Reception baseline assessment: privacy notice

Who is collecting this data?

The National Foundation for Educational Research (NFER) is contracted by the Department for Education (DfE) to deliver the reception baseline assessment (RBA). This work is being carried out by NFER on behalf of the Standards and Testing Agency (STA), which is an executive agency of DfE.

STA is the data controller for any personal information used for this service. NFER acts as data processor and the schools will also process personal data which they have already collected about your child.

This privacy notice explains how your child's personal information will be used.

What data will be collected?

The RBA will use the following personal information for all participating pupils:

- name
- date of birth
- unique pupil number (UPN)
- gender
- results from the assessment

What is the legal basis for processing the data?

To use your child's personal information we need to meet one (or more) conditions in the data protection legislation. For the RBA, STA will use your child's information as part of its public task in providing a statutory assessment. There are separate regulations which set out the statutory basis of the RBA.

For the processing of personal data, the relevant condition is the UK General Data Protection Regulation (UK GDPR) Article 6 (1) (e) Public task. The Early Years Foundation Stage (Miscellaneous Amendments) and Childcare Fees (Amendment) Regulations 2021 set out the statutory basis of the RBA. This personal data is collected to ensure the administration of this statutory assessment.

Who is my child's data shared with?

Your child's personal information will not be shared with any other organisations, unless there is a legal obligation to do so. For the purpose of the assessment, NFER uses Amazon Web Services to host the Baseline ePortal (BeP), with RBA data being stored inside the UK. NFER's subcontracted helpline provider will also have access to some pupil data to allow them to support schools administering the assessment.

How long will the data be kept?

The data will be kept by NFER for a maximum of three months after the end of the academic year in which a pupil was assessed.

Your child's data will be stored and safeguarded in the DfE's National Pupil Database (NPD) for 7 years. During this period it will be ring-fenced so that it is not used for purposes other than the RBA. Afterwards, the data will be anonymised and will no longer be attributable to your child.

Individual rights

Under the Data Protection Act 2018, you are entitled to ask if we hold information relating to you. You can read further information about your data protection rights at the Information Commissioner's Office. 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.

However, access to the numerical score from the assessment is exempt from release under paragraph 27 of Schedule 2 to the Data Protection Act 2018. More information on this and on the use of personal data for the RBA can be found in the FAQs[1].

[1] FAQs: www.nfer.ac.uk/media/4553/rba_frequently_asked_questions.pdf

Who can I contact about the use of personal data?

If you have any questions about how we use your personal information, please contact DfE[2] and quote 'Use of reception baseline assessment data' as a reference.

If you want to contact the Data Protection Officer (DPO), please contact DfE[1] and mark it 'for the attention of the DPO'.

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

If you are in the European Union, NFER's EU data representative is Rickert Rechtsanwaltsgesellschaft mbH. You can contact them to raise queries about the use of your personal data:

Rickert Rechtsanwaltsgesellschaft mbH
National Foundation For Educational Research in England and Wales (NFER)
Colmantstraße 15
53115 Bonn
Germany
art-27-rep-nfer@rickert.law

If you remain dissatisfied with the way the RBA processes personal data, 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[3].

[2] Contact DfE: www.gov.uk/contact-dfe
[3] ICO: https://ico.org.uk/make-a-complaint/