WELSH GOVERNMENT PRIVACY NOTICE FOR THE STATUTORY PUPIL DATA COLLECTIONS

Llywodraeth Cymru
Welsh Government

In accordance with Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR) ('the data protection legislation'), this notice sets out what the Welsh Government does with your personal and education related data that it receives from schools and/or local authorities about children and young people.

The information in this notice will remain under review to incorporate any further changes. If we change the way, we process and/or use your data this privacy notice will reflect those changes. The updated version will be available on the website. The information should contribute to wider notices issued by the schools, early years providers and local authorities.

This privacy notice last updated in June 2022.

1. Background

The **Welsh Government** receives, via a secure online data transfer portal, personal data on children and young people directly from schools, early years providers and local authorities as part of statutory data collections also known as the following:

- Post-16 data collection (pupils in National Curriculum Year 12 and above)
- Pupil Level Annual School Census (PLASC)
- Educated Otherwise Than At School (EOTAS) pupil level data collection
- National Data Collection (NDC)
- Attendance data collection (Primary and Secondary)

In addition to these, the Welsh Government also receives data on results of approved external qualifications (e.g. GCSE and A Level awards) from Awarding Bodies (e.g. WJEC).

On receipt of the personal data, the Welsh Government becomes the data controller.

2. What data does the Welsh Government receive?

Personal and special category data collected about children and young people as part of statutory data collections includes, but is not limited to, those listed in the following table. For a list of data items collected as part of the statutory school data collections, please see Annex 1.

- ✓ Personal data such as Unique Number, First Name, Middle Name, Surname, Postcode, Date of Birth, Gender, National Identity, Language, Free School Meal Eligibility, School Number, School Year Group
- ✓ Special Category data such as ethnicity and information on any additional learning needs
- ✓ Data on results from national curriculum assessments and approved qualifications (ie public examinations)
- ✓ Data from the school about your education record
- ✓ Data on attendance, to include sessions attended and reasons for absence

3. What is the lawful basis for processing your data?

The Welsh Government relies on the legal basis, as set in The Education (Information About Individual Pupils) (Wales) Regulations 2007, in receiving the data.

The Welsh Government relies on the lawful basis for processing data received in the statutory data collection exercises under Article 6(1)(e) of GDPR; the data is processed in line with our public task and in the official authority vested in us to undertake the core role and functions of the Welsh Government. Some of the data the Welsh Government receives classed as 'special category data' (in this case ethnicity and additional learning needs). For this, the Welsh Government relies on Article 9(2)(g) – the data is processed for purposes of substantial public interest in line with regulatory requirements.

4. What does the Welsh Government do with your data?

In the Welsh Government's remit as the data controller, the data received is used for the below purposes. These purposes are necessary to enable the Welsh Government to carry out its public task and in the exercise of its official authority.

Statutory Function purposes:

- ✓ For school performance purposes, identifiable data will be shared back with the school and/or local authority
- ✓ For matching and/or linking of datasets from statutory data collections, using identifiable data, in order to enable statistical analysis to inform wider education and social policies

Statistical analysis and research purposes (carried out in a way that ensures individual children and young people cannot be identified):

- ✓ To monitor the performance and assess the quality of our education policies and services so that they can be improved
- ✓ To help monitor and target funding effectively
- ✓ For statistical analysis and research purposes which will help to inform, influence and improve education policy for people in Wales
- ✓ To link with other datasets, including non-educational data sets, in order to inform wider education and social policies

Publication purposes (carried out in a way that ensures individual children and young people cannot be identified):

- ✓ For publication purposes, which includes a range of statistical outputs on the Welsh Government website. A full list of statistical publications can be viewed at https://gov.wales/statistics-and-research
- ✓ School information published on the My Local School website

- ✓ For research purposes wider than education, the Welsh Government will use techniques that ensure the data are anonymised before any research takes place

5. Who does the Welsh Government share your information with?

Information held by the **Welsh Government** about Children and Young People will be shared, upon request and where there is specific purpose, with organisations for example those linked to education and training, where specified in Regulations made under section 537A of the Education Act 1996.

Persons or organisations with whom the Welsh Government **will** share your personal information are as follows. Please see Annex 2 for details on who and why we share your data.

- ✓ The Local Authority that maintains the school at which you are or were registered
- ✓ The Office of Her Majesty's Chief Inspector of Education and Training in Wales (Estyn)
- ✓ Careers Wales
- ✓ Qualifications Wales
- ✓ Any qualification awarding body in Wales recognised by Qualifications Wales
- ✓ The Office for National Statistics
- ✓ The Education and Skills Funding Agency
- ✓ The UK Government's Department for Education
- ✓ The Universities and Colleges Admissions Service (UCAS)
- ✓ Any persons conducting research into the educational achievements of pupils and who require individual pupil information for that purpose
- ✓ Information collators which, for the purposes of or in connection with the functions of the Welsh Ministers relating to education, are responsible for collating or checking information relating to pupils

The Welsh Government will put in place a formal data sharing agreement whenever your data shared with a third party. The Welsh Government will only share your data for a specific purpose and for a limited time. Part of the agreements will be that the third party will be required to sign a confidentiality agreement in relation to your data, to show that they operate satisfactory information security procedures, that they will only use your information in prescribed ways and that they will destroy their copies of your data when the time-limited agreement expires. Any analysis produced must follow the Welsh Government's disclosure rules to ensure that individuals are not identifiable. For research purposes wider than education, the Welsh Government will use techniques to anonymise the data before any research takes place.

6. How long will we keep your data?

Data Sets	Data Retention Period	Data uses
Statutory School Data Collections	Your data will be kept until you are 25 years old after which your data will be anonymised	This enables the Welsh Government to analyse your data along with that of other pupils and create reports. These reports will be used to help inform, influence and improve education policy decisions, monitor performance of the education service as a whole and/or to forecast future funding requirements
	Once your data is anonymised it will be in line with best practice and kept for a longer period	This is for statistical analysis and research purposes only

7. Your rights under the GDPR

You have the right to:

- ✓ have access to the personal data that the Welsh Government is processing about you
- ✓ require the Welsh Government to rectify inaccuracies in that data
- ✓ in some circumstances, object to processing on grounds relating to your particular situation
- ✓ in some circumstances, restrict processing
- ✓ lodge a complaint with the Information Commissioner's Office who is the independent regulator for data protection.

For further information about the data which the Welsh Government holds, and its use, or if you wish to exercise your rights under the data protection legislation, please contact the Welsh Government's School Information and Improvement Branch in the first instance and/or the Data Protection Officer. Details are as follows:

School Information and Improvement Branch:	The Education Directorate Welsh Government Cathays Park Cardiff CF10 3NQ	**Data Protection Officer:**	Welsh Government Cathays Park CARDIFF CF10 3NQ
Email Address:	IMS@gov.wales	Email Address:	DataProtectionOfficer@gov.wales

To contact the Information Commissioner's Office, please see details below:

Information Commissioner's Office:	Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone - Helpline:	029 2067 8400 (Wales helpline) or 0303 123 1113 (UK helpline)
Website:	www.ico.gov.uk

ANNEX 1 – Data Items collected

As a key to the below, the collections listed are:

PLASC	Pupil Level Annual School Census data collection
EOTAS	Education Otherwise Than At School pupil level data collection
Att. (P)	Attendance (primary) data collection
Att. (S)	Attendance (secondary) data collection
NDC	National Data Collection
P16	Post-16 data collection
WED	Welsh Examination Database

Data Item Name	Description	PLASC	EOTAS	Att. (P)	Att. (S)	NDC	P16	WED
LEA Number	This is a reference number, which identifies the local authority that is associated with the school. This will help with grouping data together by local authorities	☒	☒	☒	☒	☒	☒	☐
Establishment number	This is a reference number, which identifies the school. This will help with grouping data together by school.	☒	☒	☐	☐	☒	☐	☒
School name	School name	☒	☐	☒	☒	☒	☒	☐
School phase	To indicate the Phase of Education offered by the school	☒	☐	☒	☒	☒	☒	☐
School number	This is a unique code given to the school for statistical analysis purposes	☒	☐	☒	☒	☐	☒	☒
UKPRN	UKPRN for the school	☒	☐	☐	☐	☐	☐	☐

Data Item Name	Description	PLASC	EOTAS	Att. (P)	Att. (S)	NDC	P16	WED
School Telephone number	School telephone number	☒	☐	☐	☐	☐	☐	☐
School type	Type of Education offered by the school	☒	☐	☐	☐	☐	☐	☐
Free school meals taken	The number of pupils registered in the school who had a free school meal on the census day.	☒	☐	☐	☐	☐	☐	☐
Unique Pupil Number (UPN)	A unique number allocated to each pupil to facilitate statistical analysis purpose	☒	☒	☒	☒	☒	☒	☒
Unique Learner Number (ULN)	ULN number for each pupil	☒	☒	☒	☒	☐	☒	☒
Former UPN	To record former UPNs of each pupil.	☒	☒	☒	☒	☒	☒	☐
Surname	Pupils Legal Surname	☒	☒	☒	☒	☒	☒	☒
Forename	Pupils Legal Forename	☒	☒	☒	☒	☒	☒	☒
Middle name(s)	Pupils middle name	☒	☒	☒	☒	☒	☒	☒
Date of birth	Pupils data of birth	☒	☒	☒	☒	☒	☒	☐
Age	Pupils age on census day	☐	☒	☐	☐	☐	☐	☐
Gender	Pupils gender	☒	☒	☒	☒	☒	☒	☒
Pupil National identity	Pupils national identity	☒	☒	☐	☐	☐	☐	☒
Pupil Ethnic code	Pupils ethnicity	☒	☒	☐	☐	☐	☐	☒
Source of pupil ethnic code	A code to identify who provided the ethnicity background information	☒	☒	☐	☐	☐	☐	☐
Pupil free school meal eligibility	To identify if the pupil is eligible for free school meals.	☒	☒	☐	☐	☐	☐	☐
Pupil free school meal transitional protection	To identify if the pupil is eligible for free school meal transitional protection.	☒	☐	☐	☐	☐	☐	☐
English as an additional language	To identity pupils who is taking English as an additional language	☒	☐	☐	☐	☐	☐	☐
Language type	To identify the language type of the pupil.	☒	☐	☐	☐	☐	☐	☐

Data Item Name	Description	PLASC	EOTAS	Att. (P)	Att. (S)	NDC	P16	WED
First Language code	To identify the first language of the pupil.	☒	☐	☐	☐	☐	☐	☒
Language source	A code to identify who provided the language information	☒	☐	☐	☐	☐	☐	☐
Enrolment status	To identify the valid enrolment status of the pupil.	☒	☐	☒	☒	☒	☒	☐
Date of entry to current school	To identify the date of entry of the pupil to the current school.	☒	☐	☒	☒	☐	☐	☐
Part time indicator	To identify if the pupil attends the school on a part time basis.	☒	☐	☒	☐	☐	☒	☐
Boarder indicator	To identify if the pupil boards at the school.	☒	☐	☐	☐	☐	☐	☐
Pupil NC year group	To identify the national curriculum (NC) year group in which the pupil taught for the majority of their time, regardless of their age.	☒	☒	☒	☒	☒	☒	☐
Class name	To identify the class name/number for each individual pupil.	☒	☐	☐	☐	☐	☐	☐
Home postcode	Pupils home postcode	☒	☒	☒	☒	☐	☒	☐
Pupil SEN provision	Pupils SEN provision for additional learning needs	☒	☒	☐	☐	☐	☐	☐
SEN Type	To identify all the special needs of a pupil.	☒	☒	☐	☐	☐	☐	☐
Curriculum & teaching methods	To identify the provision of support for the pupil in curriculum and teaching methods.	☒	☐	☐	☐	☐	☐	☐
Grouping & support	To identify the provision of support for the pupil in grouping and support.	☒	☐	☐	☐	☐	☐	☐
Specialised resources	To identify the provision of support for the pupil in specialised resources.	☒	☐	☐	☐	☐	☐	☐
Advice & assessment	To identify the provision of support for the pupil in advice and assessment.	☒	☐	☐	☐	☐	☐	☐
Pupil Fluency in Welsh	To identify if the pupil is fluent in Welsh.	☒	☐	☐	☐	☐	☐	☐
Pupil Welsh at Home	To identify if the pupil speaks Welsh at home.	☒	☐	☐	☐	☐	☐	☐

Data Item Name	Description	PLASC	EOTAS	Att. (P)	Att. (S)	NDC	P16	WED
Welsh source	A code to identify who provided information on use of the Welsh language.	☒	☐	☐	☐	☐	☐	☐
Pupil Welsh at School	To identify how the pupil studies Welsh at school.	☒	☐	☐	☐	☐	☐	☐
Pupil Welsh medium Education	To identify if the pupil studies any subject other than Welsh (1st or 2nd language) through the medium of Welsh.	☒	☐	☐	☐	☐	☐	☐
Start date of exclusion	To identify the date which the exclusion occurred.	☒	☒	☐	☐	☐	☐	☐
Exclusion reason	To identify the reason why the pupil excluded.	☒	☒	☐	☐	☐	☐	☐
Pupil Exclusion category	To identify the correct exclusion category of the pupil.	☒	☒	☐	☐	☐	☐	☐
Number of sessions missed	To identify the number of sessions (half days) missed by the pupil because of the exclusion.	☒	☒	☐	☐	☐	☐	☐
Category of provision	This data item will identify the category of provision for each pupil. (EOTAS)	☐	☒	☐	☐	☐	☐	☐
Hours of provision	This data item identifies the number of hours of provision made for each pupil in the week of the census collection. (EOTAS)	☐	☒	☐	☐	☐	☐	☐
LA and Establishment	Where the pupil enrolled at a PRU or placed in a school as part of the provision during census week, the four-digit establishment number and the three-digit LA number of the PRU or school must be included. (EOTAS)	☐	☒	☐	☐	☐	☐	☐
Other category of provision	Where the pupil is attending a category of provision shown as ‘other’ during census week, a description of the category of provision must be included.	☐	☒	☐	☐	☐	☐	☐
Programme Identifier	this is a unique identifier for the programme that the pupil is undertaking in 6 form	☐	☐	☐	☐	☐	☒	☐

Data Item Name	Description	PLASC	EOTAS	Att. (P)	Att. (S)	NDC	P16	WED
Programme Reference	This is a reference number for the programme that the pupil is undertaking in 6 form	☐	☐	☐	☐	☐	☒	☐
Programme Start Date	This is the start date which the pupil is started the programme in 6 form	☐	☐	☐	☐	☐	☒	☐
Programme Expected End Date	This is the expected end date which the pupil should complete the programme in 6 form	☐	☐	☐	☐	☐	☒	☐
Programme Actual End Date	This is the actual end date which the pupil should complete the programme in 6 form	☐	☐	☐	☐	☐	☒	☐
Programme Completion Status	This is the completion status of the pupil on census day	☐	☐	☐	☐	☐	☒	☐
Guided Contact Hours	The planned number of guided contact hours used to monitor delivery of programme of study (PoS) specification and used to adjust programme of study (PoS) values.	☐	☐	☐	☐	☐	☒	☐
Length of Programme	Length of Programme	☐	☐	☐	☐	☐	☒	☐
Year of Programme	Year of Programme	☐	☐	☐	☐	☐	☒	☐
Learning Actvity ID	To identify uniquely each programme of study (PoS) and learning activity being undertaken by a pupil.	☐	☐	☐	☐	☐	☒	☐
QWAD	QWAD (Qualification Wales Accreditation Number). This is the unique reference number for qualifications approved by Qualification Wales undertaken by pupils in 6th form	☐	☐	☐	☐	☐	☒	☒
QAN Code	QAN Code. This is the unique reference number for qualifications approved by Ofqual, undertaken by pupils in 6th form	☐	☐	☐	☐	☐	☐	☒
Main Grade (Result)	This is the qualification grade obtained by the pupil (eg A* - E or 9 -1)	☐	☐	☐	☐	☐	☐	☒

Data Item Name	Description	PLASC	EOTAS	Att. (P)	Att. (S)	NDC	P16	WED
Additional Grade	This is the additional grade obtained by the pupil	☐	☐	☐	☐	☐	☐	☒
Awarding Bodies	This is the name of the organisation who awards the qualification (eg WJEC, BTEC)	☐	☐	☐	☐	☐	☐	☒
Learning Activity Category	To ensure that programme of study (PoS) specifications as per the programme of study (PoS) directory.	☐	☐	☐	☐	☐	☒	☐
Date Commenced Learning Activity	To identify the start date of the programme of study (PoS) or learning activity and to be used with the end date to derive the duration of learning.	☐	☐	☐	☐	☐	☒	☐
Expected End Date of Learning Activity	Expected End Date of Learning Activity	☐	☐	☐	☐	☐	☒	☐
Actual End Date of Learning Activity	To identify the end date of the programme of study (PoS) or learning activity and to be used with the start date to derive the duration of learning.	☐	☐	☐	☐	☐	☒	☐
LLDD Learner	To monitor pupils with learning difficulties and/or disabilities and whether they are learning in a discrete or mainstream environment.	☐	☐	☐	☐	☐	☒	☐
Learning Activity Delivered Through the Medium of Welsh	To monitor the medium of delivery of learning activities and if bilingually delivered in the teaching model adopted.	☐	☐	☐	☐	☐	☒	☒
Provider Delivering Learning	To identify where learning is being delivered and so the extent of franchising/sub-contracting/partnership arrangements between schools and other learning providers.	☐	☐	☐	☐	☐	☒	☐
Completion Status	To identify those learning activities for which pupils have successfully completed the required learning and those learning activities from which pupils have withdrawn or transferred.	☐	☐	☐	☐	☐	☒	☐

Data Item Name	Description	PLASC	EOTAS	Att. (P)	Att. (S)	NDC	P16	WED
Sessions Possible	For each pupil on roll.	☐	☐	☒	☒	☐	☐	☐
Sessions Attended	This is the number of half-day sessions the pupil have attended	☐	☐	☒	☒	☐	☐	☐
Sessions Authorised Absence	The number of day of authorised absences for each pupil	☐	☐	☒	☒	☐	☐	☐
Sessions Unauthorised Absence	The total should include all unauthorised absences which have been recorded for that pupil	☐	☐	☒	☒	☐	☐	☐
Sessions not required to attend	Number of half-day sessions where the pupil have not been required to be in school.	☐	☐	☒	☒	☐	☐	☐
Attendance Code	A code that is used in the recording of attendance information of each pupil in schools	☐	☐	☒	☒	☐	☐	☐
Sessions Count	Count of the number of half-day sessions that each pupil's attendance codes used.	☐	☐	☒	☒	☐	☐	☐
Date of leaving	Date pupil left the current school.	☐	☐	☒	☒	☐	☐	☐
National Curriculum Stage	Stage (E.g. Foundation Phase FP)	☐	☐	☐	☐	☒	☐	☐
National Curriculum Subject	Subject e.g. Mathematics	☐	☐	☐	☐	☒	☐	☐
Method	Method of assessment (teacher assessment)	☐	☐	☐	☐	☒	☐	☐
Component	Component (is is a subject or an attainment target assessment)	☐	☐	☐	☐	☒	☐	☐
Result	Result, the national curriculum level awarded	☐	☐	☐	☐	☒	☐	☐
Result Date	Result Date, year of result	☐	☐	☐	☐	☒	☐	☐
Locale	Locale, whether the result was achieved in Wales or England	☐	☐	☐	☐	☒	☐	☐

ANNEX 2 – Sharing your Data with other Organisations

Organisation	Purpose
Office for National Statistics (ONS)	Pupil data is provided to ONS in accordance with ONS' statutory functions laid out in the Statistics and Registration Service Act 2007 (SRSA) and Census Act 1920 for the production of statistics and statistical research. ONS publish aggregate statistics related to the economy, population and society at UK, Wales, and local levels. These statistics will be published in a manner that ensures it is not possible to identify individuals. The ONS will also use the data to undertake research, or to make de-identified data available to approved researchers (as defined in the Digital Economy Act), through their secure research environment. These research projects may involve linking data to other data sources to help understand the interaction between the education system and other issues such as health, well-being or the economy. Again the research will be undertaken in a manner that includes checks being carried out to make sure that identities are not revealed by the results of the analysis.
Qualifications Wales	Pupil level data used to undertake analysis of learner numbers at qualification and sector levels, to help inform sector reviews of qualifications. https://www.qualificationswales.org/english/
Careers Wales	To provide support to specific groups of individuals who are at a high risk of becoming disengaged from education, employment and training. To achieve this, pupil level data used to match/link to existing active Careers Wales client records in order to determine the pupil's destination for producing statistics only. Details of how Careers Wales will use your information, please refer to Careers Wales website http://www.careerswales.com/
Local Authorities	Pupil level data is analysed and used by local authorities.
Estyn	Pupil level data is analysed and used by Estyn inspectors as part of their inspections of learning undertaken in schools. https://www.estyn.gov.wales/language
UK Government - Department for Education	Pupil level data used to link individual pupil records to employment, earnings and benefits records held by the Department for Work and Pensions, in order to identify and analyse the destinations of learners into further learning and/or employment, once they have left learning. https://www.gov.uk/government/organisations/department-for-work-pensions/about/personal-information-charter.
Organisations working under	We may share your data with organisations working under contract with ourselves where the aim of that work supports us in

Organisation	Purpose
contract to the Welsh Government	understanding and improving the education and wellbeing of students.
The Universities and Colleges Admissions Service (UCAS)	We will share the data we collected about you when you were in year 11 and whether you were eligible for free school meals at any time during the six years up to and including year 11 Pupil level data will be matched to learners who have submitted a UCAS application, UCAS will then share this data with Higher Education Institutes (HEIs) as part of the application, thus giving more contextual information to universities. Pupil data will be used to undertake analysis of learner numbers relating to progression rates to higher education. UCAS will share this statistical research with WG, enabling the identification of any required policy interventions and to promote wider participation in Higher Education for learners in Wales. This will build towards equity of access to education for learners from all backgrounds. Details of how UCAS will use your information, please refer to UCAS website. https://www.ucas.com/ UCAS Privacy Notice
Research organisations	We may share your data with any persons conducting research into the educational achievements of pupils and who require individual pupil information for that purpose.