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[Department  
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Transparency data

# Privacy information: early years foundation stage to key stage 3

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**Applies to England**

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This document provides details of what personal data we process about learners in the following:

- early years foundation stage (EYFS) which covers nursery and reception years, learners are 3 to 5 years old
- key stage 1 (KS1) - when learners are 5 to 7 years old in years 1 to 2
- key stage 2 (KS2) - when learners are 7 to 11 years old in years 3 to 6
- key stage 3 (KS3) - when learners are 11 to 14 years old in years 7 to 9

This includes pupils and learners in schools, academies and independent schools as well as learners in hospital schools, alternative provision or who are home educated.

See also our privacy notices for:

- [Children and young people under 18](#)
- [Learners: key stage 4 and 5 and adult education](#)

When we collect and use your personal information, we need to follow the law. The main laws are the Data Protection Act (DPA) and the UK General Data Protection Regulation (UK GDPR).

The Department for Education (DfE) is the data controller for the personal information we process. This includes when the information is collected or processed by third parties on our behalf. See [DfE is the data controller](#) for more details.

We must have a valid reason to collect your personal data. These reasons are called 'lawful basis' in article 6(1) of the UK GDPR.

When we process your information, we maintain your information's confidentiality,

integrity and availability:

- confidentiality means only authorised users can view access, change or use your information
- integrity means we ensure your information is correct and accurate
- availability means we ensure your information is available, in a secure system, when required

The DfE [personal information charter](#) has more information on the standards you can expect when we collect, hold or use your personal information.

# 1. Using your data to provide money for your learning

## 1.1 Using your data to fund your learning

This includes funding learning in the following educational settings:

- schools
- academies

### **Purpose and lawful basis for processing**

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 11 of the Education Act 1996 allows us to do this.

When we use your sensitive or 'special category' data. We use it because we have a substantial public interest under article 9(2)(g) of the UK GDPR. This processing is under Section 54 of the Further and Higher Education Act (1992).

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

### **Data we collect**

We need enough information to work out how much funding is required for your learning. DfE provides funding for teaching as well as buildings and special programmes. Funding is calculated based upon the numbers of learners in each educational setting and if they have needs which need additional funding.

To do this we collect the following information from your educational setting or local authority about you:

- personal contact details
- date of birth
- data and information about your learning, including your courses and assessments

We collect and use special category data, to work out any additional funding needs, this includes details about:

- your equality, diversity and inclusion information
- your health, including disabilities and special educational needs

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

For further details about safeguarding children with special educational needs and disability in schools, colleges and children's services, see [special educational needs and disability \(SEND\)](#) and [special educational needs and disability \(SEND\) and high needs](#).

## **What we do with your data**

We use the data to work out how much funding is required and to publish statistics on funding.

## **How long we keep your data**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

We keep your personal information for 7 years for funding and financial purposes.

If the learning is funded by European Social Fund (ESF), we must retain the data until 31 December 2034.

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## Data processors

A data processor is an organisation that processes your information on DfE's behalf.

For most of the personal data schools or the multi-academy trusts collect, store and use, they are the data controller. However, where a school is required to supply a copy of some personal data to the department, DfE also becomes an independent data controller of the copy it receives.

## 1.2 Using your data to ensure the protection of public funds by preventing and detecting fraud

### Purpose and lawful basis for processing

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 11 of the Education Act 1996, providing funding for primary, secondary or further education, allows us to do this.

When we use your sensitive or 'special category' data. We use it because we have a substantial public interest. The Education Act 2002, Apprenticeships, Skills, Children and Learning Act 2009 or the Further and Higher Education Act (1992) allows us to use your data.

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## **Data we collect**

We use your personal data to ensure schools and academies have received the correct funding.

To do this we collect the following information from your educational setting or local authority about you:

- personal contact details
- date of birth
- data and information about your learning, including your courses and assessments

We collect special category data, this includes details about:

- your equality, diversity and inclusion information
- your health

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## **What we do with your data**

We use your data to investigate suspected fraud or financial irregularity.

More details on [how ESFA handles allegations of suspected fraud or financial irregularity](#) are available.

## **How long we keep your data**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

We keep your personal information for 7 years after legal proceedings have been completed.

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## Data processors

A data processor is an organisation that processes your information on DfE's behalf.

The National Audit Office (NAO) audits the DfE accounts, to analyse public spending and to improve our services. The NAO is a controller for your personal data that they process.

When fraud is identified, your personal data will be shared by us as necessary for the purposes of preventing and detecting fraud. It will be shared with fraud prevention and law enforcement agencies, such as the Police and the National Crime Agency.

## **2. Using your data to support your learning**

### **2.1 Using your data to record, monitor and report on your learning achievements or attainments**

#### **Purpose and lawful basis for processing**

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 11 of the Education Act 1996, allows us to do this, improving standards in education, encourage diversity and increase opportunities in learning and education.

When we use your sensitive or 'special category' data. We use it because we have a substantial public interest. The Education Act 2002, Apprenticeships, Skills, Children and Learning Act 2009 or the Further and Higher Education Act (1992) allows us to use your data.

DfE uses your data for research and to publish statistics on learners and funding. Our lawful basis for using your special category personal data is article 9(j) archiving, research and statistics (with a basis in law), this is in accordance with article 89(1) and schedule 1 part (4) of the DPA 2018.

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

#### **Data we collect**

We collect and use the following personal information. The information is sent to DfE from your school, academy, college, training provider or local authority:

- your name and address
- reference numbers that identify you as a pupil/learner
- details of schools attended
- information relating to exam and assessment results

We collect special category data, this includes details about:

- your gender or ethnicity
- details of any special educational needs you may have, this includes health or disability information

We also collect sensitive information:

- information relating to any contact with children's services
- information on absence and exclusions

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## **What we do with your data**

We need your personal data to:

- monitor how well our education policies are working – our analysis of your data provides DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education
- produce official statistics – see [statistics at DfE](#) for more details

## **How long we keep your data**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

We keep your personal information for 80 years to enable DfE to use your education data for [long-term research](#).

## **Your rights**

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## **Data processors**

A data processor is an organisation that processes your information on DfE's behalf.

DfE uses a data processor for the following activities:

- services that support the production of the school and college performance tables (and associated digital services including Find and Compare School Performance and Analyse School Performance) and National Pupil Database (NPD) pupil matching

For most of the personal data schools or the multi-academy trusts collect, store and use, they are the data controller. However, where a school is required to supply a copy of some personal data to the department, DfE also becomes an independent data controller of the copy it receives.

Your personal data is shared by awarding organisations, they send DfE details of your qualifications so we have a record of your achievements.

## 2.2 Using your data to improve the education of children in England

### Purpose and lawful basis for processing

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 11 of the Education Act 1996, allows us to do this, improving standards in education, encourage diversity and increase opportunities in learning/education.

When we use your sensitive or 'special category' data. We use it because we have a substantial public interest. The Education Act 2002, Apprenticeships, Skills, Children and Learning Act 2009 or the Further and Higher Education Act (1992) allows us to use your data.

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

### Data we collect

We collect and use the following personal information. The information is sent to DfE from your school, academy, college, training provider or local authority:

- your name and address
- reference numbers that identify you as a pupil/learner
- details of schools attended
- information relating to exam and assessment results

We collect special category data, this includes details about:

- your gender or ethnicity
- details of any special educational needs you may have, this includes health or disability information

We also collect sensitive information:

- information relating to any contact with children's services
- information on absence and exclusions

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## What we do with your data

We need your personal data to:

- monitor how well our education policies are working – our analysis of your data provides DfE, education providers, Parliament and the wider public with a clear picture of how the education and children’s services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education
- produce official statistics – see [statistics at DfE](#) for more details

## How long we keep your data

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

We keep your personal information for 80 years to enable DfE to use your education data for [long-term research](#).

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called ‘right to be informed’
- the right to ask us for copies of your personal information we have about you – this is called ‘right of access’, this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called ‘right to rectification’
- the right to ask us to stop using your information – this is called ‘right to restriction of processing’
- the ‘right to object to processing’ of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO’s guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## Data processors

A data processor is an organisation that processes your information on DfE's behalf. DfE uses a data processor for the following activities:

- services that support the production of the school and college performance tables (and associated digital services including Find and Compare School Performance and Analyse School Performance) and National Pupil Database (NPD) pupil matching
- the Office for National Statistics (ONS) act as a processor on behalf of DfE for requests where DfE data has been made available to external researchers within the ONS Secure Research Service following approval and instructions by DfE - see the section on [long-term research](#) for details

For most of the personal data schools or the multi-academy trusts collect, store and use, they are the data controller. However, where a school is required to supply a copy of some personal data to the department, DfE also becomes an independent data controller of the copy it receives.

## 2.3 Using your data to monitor attendance in education and learning

### Purpose and lawful basis for processing

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 11 of the Education Act 1996 allows us to do this.

When we use your sensitive or 'special category' data. We use it because we have a substantial public interest. The Education Act 2002, Apprenticeships, Skills, Children and Learning Act 2009 or the Further and Higher Education Act (1992) allows us to use your data.

DfE uses your data for research and to publish statistics on learners and funding. Our lawful basis for using your special category personal data is article 9(j) archiving,

research and statistics (with a basis in law), this is in accordance with article 89(1) and schedule 1 part (4) of the DPA 2018.

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## **Data we collect**

We collect and use the following personal information. The information is sent to DfE from your school, academy, college, training provider or local authority:

- your name and address
- reference numbers that identify you as a pupil or learner

We collect special category data, this includes details about:

- your gender or ethnicity
- details of any special educational needs you may have, this may include health or disability information

We also collect sensitive information on absence and exclusions.

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## **What we do with your data**

We need your personal data to:

- monitor how well our education policies are working – our analysis of your data provides DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education
- produce official statistics – see [statistics at DfE](#) for more details

## **How long we keep your data**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

We keep your personal information for 80 years to enable DfE to use your education data for [long-term research](#).

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## Data processors

A data processor is an organisation that processes your information on DfE's behalf. DfE uses a data processor for the following activities:

- services that support the production of the school and college performance tables (and associated digital services including Find and Compare School Performance and Analyse School Performance) and National Pupil Database (NPD) pupil matching

# 3. Using your data to carry out research

## 3.1 Using your data so we can undertake long-term research and publish official statistics

DfE undertakes long-term research to show the impact of education or training on outcomes later in life. We process the data already collected about your learning and achievements from the following educational settings:

- schools
- academies

We also collect data from local authorities about children in care or who have been in care.

This data is used to provide long-term research and statistics on education. DfE undertakes long-term research to show us how learning can affect your future earning and employment outcomes.

DfE publishes [official statistics](#) on early years, schools, further education, higher education, children and young people. This is carried out in line with the [code of practice for official statistics](#) and [DfE official statistics: standards and policies](#).

### **Purpose and lawful basis for processing**

The lawful basis we rely on for processing your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 78 of the Small Business, Enterprise and Employment Act 2015 and sections 87-91 of the Education and Skills Act 2008 allow us to do this.

When we use your sensitive or 'special category' data. We use it because we have a substantial public interest, the Education Act 2002 allows this.

DfE uses your data for research and to publish statistics on learners and funding. Our lawful basis for using your special category personal data is article 9(j) archiving, research and statistics (with a basis in law), this is in accordance with article 89(1) and schedule 1 part (4) of the DPA 2018.

Full details about how we process special category data are given in the [DfE](#)

[appropriate policy document](#).

We'll use your personal information for research that DfE undertakes to provide high-quality evidence to inform policy development and delivery.

### **Data we collect**

The information is sent to DfE from your school, academy, college, training provider or local authority. The categories of data we hold include:

- your name and address
- unique pupil and learner numbers
- pupil matching reference numbers
- details of schools, academies and other education providers attended

We collect and use special category data, this includes details about:

- characteristics such as your gender or ethnicity
- your equality, diversity and inclusion information
- your health, including disabilities
- details of any special educational needs you may have

We also collect sensitive information:

- information relating to any contact with children's services
- information on absence and exclusions

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

### **Linking your data to other databases**

In the future we will connect or link your education data with your employment, benefits and earnings data to create a de-identified person level database. The personal information we use to link this data together are:

- name
- date of birth
- gender
- postcode
- national insurance number

Personal identifiers from our education databases are sent to the Department for Work and Pensions (DWP) who match the records against their customer information system. The matched records are then linked to your employment, earnings and benefit data that is held at DWP. All personal identifiers are then removed. Once the link is made, we can then link to other information, such as:

- if you qualified for free school meals
- schools attended, courses taken and qualifications achieved
- any benefits claimed
- employment and earned income

And special category data, such as:

- personal characteristics including gender and ethnic group
- if the young person had special educational needs during their education, this may include health or disability information

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## **What we do with your data**

DfE has 2 long-term research databases that are used for research and statistical purposes – the National Pupil Database (NPD) and the Longitudinal Education Outcomes (LEO) database.

The data stored in the NPD is provided by educational settings or local authorities as part of the operation of the education system, such as to [fund your learning](#). This data is used for research and statistical purposes to improve and promote, the education and well-being of children in England.

The LEO database compares students' levels of education to their levels of employment and earnings in later life. To do this, we link personal information obtained from the NPD to other government departments relating to education, employment and benefit claims in order to:

- enable comparisons of the performances of schools, colleges and universities
- provide statistical information to support education and career decisions
- evaluate and monitor the impact of education or training on outcomes
- support government decision making in order to improve services

DfE works with 4 government departments on the LEO study: Welsh Government,

Department for Work and Pensions (DWP), His Majesty's Revenue and Customs (HMRC) and Scottish Government.

See [apply to access the Longitudinal Education Outcomes \(LEO\) dataset](#) for more details about LEO.

For more details about NPD see [apply for Department for Education \(DfE\) personal data](#).

## **How long we keep your data**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

Your personal information is kept for your learning and working life. We keep your personal information until you are aged 80 to enable DfE to use your education data for long-term research.

## **Your rights**

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## **Data processors**

A data processor is an organisation that processes your information on DfE's behalf. We do not use any data processors for this processing activity.

# **4. Using your data to protect you**

## **4.1 Using your data so we can protect you**

### **Purpose and lawful basis for processing**

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 11 of the Children Act 2004, section 175 of the Education Act 2002 and the Education and Inspections Act 2006 allows us to do this.

Special categories of personal data need to also be processed for reasons of substantial public interest under section 10 (3) of the DPA 2018 (Special categories of personal data) and 18 (Safeguarding of children and individuals at risk). We use it because we have a substantial public interest, the Education Act 2002 allows this.

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

If there is a threat to life, the lawful basis we rely on for processing your personal data is vital interest, under article 6(1)(d) of the UK GDPR.

### **Data we collect**

DfE collects information from educational settings, local authorities, your employer and other government departments to safeguard children and adults. We collect and use the following personal information:

- name, date of birth and address

We collect and use the following special category data:

- characteristics (such as gender, ethnicity and disability)

We collect and use the following sensitive information:

- episodes of being a child in need, if applicable
- notes about the concern

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

For further details about safeguarding children with special educational needs and disability in schools, colleges and children's services, see [special educational needs and disability \(SEND\)](#) and [special educational needs and disability \(SEND\) and high needs](#).

## **What we do with your data**

We'll use your personal information to:

- keep you or another pupil or learner safe from potential harm
- identifying issues and providing support for mental and physical health issues
- prevent extremism in the education system - DfE works to ensure children and young people are not exposed to extremists and extremist messages

The Teaching Regulation Agency (TRA) is an executive agency of the Department for Education (DfE). TRA regulate the teaching profession in England and investigate cases of serious misconduct. If you are a witness or potential witness within a teacher misconduct investigation, TRA processes your information to investigate allegations of serious misconduct.

## **Sharing your data**

We may share your personal data with other organisations where DfE and its executive agencies are notified of an issue regarding safeguarding of children and young people.

Other people and organisations may also share personal data with DfE and its executive agencies, for example, when they make a complaint or raise a concern with us. This can include information shared in accordance with the statutory

guidance [keeping children safe in education](#) and [working together to safeguard children](#). This information will be used to investigate complaints and to ensure trusts and academies comply with the regulations (including Independent schools ([Education \(Independent School Standards\) Regulations 2014 \(PDF, 131KB\)](#))).

## How long we keep your data

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

For safeguarding cases, we keep your personal information until you are aged 25, or 10 years after the date of the allegation, whichever is longer, then it is reviewed.

The TRA will only keep your personal data for as long as they need to for the purpose of regulating the teaching profession, specifically up to 50 years after the closure of a case. After 50 years it will be securely destroyed.

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us,

or any of our executive agencies, and your rights about how your information is collected and used.

### **Data processors**

A data processor is an organisation that processes your information on DfE's behalf. We do not use any data processors for this processing activity.

## **4.2 Using your data to improve the well-being of children in England**

DfE collects information about vulnerable children and children who have been, or are, in care.

### **Purpose and lawful basis for processing**

The lawful basis we rely on for processing your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department. Section 10 of the Education Act 1996 and section 7 of the Children and Young Persons Act 2008 allows us to do this as DfE is promoting the well-being of children (persons under the age of 18) in England.

When we use your sensitive or 'special category' data. We use it because we have a substantial public interest, the Education Act 2002 or Apprenticeships, Skills, Children and Learning Act 2009 allows this. Full details about how we process special category data are given in the [DfE appropriate policy document](#).

### **What data we collect**

DfE collects information from educational settings, local authorities, your employer and other government departments. We collect and use the following personal information:

- name, date of birth and address
- characteristics (such as gender, ethnicity and disability)
- episodes of being a child in need (such as referral information, assessment information, Section 47 information, Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates, information on

placements)

- outcomes for looked after children (such as whether health and dental assessments are up to date, strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)

### **What we do with it**

We use this personal data to:

- support these children and monitor their progress
- provide them with pastoral care
- assess the quality of our services
- evaluate and improve our policies on children's social care

### **How long we keep it**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. We call this our retention and disposal schedule.

We keep your personal information for 80 years to enable DfE to use your education data for [long-term research](#).

### **Your rights**

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'

- the ‘right to object to processing’ of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO’s guide to individual rights](#).

See [requesting your personal information](#) for more on what you’re entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## **Data processors**

A data processor is an organisation that processes your information on DfE’s behalf. We do not use any data processors for this processing activity.

# **5. Using your data when you contact us**

## **5.1 Contacting us to make an enquiry or complaint**

When you use the [DfE Contact Us form](#), email us or write to us.

### **Purpose and lawful basis for processing**

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department.

### **Data we collect**

DfE collect and use the following personal information directly from you:

- your full name
- email address
- details about your enquiry or complaint

### **What we do with your data**

We need information from you to investigate your complaint or enquiry properly.

## How long we keep your data

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

We keep your personal information for 5 years from the date of the enquiry or complaint

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on public task for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## Data processors

A data processor is an organisation that processes your information on DfE's behalf. We do not use any data processors for this processing activity.

## 5.2 Data when you use our websites

### Purpose and lawful basis for processing

The lawful basis we rely on for this processing of your personal data is public task, under article 6(1)(e) of the UK GDPR. This allows us to process personal data when this is necessary to do our work as a government department.

### Data we collect

We use Google Analytics to collect information from you about how you use this website. We do not collect or store your personal information through Google Analytics so it cannot be used to identify who you are.

Google Analytics uses 3 types of cookies. See the [DfE cookies policy](#).

### What we do with your data

We use your personal information to:

- ensure we present our website content in the best way for you.
- allow you to take part in interactive features of our service, when you choose to do so

See also [data when you sign up to our notifications about learning opportunities or events](#) for more information on when we use your data to:

- notify you about changes to our website or services
- provide you with information or services that you request from us or which may interest you

### How long we keep your data

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

Your personal information is retained for up to 2 years. See [details about cookies on GOV.UK](#) for more information.

If you create an account on our websites or sign up for an alert your personal information is kept as long as you have an account. If you delete your account or

cancel your alert, your data will also be deleted. See [data when you sign up to our notifications about learning opportunities or events](#) for more information.

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on legitimate interest for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called ‘right to be informed’
- the right to ask us for copies of your personal information we have about you – this is called ‘right of access’, this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called ‘right to rectification’
- the right to ask us to delete your personal information – this is called ‘right to erasure’
- the right to ask us to stop using your information – this is called ‘right to restriction of processing’
- the ‘right to object to processing’ of your information, in certain circumstances
- rights in relation to automated decision making and profiling
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO’s guide to individual rights](#).

See [requesting your personal information](#) for more on what you’re entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## Data processors

A data processor is an organisation that processes your information on DfE’s behalf. DfE uses a data processor for the following activities:

- we use Google Analytics cookies and a Real User Monitoring (RUM) cookie from SpeedCurve to collect information about how you use GOV.UK

## 5.3 Using your data when you use our social media channels

We use social media to share news and views with people working in:

- schools
- colleges
- local authorities
- children's services

We also use social media to communicate with parents, children and young people.

See our [social media use policy](#) for more details.

### **Purpose and lawful basis for processing**

The lawful basis we rely on for this processing of your personal data is consent under article 6(1)(a) of the UK GDPR – this is when we ask your consent to use your information.

### **Data we collect**

When you interact with our social media channels we collect and use:

- your name

### **What we do with your data**

When you use our websites and social media channels, we use your personal information to:

- allow you to take part in interactive features of our service, when you choose to do so
- ensure we present our website content in the best way for you
- provide you with information or services that you request from us or which may interest you - we always get your consent when you request these DfE services
- notify you about changes to our website or services

See the [DfE cookies policy](#).

### **How long we keep your data**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

The DfE social media channels are captured by [the National Archives' government web archive](#) as a permanent record of DfE's social media communication.

Your personal information is retained for up to 2 years, see the [details about cookies on GOV.UK](#) page for more information.

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on consent for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling
- the right to withdraw consent at any time (where relevant), by using our [contact form](#).

As we are processing your personal data with your consent, you have the right to:

- withdraw consent to the processing of your personal data at any time, by using our [contact form](#)
- ask DfE to cease publication of your image, words and/or voice on its social media channels, if you do so, DfE will not publish further social media posts featuring this content, but it is not obligated to remove or delete existing posts -

the DfE social media channels are captured by [the National Archives' government web archive](#) as a permanent record of DfE's social media communication

If you change your mind, or you are unhappy with our use of your personal data, [contact DfE](#) and state the name of this project.

Further information on rights and the ways in which your data may be used are contained in the filming, photography and audio recordings consent form.

## **Data processors**

A data processor is an organisation that processes your information on DfE's behalf. DfE uses a data processor for the following activities:

- we use Google Analytics cookies and a Real User Monitoring (RUM) cookie from SpeedCurve to collect information about how you use GOV.UK

# **6. Using your data to check our IT systems**

## **6.1 Using your data when we are testing or checking our IT systems**

### **Purpose and lawful basis for processing**

The lawful basis we rely on for this processing of your personal data is legitimate interest, under article 6(1)(f) of the UK GDPR.

When we use your sensitive information, this is 'special category' data. The reasons we use it because we have a substantial public interest under article 9(2)(g) of UK GDPR. The Education Act 2002 and Section 54 of the Further and Higher Education Act (1992) allows this.

Full details about how we process special category data are given in the [DfE appropriate policy document](#).

## **Data we collect**

DfE collects information from educational settings, local authorities, your employer and other government departments. We will process the following information about you:

- personal contact details
- date of birth
- ethnicity
- data and information about your learning, including your courses and assessments

If the IT system or database contains special category data, we would be processing details about:

- your equality, diversity and inclusion information
- your health

If the IT system or database contains sensitive information about you, we would be processing details about:

- children that are looked after or are in care

## **What we do with your data**

When we are designing a new system or database. It is sometimes necessary to use 'live' personal data to test the design in a secure environment. This is because 'dummy data' is not capable of replicating the complexity of the data that is actually collected.

Similarly, it is necessary to extract copies and run quality checks for the purposes of identifying unnecessary duplication or even conflicting data about the same data subject. In order to maintain the accuracy of our data, if duplicate records are identified, we would either merge the duplicate records under one Unique Learner Number or maintain existing records but include cross referencing so all the records are linked and are retrieved when searching for the one data subject.

## **How long we keep your data**

We only keep your personal information for as long as we need it. We decide how long to keep your information based on what we need and also what the law says. All data is securely and permanently deleted at the end of the retention period. We call this our retention and disposal schedule.

This processing activity is for the length of time it takes to test or check the data, any copies of the data created would be deleted as soon as the test or check is complete.

## Your rights

There are legitimate reasons why we may refuse your information rights request, which depend on why we are processing it.

We are relying on legitimate interest for this processing, this means you have:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request (DSAR) or right of access request (RAR)
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- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way

For more information, see the [ICO's guide to individual rights](#).

See [requesting your personal information](#) for more on what you're entitled to ask us, or any of our executive agencies, and your rights about how your information is collected and used.

## Data processors

A data processor is an organisation that processes your information on DfE's behalf. DfE uses a data processor for the following activities:

- we use contractors to do our IT Health Checks (ITHC) - an ITHC is a series of controlled tests and actions that check the security of our IT systems

# 7. How to contact us and how to make a complaint

## 7.1 How to contact us

[Contact the Data Protection Team](#) with questions about this document or how we use your information.

## 7.2 How to make a complaint

If you have concerns about how we use your personal information, you can make a [complaint in writing](#) to the Data Protection Officer and Information Commissioner's Office.

## 7.3 How to access your personal information

A [request to access your personal information](#) can be made verbally or in writing.

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