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# Privacy notice for teachers and school staff for the national curriculum technical pre-tests 2023

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## 1 Why are we collecting this data?

The Standards and Testing Agency (STA), which is an executive agency of the Department for Education (DfE), has engaged the National Foundation for Educational Research (NFER) to carry out the administration of the 2023 KS1 and KS2 technical pre-tests. The purpose of these trials is to produce robust and reliable tests for possible future use in the KS1 and KS2 national curriculum assessments in English reading, English grammar, punctuation and spelling, and mathematics.

This document outlines how school staff's personal data will be collected and processed for their administration.

The project also collects pupil data. For information about how it is processed please see the privacy notice covering pupil data here:

[https://www.nfer.ac.uk/media/5197/stcxy\\_parent\\_privacy\\_notice.pdf](https://www.nfer.ac.uk/media/5197/stcxy_parent_privacy_notice.pdf)

STA is the data controller and is responsible for determining how personal data used in this project should be treated. NFER, as data processor, follows STA's instructions on how personal data should be handled.

## 2 What is the legal basis for processing activities?

The legal basis for processing personal data is covered by:

- GDPR Article 6 (1) (e) which states that the 'processing is for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.'

The statutory basis for these tests (except for the key stage 1 English grammar, punctuation and spelling which is not statutory) is the Education (National Curriculum) (Specified Purpose) (England) Order 2015.

## 3 What personal data will be collected?

NFER will collect data (name, job title and contact details) about a nominated named teacher or member of school staff within a participating school so that we can liaise with them about this trial.

NFER will ask school staff to complete a short questionnaire asking for feedback and opinions about the test materials.

## **4 How will personal data be obtained**

NFER will collect personal data about school staff directly from participating schools and teachers.

## **5 Who will personal data be shared with?**

Personal data about teachers and school staff is not shared with STA. No individuals will be named in any report for this project.

## **6 Is personal data being transferred outside of the European Economic Areas (EEA)?**

No personal data is transferred or stored outside of the EEA.

## **7 How long will personal data be retained?**

Data collected for the project will be stored in the NFER systems for up to 6 months after the completion of the trial. This is currently expected to be until March 2024 at which point it will be securely deleted.

## 8 Individual rights

Under data protection legislation (UK GDPR and the Data Protection Act 2018), you are entitled to ask if we hold information relating to your child. You can read further information about your data protection rights at the Information Commissioner's Office (<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>). Under certain circumstances, you have the right:

- to request access to information that we hold about your child (subject access request)
- to have your child's personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your child's personal data (for example, permitting its storage but no further processing)
- to object to our processing
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on your child.

## 9 Who can I contact about this project?

NFER is responsible for the day-to-day management of this project. Contact the project team by email with any queries:

KS2 technical pre-test - [STCY@nfer.ac.uk](mailto:STCY@nfer.ac.uk)

KS1 technical pre-test - [STCX@nfer.ac.uk](mailto:STCX@nfer.ac.uk)

If you have a concern about the way this project processes personal data, we request that you raise your concern with us in the first instance (see the details above). If you remain dissatisfied, you can contact the Information Commissioner's Office, the body responsible for enforcing data protection legislation in the UK, at <https://ico.org.uk/concerns/>

## 10 Updates

We keep this privacy notice under review to make sure it is up to date and accurate.

The date when this privacy notice was last updated is shown in the footer at the bottom of this document.