



## Reception baseline assessment national pilot: privacy notice

### Who are we and why are we collecting this data?

The National Foundation for Educational Research (NFER) are contracted by the Department for Education (DfE) to develop and pilot the [reception baseline assessment \(RBA\)](#)<sup>1</sup>.

This privacy notice relates to the collection of pupils' personal data from the RBA national pilot in the 2019/20 academic year.

### Who is this project sponsored and funded by?

This project is being carried out by NFER on behalf of the Standards and Testing Agency (STA), which is an executive agency of DfE.

As data controller, STA decides how and what data will be collected and analysed for the pilot.

As data processor, NFER follows STA's instruction on how personal data should be handled.

### What is the legal basis for processing the data?

For the processing of personal data, the relevant condition is the General Data Protection Regulation (GDPR) Article 6 (1) (e) Public task.

### What data will be collected and who can access it?

We will collect and hold the following data for participating pupils:

- name
- date of birth
- unique pupil number
- gender
- results from the assessment
- English as an additional language (EAL) status

The majority of the participating pupils' data will be uploaded by the school onto the online Baseline eAssessment portal (BeP). NFER will then send DfE the data they collect. NFER will also analyse the data to confirm the validity and reliability of the RBA. DfE will match the data received from NFER into the [National Pupil Database \(NPD\)](#)<sup>2</sup> where the data will be held and processed in accordance with Article 89(1) of the General Data Protection Regulation and Section 19 of the Data Protection Act 2018. The NPD can be used to provide evidence on educational performance to inform independent research, as well as to support studies commissioned by the department. However, DfE has no plans to make the data from

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<sup>1</sup> RBA: [www.gov.uk/guidance/reception-baseline-assessment](http://www.gov.uk/guidance/reception-baseline-assessment)

<sup>2</sup> NPD: [www.gov.uk/guidance/how-to-access-department-for-education-dfe-data-extracts](http://www.gov.uk/guidance/how-to-access-department-for-education-dfe-data-extracts)

the RBA pilot available externally or internally for research purposes. It is intended to be used solely for analysis concerned with creating the primary accountability progress measure. Further information on DfE data sharing is available on [GOV.UK](https://www.gov.uk)<sup>3</sup>.

DfE will use school census data to obtain EAL status for children assessed within the first 6 weeks of the Autumn term 2019.

### **Are any sub-processors being used?**

NFER uses Amazon Web Services to host the BeP.

If we need to share any data collected as part of the RBA pilot with other organisations, DfE will ensure that it is ethical and complies with relevant data protection legislation. As part of the robust approvals process, senior data and legal experts within DfE's data sharing approval panel assess the application for public benefit, proportionality, legal underpinning and strict information security standards.

### **Is personal data being transferred outside of the European Economic Area (EEA)?**

No personal data is stored or transferred outside of the EEA.

### **How long will we keep the data?**

NFER will retain the data until January 2021.

Under GDPR Article 5(1)(e), and in compliance with the relevant conditions, DfE policy is to retain NPD data (including data obtained from the RBA pilot) for historical, scientific, and statistical purposes. It is also retained for archiving in the public interest to promote the education or well-being of children in England. As such, this data will be subject to ongoing periodic reviews to ensure that it is retained for no longer than necessary for the purposes of which the data was originally collected.

### **Are any decisions made about pupils based on the automated processing of the data?**

No decisions are made about pupils based on the processing of this data.

### **Can I stop my child's personal data being used?**

DfE, STA and NFER handle personal data in accordance with the rights given to individuals under data protection legislation. Under certain circumstances, you have the right:

- to request access to information that we hold about your child (subject access request)
- to have your child's personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your child's personal data (for example, permitting its storage but no further processing)
- to object to our processing
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on your child.

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<sup>3</sup> GOV.UK: [www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data](https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data)

## Who can I contact about the use of personal data?

As an executive agency of DfE, STA determines the purposes and means of processing personal data as part of the RBA pilot.

If you have any questions about how we use your personal information, please [contact DfE](#)<sup>4</sup> and quote 'Use of reception baseline assessment data' as a reference. If you want to contact the Data Protection Officer (DPO), please [contact DfE](#) and mark it 'for the attention of the DPO'.

NFER is responsible for the day-to-day management of the RBA pilot. If you have any queries relating to the processing of your child's data, as part of their participation in the pilot, please contact the reception baseline compliance team on [rbacompliance@nfer.ac.uk](mailto:rbacompliance@nfer.ac.uk).

You have the right to lodge a complaint about data protection issues with the Information Commissioner's Office (ICO). For more information, visit the [ICO website](#)<sup>5</sup>.

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<sup>4</sup> Contact DfE: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)

<sup>5</sup> ICO: <https://ico.org.uk/make-a-complaint/>