Confidentiality and Access

This Statement is issued in conformance with the requirements set out in Principle 5 of 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) Analytical Services Unit (ASU) has 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 1998;

- Comply with Principle 5 of the Code of Practice for Official Statistics, which states that: “Private information about individual persons (including bodies corporate) compiled in the production of official statistics is confidential, and should be used for statistical purposes only”; and

- 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 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.

The statutory provisions providing the duties of the Department are contained in the 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 between persons of different religious belief or racial group and between persons with or without a disability.

Compliance with the Data Protection Act
Processing carried out by the Department complies with the conditions in Schedules 2 and 3 of the Data Protection Act.

Processing complies with conditions 5( b) (it is necessary for the exercise of any functions conferred on any person by or under any enactment) and 5(c) (the processing is necessary for the exercise of any functions of a Government Department) in relation to Schedule 2 of the Data Protection Act.
Processing of sensitive personal data complies with condition 7(b) and (c) (it is necessary for similar purposes as in Schedule 2) and condition 9(1) (the processing of sensitive personal data in regard to ethnic origin is necessary for the purpose of identifying or keeping under review in regard to equality of opportunity) in relation to Schedule 3 of the Data Protection Act.

**Arrangements for maintaining the confidentiality of statistical data**

DE has its own Data Security policy and information security management systems that are subject to regular internal audit


The Department’s Data Security Policy outlines the importance that the Department 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, such as access controls to relevant containers and password protected documents, are in place. No confidential statistical data are held on laptops or any other portable devices or kept on unprotected portable storage media. All transmission of data is conducted within the government information network or on encrypted e-mail.

**Organisational Security Control**

The oversight roles and responsibilities DE has in place to deliver an effective governance regime are outlined in the Data Security Policy 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 a 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; and
- 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 in 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, ASU use an appropriate combination of statistical disclosure control methodologies including: table design; rounding, primary suppression, and secondary 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 Data Protection Act 1998, the Department requires recipients of data to adhere to the principles as laid out in the Act. 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 Official 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 (1998) 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 on the DE website at https://www.education-ni.gov.uk/contacts/statistics-and-research-team

A copy of the Department’s Notification to the Information Commissioner can be found at https://ico.org.uk/ under “Register of Data Controllers”.

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