched with other data sources that the Department holds in order to model and monitor pupils' educational progression; and to provide comprehensive information back to LAs and learning institutions 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.

Pupil data may also be shared with other Government Departments and Agencies (including the Office for National Statistics) for statistical or research purposes only. In all these cases the matching will require that individualised data is used in the processing operation, but that data will not be processed in such a way that it supports measures or decisions relating to particular individuals or identifies individuals in any results. This data sharing will be approved and controlled by the Department's Chief Statistician.

The DCSF may also disclose individual 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.

[www.DCSF.gov.uk](http://www.DCSF.gov.uk) **Data Protection Officer, DCSF, Sanctuary Buildings,  
Great Smith Street, LONDON, SW1Y 3BT**

### For schools with pupils under secondary school age

Pupils, as data subjects, have certain rights under the Data Protection Act, 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

FAIR PROCESSING NOTICE SCHOOL CENSUS 2009 - LAYER TWO  
FULL TEXT

the personal data held about your child, then please contact the relevant organisation in writing.

For schools with secondary school age pupils

Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them. If you wish to access your personal data, or you wish your parents to do so on your behalf, then please contact the relevant organisation in writing.

For pupils of 13 years and over, the school is legally required to pass on certain information to Connexions services providers on request. Connexions is the government's support service for all young people aged 13 to 19 in England. This information includes the name and address of the pupil and parent, and any further information relevant to the Connexions services' role. However parents, or the pupils themselves if aged 16 or over, can ask that no information beyond name and address (for pupil and parent) be passed on to Connexions. If as a parent, or as a pupil aged 16 or over, you wish to opt-out and do not want Connexions to receive from the school information beyond name and address, then please contact the school.

The LA and DCSF may supply to Connexions services providers information which they have about children, but will not pass on any information they have received from the school if parents (or the children themselves if aged 16 or over) have notified the school that Connexions should not receive information beyond name and address.