



Guidance

Privacy notice: Primary Assessment Gateway

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1. Who are we?

STA is an executive agency of the Department for Education (DfE). We are responsible for the development and delivery of the national curriculum assessments for primary school age children in England, under statutory instruction, on behalf of the Secretary of State for Education.

In carrying out these functions, we:

- develop and implement assessment policy in schools in line with ministerial priorities
- develop high-quality and rigorous national curriculum assessments in line with government policy
- undertake operational delivery of national curriculum assessments (including printing, test administration, distribution, provision of systems, marking and data capture and investigations of maladministration)
- set and maintain test standards, including standards related to marking
- support the moderation of teacher assessment judgements of pupil performance so the data it generates is reliable and can be used for national statistics

For the purpose of data protection legislation, DfE is the data controller for the personal data processed for the administration of the annual statutory national

2. What personal data is being collected and held during the administration of the statutory national curriculum assessments?

The categories of personal data that we will be collecting and processing during the administration of the statutory national curriculum assessments are set out below.

2.1 Pupil data

- Personal information for KS1 and KS2 school pupils will be processed and stored on the Primary Assessment Gateway, including teacher assessment data and test results data.
- In addition, information/data on a child's individual personal circumstance(s) that may affect their ability to access and participate in the test(s) concerned – for example, children requiring specific test access arrangements or reasonable adjustments – will also be processed through the Primary Assessment Gateway. This may include, but is not limited to, requirements for modified test materials, special consideration, additional time and/or compensatory marks.

2.2 Headteacher/Teacher data:

Personal information that you provide to us will be used for the purpose(s) of:

- setting up a headteacher user account
- setting up accounts for school staff

We sometimes may need to make personal data available to the modified test agency who we have employed to validate modified test orders on our behalf.

Where we need to share your personal data with the modified test agency we ensure that this sharing complies with data protection legislation and is done securely.

2.3 Local authority data

Personal information that you provide to us will be used for the purpose(s) of:

- setting up a user account

2.4 Multi academy trusts' data

Personal information that you provide to us will be used for the purpose(s) of:

- setting up a user account

2.5 Marker data

Personal information that you provide to us will be used for the purpose(s) of:

- setting up a user account
- assessing your suitability for a marking role
- creating a contract of employment and remuneration

We will also process special category data, such as your:

- gender
- ethnicity
- disability

We also collect data on any connections you have to schools, and your qualifications and experience, where they are relevant to our work (for example, teaching qualifications and subjects taught).

3. Why are we collecting this data and how will personal data be obtained?

3.1 For school, local authority or multi-academy trust users

The data collected will be used to confirm pupils participating in the national curriculum assessments and for the creation of pupil attendance registers,

ordering of modified test materials and also to process and confirm pupil access applications and arrangements.

Personal data is sourced from the pupil census data provided by schools bi-annually to DfE. It is collected and used as part of the national curriculum assessments pupil registration process to confirm:

- pupil identity
- total numbers of pupils being entered for the tests and teacher assessment
- test material requirements for individual schools
- pupil special access arrangements
- for key stage 2 only, pupil results

The collected and processed data is also used at an aggregate level, for operational purposes, in school performance tables, pupil attainment and progress measures for schools. No identifiable personal data is used for these purposes.

More information is available on [GOV.UK](https://www.gov.uk).

3.2 For markers

The data collected will be provided by you, either to the STA or to one of our contracted partners who have been instructed to support the delivery of tests. We collect this data from you in order to manage and facilitate your agreement to provide national curriculum assessments marking or trial/sampling coding services, either directly with STA or via any of its contracted partners. We retain this data to contact you about new marking and coder opportunities after your initial agreement has expired. For more specific information on how marker and coder data is processed, please see the STA's [Marker and Coder Privacy Notice](#)

4. Who will the personal data be shared with?

We sometimes need to make personal data available to other organisations. These might include contracted partners who we have employed to process your personal data on our behalf and/or other organisations with whom we need to share your personal data for specific purposes.

Where we need to share your personal data with others, we ensure that this sharing complies with data protection legislation and is done securely.

We use live chat software on our website, provided by 'Click4Assistance', a 3rd

party UK based Software Company. Information regarding how the data is processed and stored can be viewed here: <https://www.click4assistance.co.uk/click4assistance-web-chat-software-cookie-policy>

5. How long we will keep the personal data?

We will only keep the personal data for as long as we need it for the purpose(s) of this piece of work (up to 7 years) after which point it will be securely destroyed.

Data stored for markers and coders who are not contractually re-engaged to support the delivery of commercial agreements within a 2-year period will be removed from the marker and coder register and therefore not contacted about new opportunities.

However, for the 2022 test cycle only those markers that have not undertaken any services after a 3-year period will have their data cleansed from the Marker Database. The deviation from the retention policy is because assessments in 2020 and 2021 were cancelled because of the Covid-19 pandemic and thus no markers were recruited. We will continuously review our policies and if there were to be any further deviations our data subjects will be updated accordingly.

6. Is personal data being transferred outside of the European Economic Area (EEA)?

No information will be transferred or stored outside of the European Economic Area (EEA).

7. What is the legal basis for collecting and processing the data?

In order for our use of your personal data to be lawful, we need to meet one (or more) conditions in the data protection legislation.

7.1 Schools, local authorities and multi-academy trusts

For the purpose of this project, the relevant condition is Article 6(1)(e) UK GDPR, to perform a public task as part of our function as a department.

7.2 Markers and coders

The relevant condition for the processing of personal data in relation to the provision of marking and coding services is Article 6 (1) (f) of the General Data Protection Regulations (GDPR).

For the processing of special category data, the relevant condition is Article 9 (2) (g) of the GDPR. That means we will process your data to contact you and invite you to mark, review and/or code our materials, enabling us to meet our statutory requirement to develop and deliver national curriculum assessments.

8. What are your data protection rights?

- to ask us for access to information we hold about you
- to rectify any errors regarding your personal data, if it's inaccurate or incomplete
- to request the deletion or removal of your 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 direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- to be treated fairly and without bias, whereby no automated decisions will be made about you based on your personal data or special category data

9. Who can I contact about the use of personal data?

As an executive agency of the Department for Education (DfE), STA determines the purposes and means of processing personal data as part of the administration of the national curriculum assessments, checks, trials and sampling exercises. You can find more information about this in DfE's [personal information charter](#).

If you have any questions about how we use your personal information, please

contact DfE and quote 'Primary Assessment Gateway Privacy Notice' as a reference. If you want to get in touch with the Data Protection Officer (DPO), please contact [DfE](#) and mark it 'for the attention of the DPO'.

You have the right to lodge a complaint about data protection issues with the [Information Commissioner's Office \(ICO\)](#).

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in October 2021.

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