Frequently Asked Questions – Data Protection and the Reception Baseline Assessment (RBA)

What is the RBA?

The reception baseline assessment (RBA) is a short, task-based assessment of your child's early literacy, communication, language and mathematics skills when they begin school.

The assessment will form the start of a new measure of how schools are helping their pupils to progress between reception and year 6.

Who administers the RBA?

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

The Standards and Testing Agency is an executive agency of the Department for Education and is responsible for the development and delivery of assessments for children in education from reception up to and including key stage 2. STA is the data controller for the RBA and NFER acts as data processor.

Schools are responsible for administering the RBA with their reception pupils.

Is it mandatory for my child to participate in the RBA?

Yes. The RBA is a statutory assessment, and all eligible schools must administer the assessment with their reception cohort. As with all primary assessments, headteachers make the final decision about whether it is appropriate for a pupil to take the RBA. In exceptional circumstances, headteachers may decide that a pupil is unable to participate and should therefore be disapplied. In these cases, a headteacher should discuss the pupil's circumstances and needs with their parents and teachers. If appropriate, they should also consult with the school's SENCO, educational psychologist, medical officer or other specialist staff to consider whether modified resources may make the assessment accessible.

To use your child's personal information, we need to meet one (or more) conditions in the data protection legislation UK General Data Protection Regulation (UK GDPR). For the RBA, the relevant condition is 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.

Can I ask the school for a copy of my child's results?

Numerical scores from the assessment will not be available to parents, pupils, teachers, schools, or external bodies. There will be no published score, and the results from the assessment will be used solely for analysis concerned with the primary accountability progress measure.

The RBA will not be used to track or label individual pupils. A pupil's numerical score is not shared with schools and that data is only used when the pupil reaches the end of year 6, in order to form a school-level progress measure.

Although no scores are published, teachers will receive a series of short narrative statements that will describe how your child performed in the assessment. Schools are not obliged to report the narrative statements to parents as a matter of course but schools must share the narrative statements with parents upon their request.

Can I make a Subject Access Request for my child's data?

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. This exemption means data collected for research or statistical purposes can be withheld. In this case, the numerical score is collected solely to create a cohort-level progress measure when the reception cohort reach the end of Key Stage 2. This score is not used to track or label any individual child, and therefore has no meaning at an individual level. As above, schools are provided with narrative statements after the assessment, which can be shared with parents.

Where are the assessment results stored?

NFER will transfer the pupil data to STA. It will then be stored in the National Pupil Database (NPD). This cannot be accessed for external or internal research, outside of analysis to check that the assessment is working as expected. The scores are only used at the end of year 6 to form a school-level progress measure.

NFER will keep the data for a maximum of six months after the end of the academic year in which a pupil was assessed before it is deleted.

Who is my child's data shared with?

NFER are contracted by the DfE to administer the RBA. 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. NFER's contracts with these subprocessors include GDPR requirements to ensure that the pupil data is kept secure and is not shared further.

No further data sharing will take place. No separate data sharing agreements are required for this work, as these activities are covered by the data processing part of DfE's contract with NFER, along with GDPR compliant clauses concerning use of personal data.

What happens to my child's data?

Assessment data is transferred from NFER to STA. Once this has been quality assured, it is then stored within the NPD. The data will only be used to ensure that the RBA works as expected, and to form the school-level progress measure.

Your child's data will be stored and safeguarded in the NPD and will be ring-fenced so it is not used for purposes other than the RBA. This data will be subject to ongoing periodic reviews during its 7-year retention period, after which it will be anonymised and will no longer be attributable to your child.

Who can I contact for further information on the RBA?

In the first instance, please contact your child's school about the delivery of the RBA. You can also contact DfE[1] and quote 'Use of reception baseline assessment data' as a reference.

[1] Contact DfE: www.gov.uk/contact-dfe

Updates
We keep these FAQs under review to make sure they are up to date and accurate. This document was updated in July 2021 to change the length of time (six months rather than three months) that NFER will keep personal data for after the end of the academic year in which a pupil was assessed.