Reception baseline assessment: privacy notice

Who are we?

The National Foundation for Educational Research (NFER) is contracted by the Department for Education (DfE) to deliver the reception baseline assessment (RBA)[1].

This privacy notice relates to the collection of personal data for school staff from the RBA. NFER will use this data to:

- provide STA with contacts so they can communicate with schools about the administration of the assessment
- communicate with the designated RBA lead
- create user accounts on the Baseline ePortal (BeP)
- organise observation visits.

In cases where a school does not provide contact details for the BeP, these will be sourced from the Department for Education's Get Information About Schools (GIAS) database.

As the RBA is a statutory assessment, headteachers will be required to complete the Headteacher Declaration Form on the BeP. In cases where a school does not provide the name of the headteacher, NFER will also source this information from the GIAS database.

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 RBA.

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

[1] RBA: www.gov.uk/guidance/reception-baseline-assessment

What is the legal basis for processing the data?

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.

What data will be collected?

We will collect and hold the following data for staff involved in the administration of the RBA:

- name
- email address (for the school's main contact and for the head teacher).

Are any sub-processors being used?

NFER uses Amazon Web Services to host the BeP, with RBA data being stored inside the UK.

If it is necessary to share any data collected as part of the RBA 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.

Who will my personal data be shared with?

NFER uses a secure online survey tool, Questback, to gather the name and email addresses of headteachers and RBA leads. Questback stores data in the European Union. Questback's privacy statement can be found at www.questback.com/data-privacy/

Once the data has been transferred to NFER systems it is deleted from Questback's servers.

How long will we keep the data?

The data will be kept by NFER for a maximum of six months after the end of the academic year in which a member of staff carries out the RBA.

Can I stop my personal data being used?

DfE 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 you (subject access request)
- to have your 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 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 you.

Who can I contact about the use of personal data?

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

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[2] 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 data, 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/

Updates
We keep this privacy notice under review to make sure it is up to date and accurate. This privacy notice 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 member of staff carries out the RBA.