

## **DATA PROTECTION ACT**

This school complies with the Data Protection Act (1998) when processing information on pupils.

The **school** holds information on pupils in order to:

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

These records include contact details, National Curriculum assessment and examination results, attendance information, characteristics such as ethnic group, special educational needs and any relevant medical information. From time to time we are required to pass on some of this data to:

- the Local Education Authority (LEA)
- another school to which the pupil is transferring
- the Qualifications and Curriculum Authority (QCA)
- OfSTED
- the Learning Skills Council (LSC)
- the Department for Education and Skills (DfES)
- other agencies that are prescribed by law

The **Local Education Authority** is now part of South Gloucestershire Council's Department for Children and Young People, along with Children Social Services and the Youth Service. Pupil information may be matched with other data sources the Department holds in order to monitor pupils' educational progress and to provide comprehensive information for services. The Department uses pupil records to carry out specific tasks such as the assessment of any special educational needs a pupil may have or the tracking of children at risk. It also uses the information to produce statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. In order to comply with the Children's Act (2004), the Department for Children and Young People may also share information with the South Gloucestershire Primary Care Trust and other organisations which have responsibility for children's welfare.

The **Qualifications and Curriculum Authority** uses information about pupils to administer the National Curriculum tests and assessments for Key Stages 1 to 3. The results of these are passed on to the DfES 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.

**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. Inspection reports do not identify individual pupils.

The **Learning and Skills Council** uses information about pupils for statistical purposes, to evaluate and develop education policy and to monitor the performance of the education service as a whole. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only. This information is used in such a way that individual pupils cannot be identified from them.

The **Department for Education and Skills** (DfES) 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 DfES will feed back to LEAs and schools information about their pupils for a variety of purposes such as data checking exercises, self-evaluation analyses and, where necessary, passing on information from a child's previous school. The DfES will also provide Ofsted with pupil level data for use in school inspections. Where relevant, pupil information may also be shared with other learning institutions to minimise the administrative burden on application for a course and to aid in the preparation of learning plans.

Pupil information may be matched with other data sources the Department holds to monitor pupils' educational progress; and to provide comprehensive information back to LEAs and learning institutions 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.

Pupil data may also be shared with other Government Departments and Agencies (including the Office for National Statistics) for statistical or research purposes. In all these cases individual pupils' records are needed to identify the pupils to match them, but the 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 DfES may also disclose information about individual pupils 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.

## **Your Rights**

Pupils have certain rights under the Data Protection Act, including a general right of access to personal information held on them. Parents can exercise this right on their behalf if pupils are too young to do so themselves. If your child wishes to see their records, or you wish to do so on their behalf, then please write to:

- (1) The Head teacher at Emersons Green Primary School
- (2) The Data Protection Contact at South Gloucestershire LEA:  
Department for Children and Young People,  
Bowling Hill,  
Chipping Sodbury,  
South Gloucestershire BS37 6JX
- (3) The Caldicott Guardian for Children Social Services at:  
Department for Children and Young People,  
Bowling Hill,  
Chipping Sodbury,  
South Gloucestershire BS37 6JX
- (4) The Primary Care Trust's Caldicott Guardian at:  
South Gloucestershire Primary Care Trust, 1 Monarch Court, Emerald Park,  
Emersons Green, South Gloucestershire, BS16 7FH
- (5) The QCA's Data Protection Officer at:  
QCA, 83 Piccadilly, London, W1J 8QA.
- (6) Ofsted's Data Protection Officer at:  
Alexandra House, 33 Kingsway, London WC2B 6SE
- (7) The LSC's Data Protection Officer at:  
Cheylesmore House, Quinton Road, Coventry, Warwickshire CV1 2WT
- (8) The DfES's Data Protection Officer at:  
DfES, Caxton House, Tothill Street, London, SW1H 9NA.

In order to fulfil their responsibilities under the Data Protection Act, the above organisations may, before responding to this request, seek proof of the requestor's identity and any further information needed to find the information requested.

Separately from the Data Protection Act, regulations entitle a pupil's parent (regardless of the age of the pupil) to view, or to have a copy of, their child's educational record at this school. If you wish to exercise this right you should write to the Headteacher at the contact (1) above.

Please note that all rights under the Data Protection Act to do with information about your child rest with them as soon as they are old enough to understand these rights. This will vary from one child to another and you will wish to consider the position for your child, but, as a broad guide, it is acknowledged that most children will have a sufficient understanding by the age of 12. We would therefore encourage you to discuss this notice with your child if they are aged 12 or over.