

September 2007

Dear Headteacher

Re: Fair Processing Notice (FPN) (under the Data Protection Act)

Schools are required to issue a revised FPN to cater for the changes in departmental organisation and responsibility announced in June 2007 by the new Department of Children, Schools and Families (DCSF). FPNs issued last year are no longer legally valid.

To meet the requirements of the Data Protection Act 1998, the revised FPN needs to be sent to all pupils and or parents during the Autumn Term 2007.

- Where a child is under 12 an FPN should be issued to the parent (or the person with parental responsibility)
- Where a child is aged 12 or over the FPN should be provided both to the child and to the parent

This year in order to cut down the burden on schools the DCSF in consultation with the Information Commissioner, has issued suggested FPN text in three layers.

Layer 1 This is a brief one page notice to go to all pupils and or parents

Layer 2 This is an amplification giving more information about the organisations that have access to information and the uses they make of it.

Layer 3 This is the full Fair Processing Notice.

Layers 1, 2 and 3 can be downloaded from the Learning Trust's website.

<http://trustnet.learningtrust/Trust/forms/default.aspx>

- A link to the Learning Trust website has been added here so parents can download Layers 2 and 3.
 - ✓ Schools issue Layer 1 to the parents of all current pupils under the age of 12 as soon as possible
 - ✓ Schools issue Layer 1 to all current pupils of the age of 12 and over and to their parents as soon as possible
 - ✓ The condensed and full versions must be made available on paper on request but can be offered on a website or by email.

In future schools should then issue Layer 1 to new pupils and parents as part of the normal enrolment process

Schools and Academies re-issue Layer 1 to pupils at age 16, to draw to their attention that the right under the Learning and Skills Act to opt out from the passing on of information over and above name and address of pupil and parent to those providing Connexions services, passes from the parent to the pupil at that age. It is suggested that the notice should be reissued to pupils at the beginning of the term in which they reach 16, and not on each individual pupil's birthday.

If you have any queries and or questions re the above please do not hesitate to contact me.

Yours faithfully

Tom Brooke
Head of Law and Company Secretary