

Early Learning and Childcare Data Transformation Project

Privacy Notice

As part of the Scottish Government's commitment to promote access to high quality funded Early Learning and Childcare (ELC)¹ it needs to collect and use information about children and staff in ELC settings providing the funded entitlement. For example, information on the number and characteristics of children enrolled, the number of funded hours they are enrolled for, and the number of graduate level staff working in settings providing funded ELC.

The ELC Data Transformation Project will be conducted by the Scottish Government (Educational Analytical Division, Children & Families, Victoria Quay, Edinburgh, EH6 6QQ) who are responsible for the current ELC census. Aggregated data is currently collected on registrations for funded ELC through the census. The ELC Data Transformation Project is looking to improve the existing data collection for this sector in terms of quality and content, and to reduce the burden of this collection for local authorities and ELC settings involved. There will be data trials to test and improve the process prior to full implementation of a new census. The new census will be developed as an outcome of the project and will involve an individual level collection allowing more meaningful analysis of the sector.

This privacy notice explains what information we will collect, why we need this information, how we use it and what we do to protect the information supplied to us.

Why do we need your data?

In order to make the best decisions about how to improve our ELC service, Scottish Government, education authorities and other partners such as nurseries, need accurate, up-to-date data about children accessing funded ELC. We are keen to help all children accessing funded ELC to achieve the best possible support and experience. Accurate and up-to-date data allows us to:

- Better understand how ELC is utilised by families, for example, by looking at the pattern of provision adopted throughout the year;
- Improve the availability, accuracy and content coverage of data to inform future resource and workforce planning;
- Improve the analysis possible to provide recommendations and changes to funded provision available to improve the lives of young people in Scotland and reduce inequalities.

¹ Funded ELC refers to early learning and childcare that education authorities have a duty to provide under the Education (Scotland) Act 1980 and the Children and Young People (Scotland) Act 2014.

- Improve the data collection methodology and make it more efficient, and reduce duplications of data collections.

The individual data about children in ELC collected by the Scottish Government through the census and the data trials are used only for statistical and research purposes, such as those covered above. Data will not be used for marketing purposes or to identify individuals, nor will it be shared outside the EU.

What data is going to be collected?

Data will be collected and processed on both children enrolled for funded ELC and staff working in settings providing funded ELC in Scotland. The majority of the data on children required for the census is already received by the setting or local authority from parents/carers of children registering for funded ELC and is maintained by the setting and the local authority responsible for internal purposes. The staffing data required forms part of the information held by the local authority for management purposes.

Although the registration process for ELC requires further information to what is required for the census, only the data items mentioned below will be shared with the Scottish Government. For example, we will not receive the child's name and contact details, that are collected for use within the setting.

The information on children that will be collected and processed for the Scottish Government will be:

- Sex
- Date of birth
- Unique child identifier - still to be established
- Home postcode
- Child's home language
- Ethnicity
- Disability status
- Additional support needs
- Support plans in place
- Funded hours a child is enrolled for
- Days of the week that a child is enrolled for funded hours
- Weeks per year that the child is enrolled for funded hours
- Stage child is enrolled in (i.e. under 2, 2 year old, 3 year old, 4 year old, deferred)
- Reason for eligibility for 2 year olds
- Setting(s) a child is enrolled at
- If they receive Gaelic medium education.

The data processed (in line with the school staff census) on teachers and staff who hold or are working towards degree level (SCQF level 9 or above) qualifications will be:

- Gender
- Date of birth or possibly month and year of birth
- Registration number with governing body (i.e. SSSC or GTCS)

- Nationality
- Ethnicity
- Setting(s) the staff member is employed at
- Working pattern (i.e. hours or FTE).

What happens to your information?

The Scottish Government will receive ELC information directly from each local authority to reduce the burden upon settings and promote the efficient collection, processing and dissemination of statistical information. The data processing will be conducted by SEEMiS (in the majority of local authorities) who are working directly with the Scottish Government and local authorities to compile and transfer the data between the organisations involved. Data not received through SEEMiS will be transferred directly from local authorities to the Scottish Government.

The trials data will be used to test the process of the new census and identify any issues. When established, the new ELC census data will be used to support research, planning, management and monitoring of funded ELC provision as well as to make publicly available summaries of the data in National Statistics publications.

As part of its data policy, Scottish Government will not publish or make publicly available any information that allows individual children or staff to be identified, nor will data be used by Scottish Government to take any actions in respect of individuals.

How will my data be kept secure?

Education data within Scottish Government is managed effectively by secure systems on secure servers and is treated and used as a valuable corporate resource subject to confidentiality restraints.

Regarding the retention of census data, it may be kept indefinitely following appropriate safeguards, in line with current data protection legislation. Data from the trials will only be kept for as long as is deemed necessary, and will not be shared.

The data are processed in line with the existing data protection legislation. When the census is established, the data will be used to inform funded ELC planning and provision, with the potential for future data linkage, possibly with health or educational outcomes. Data may be made available to researchers or charities to meet their own research needs, subject to strict access controls and approval on an individual application basis by a Data Access Panel. This is a group of relevant colleagues and individuals within and outwith Scottish Government who make an informed decision prior to any sharing or linkage of data. Any resulting actions will be done under the strict control of Scottish Government, and will be consistent with our data policy and the [Guiding Principles for Data Linkage](#). At all times the rights of the individual (children or staff) under the data protection and other relevant legislation will be ensured.

Who is processing the data for this project?

The data processor for the majority of the data for this project is SEEMiS Group who process data for both ELC settings and schools in Scotland. SEEMiS are not using this data for their own purposes. SEEMiS Group are an education Management Information System provider and may be contacted at letters@seemis.gov.scot. The data collected will be held within Scotland before being transferred to the Scottish Government. The source of this data is information held on local authority data management systems on children receiving ELC funded hours within Scotland.

Not all data is likely to be received through SEEMiS as not all local authorities use this system to record ELC data. Some information will come directly from the local authority to the Scottish Government. ScotXed (within the Scottish Government) will transfer the data from SEEMiS or local authorities to the Scottish Government using ProcXed, a secure software for collecting and validating data.

Why is my information needed, and how will it be used?

Scottish Ministers and education authorities have a legal obligation to assess education and therefore require accurate data on funded ELC provision to meet these duties. For example, linking funded ELC uptake rates with information on the children enrolled in funded ELC allows for consideration of flexible yet effective ways to deliver funded ELC. In addition, having richer, more considered information available helps identify areas to improve the quality of education and care, by ensuring that provision is accessible to all, and has the skilled workforce required.

What are my individual rights?

Given that the data received by the Scottish Government is gathered for statistical and research purposes and any results published do not identify individuals, the rights of individuals for whom we hold data are restricted. This data is necessary for carrying out a task for reasons of public interest and is subject to the appropriate safeguards. Following data protection exemptions for data collected under these conditions, the data held by the Scottish Government for this collection is exempt from data access requests and from rectification and erasure.

What if I have concerns?

The Data Protection Officer for this data is the Scottish Government Data Protection and Information Assets (DPIAT) team, dpa@gov.scot. If you have any concerns around this data collection please contact the DPIAT team, or Mick Wilson, head of Education Analytical Services (Mick.Wilson@gov.scot). Alternatively complaints may be raised with the Information Commissioners Office at casework@ico.org.uk.