



Freedom of Information and Data Protection Guidelines

Under the Data Protection Act there is a requirement to issue a 'fair processing notice' to parents summarising the information held about pupils, why it is held, and the third parties to whom it may be passed on.

Schools can pass on any information that is public knowledge about the school eg Ofsted Reports and all individuals, staff and pupils, are entitled to request any information held in their files. The school can charge administration costs for this to include secretarial time as well as photocopying.

Schools, Local Authorities and the Department for Education and Skills (the government department which deals with education) all hold information on pupils in order to run the education system, and in doing so have to follow the Data Protection Act 1998. This means, among other things, that the data held about pupils must only be used for specific purposes allowed by law.

The school holds information on pupils in order to support their teaching and learning, to monitor and report on their progress, to provide appropriate pastoral care, and to 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.

From time to time we are required to pass on some of this data to the Local Authority (LA), to another school to which the pupil is transferring, to the Department for Education and Skills (DfES), and to Qualifications and Curriculum Authority (QCA) which is responsible for the National Curriculum and associated assessment arrangements.

The Local Authority requires the school to provide information about pupils in order to carry out specific functions for which it is responsible, such as the admissions process or the assessment of any special educational needs the pupil may have. It also uses the data in statistical form, where pupils are not identifiable, 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 pupils cannot be identified from them.

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 in order for it 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.

The Department for Education and Skills 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. 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. The DfES will feed back to LAs and schools information about their pupils where they are lacking this information because it was not passed on by a former school. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only.

The Department of Health uses aggregate information 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.

Primary Care Trusts 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 pupil and its parents and this will require the PCTs to maintain details of pupils names for this purpose. PCTs may also provide schools and LAs with aggregate information on pupils' height and weight.

Pupils, as well as Staff, 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 a child wishes to access their personal data, or their parents wish to do so on their behalf, then they need to contact the relevant organisation in writing at:

- the school at Malmes, Croft, Leverstock Green, Hemel Hempstead, HP3 8RL;
- the LA's Data Protection Officer at School IT Systems Support, Stevenage Development Centre, Robertson House, Six Hills Way, Stevenage, SG1 2FG;
- the QCA's Data Protection Officer at QCA, 83 Piccadilly, LONDON, W1J 8QA;
- the DfES's Data Protection Officer at DfES, Caxton House, Tothill Street, LONDON, SW1H 9NA.

Please note that all rights under the Data Protection Act to do with information about a child rest with them as soon as they are able to understand these rights. This will vary from one child to another.

Separately from the Data Protection Act, DfES regulations provide a pupil's parent (regardless of the age of the pupil) with the right to view, or to have a copy of, their child's educational record at the school. If parents wish to exercise this right they should write to the school. There could be an administrative charge for this service

For pupils approaching or above age 13 the school is required to pass on information to the Connexions Service. This information includes the name and address of the pupil and parent, and any further information relevant to the Connexions Service's role, which is to support young people, helping them to achieve their potential and to realise benefits from education, learning and employment. However parents, or the pupil 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 parents, or pupils aged 16 or over, do not want Connexions to receive from the school information beyond name and address, then they need to contact the school within two weeks of receiving information about this.

The LEA and DfES may provide Connexions with information which they have about a child, but will not pass on any information they have received from the school if parents (or the child if aged 16 or over) have notified the school that Connexions should not receive information beyond name and address.

The Children Act 2004 provides for the Secretary of State to issue regulations requiring the 'governing body of a maintained school in England' to disclose information for inclusion on the Information Sharing Index. The purpose of the index is to:

- help practitioners identify children they have contact with quickly
- determine whether the child is getting entitled services
- enable early identification of need and therefore earlier more effective action
- encourage closer working between practitioners

The school website includes a link to the 'Fair processing notice

If you have any queries, please contact the school office and they will do their best to help you.

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