

Confidentiality and Data Management

Introduction

This Statement is issued in conformance with the requirements set out in the Code of Practice for Official Statistics. It requires producers of official statistics to publish transparent guidance on their arrangements for protecting confidential data. The Statement sets out the arrangements the Department of Education (DE) Statistical Analysis Team (SAT) and, where applicable, Research and Evaluation Team (RET) have put in place to:

- Maintain the trust and co-operation of those who own and manage administrative data sources used by us and respondents to our surveys
- Comply with the relevant legislation, including the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UKGDPR)
- Comply with Standards for Official Statistics of the Code of Practice for Statistics, which states that: “Protect the confidentiality of individual and business information when producing statistics. Be transparent about the choices made in line with the producer’s published confidentiality policy and apply appropriate disclosure control methods before release”
- Maintain the confidentiality of the data we receive, store, process and disseminate.

Legislation

The following statutory provisions provide for the processing of data by the Department.

Education and Libraries (NI) Order 2003 Article 37 provides that Education Authority (EA) and schools shall make such reports and returns and give such information to the Department as the Department may reasonably require for the purposes of its functions under any statutory provision.

Education Reform (NI) Order 1989 Article 3 places a duty on the Department to promote the education of the people of Northern Ireland and secure the effective

execution by EA and other bodies of the Department's policy in relation to the provision of the education service.

In addition the Department has duties under Section 75 of the [Northern Ireland Act 1998](#) to have due regard to the need to promote equality of opportunity.

Compliance with the UKGDPR

The lawful basis for processing personal data is:

UKGDPR Article 6(1)(e) public task, underpinned by [The Education Reform \(Northern Ireland\) Order 1989](#)

The lawful basis for the processing of Special Category personal data is Article 9, 2(j) of the UKGDPR 2018: processing is necessary for archiving purposes in public interest, scientific or historical research purposes or statistical purposes. We will only process Special Category personal data, where it is necessary and for the original purpose for which it was obtained, in line with the requirements of the UK GDPR. DE meets a further required condition of the Data Protection Act 2018 (DPA). Section 10(2) of the DPA sets out that the processing meets the requirement in point (j) only if it meets a condition (or purpose) in Part 1 of Schedule 1. In pursuance of Part 1 of Schedule 1, the processing is necessary for 4(a) archiving, research and statistical purposes; is carried out in accordance with Article 89(1) of the UK GDPR (supplemented by section 19 of the DPA); and is in the public interest.

Arrangements for maintaining the confidentiality of statistical data

DE has its own [Data Security Policy | Department of Education](#) and information security management systems that are subject to regular internal audit. The Data Security Policy outlines the importance that the DE places on lawful and appropriate management of sensitive information and provides details of how this is implemented. It includes issues relevant to physical, technical, organisational and personnel security control.

Physical security control

All staff working in the organisation, and all visitors to its sites, require a pass to access the premises. There is no public access to any part of the organisation where confidential statistical data may be held.

Technical Security Control

Electronic safeguards include the storage of confidential statistical data on a dedicated drive accessible only by SAT and RET staff. No confidential statistical data are held on laptops or any other portable devices or kept on unprotected portable storage media. The transmission of confidential statistical data which includes personal identifiable data is by Secure File Transfer. Transmission of de-identified confidential statistical data may be within the government information network or on encrypted e-mail.

Organisational Security Control

The oversight roles and responsibilities in place to deliver an effective governance regime are outlined in the [Data Security Policy | Department of Education](#) and include the responsibilities of the Senior Information Risk Owner, the Assistant Departmental Security Officer, Information Asset Owners, Departmental Information Managers, Local Information Managers and staff responsibilities.

Personnel Security Control

All staff who work with data about individual persons, e.g., pupils in schools, receive appropriate security checks. All staff receive online Data Protection training and all staff have been issued with security related advice, guidance policies and procedures.

Statistical Disclosure Control

We identify three types of disclosure risk in relation to the data about individual

persons, or the statistics derived from the data:

- **Identity:** If a person or persons can be identified (by either the persons themselves or someone else) then there is an identity disclosure risk.
- **Attribute:** If confidential information about a person or group of persons is revealed and can be attributed to the person, or each person in the group, then there is an attribute disclosure risk.
- **Residual:** If outputs from the same source, or different sources/databases, can be combined to reveal information about a person or group of persons, then there is a residual disclosure risk.

For each of our statistical and data releases, we will assess the risk of disclosure based on the following:

- Level of aggregation of the data
- Number of tables produced from each dataset
- Likelihood of an identification attempt
- Size of the population
- Consequences of disclosure.

On occasion, individual names are collected, to assist in the validation process. The names are removed from final datasets once the validation exercise is completed, effectively anonymising individual records held within datasets.

To minimise the risk of disclosure and maximise the utility of the statistics in our statistical releases, SAT use an appropriate combination of statistical disclosure control methodologies including: table design, rounding, primary suppression, and counter suppression. We may use software for rounding and suppression purposes where feasible. Each of our statistical publications will provide details of the statistical disclosure control method adopted in the publication. Decisions on the type and extent of disclosure control to be applied will be taken by the statistician responsible for the relevant work area.

On occasion, extracts of anonymised data may be provided to third parties for statistical purposes. In order to satisfy the requirements of the UKGDPR, DE requires recipients of data to adhere to the principles as laid out in the UKGDPR. Any organisation or individual requesting extracts of data is obliged to enter into a Data Sharing Agreement, prior to the issue of data. Within the agreement, it

states that the recipient will guarantee that no outputs are produced that are likely to identify an individual. The third party must ensure that any reports, papers or statistical tables derived from the dataset that are published or released to other organisations must adhere to our disclosure policy. The third party will have agreed that all releases of data must be approved by us and that all outputs resulting from access to these data must meet the guarantee contained in the Principles of the Code of Practice for Statistics.

Requests for information

All requests for information will be dealt with in a timely manner. All requests will be treated fairly and without prejudice, taking into account the public interest, the requirements of the Data Protection Act (2018) / UKGDPR and Freedom of Information Act (2000). Guidance on the Data Protection and Freedom of Information Acts can be found at the Information Commissioners website at <https://ico.org.uk/> You can also make a request for information to Statistics@education-ni.gov.uk

A copy of DE's Notification to the Information Commissioner can be found at <https://ico.org.uk/> under "Register of Data Controllers".

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