

3 July 2023

IC-236587-N8M3

Request

You asked for the following information about the reprimand issued to Parkside Community Primary School:

As there are several Parkside schools across the UK, can you confirm whether this is the school involved? [Link omitted]

The name of the system involved appears to have been redacted. Whilst the principles involved for ensure the protection of such data should be generic across all management systems, there are also some specific ways different systems can support Data Protection by Design and by Default. Please provide the name of the redacted system.

One area raised was about emails not having the relevant labels. This is a key issue for any emails that come from other systems can have the relevant information classification, something that few systems have in place. What guidance is available for schools about information classification?

Has the ICO raised any guidance for EdTech vendors about Information Classification labels?

Has the ICO had any discussions with the DfE on Information Classification labels within schools?

Has the ICO had any discussions with EdTech vendors directly about Information Classification labels?

Has the ICO had any discussions with stakeholder groups/trade associations about information classification labels in EdTech products (e.g. discussed with BESA)?

Your request, received on 6 June 2023, has been handled under the Freedom of Information Act 2000 (the FOIA). As you are probably aware, this legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

Response

I can confirm that we hold some information in scope of your request.

For ease of reference we have numbered your points, and address each in turn:

1. *As there are several Parkside schools across the UK, can you confirm whether this is the school involved? [Link omitted]*

The reprimand was issued to Parkside Community Primary School , Aycliffe Road, Borehamwood, Hertfordshire WD6 4EP.

2. *The name of the system involved appears to have been redacted. Whilst the principles involved for ensure the protection of such data should be generic across all management systems, there are also some specific ways different systems can support Data Protection by Design and by Default. Please provide the name of the redacted system.*

The information you requested is withheld under section 44 of the FOIA, which places prohibitions on disclosure. This exemption is explained in further detail below.

3. *One area raised was about emails not having the relevant labels. This is a key issue for any emails that come from other systems can have the relevant information classification, something that few systems have in place. What guidance is available for schools about information classification?*

Guidance for organisations is available on our website and is therefore withheld under section of the FOIA, explained below.

Specifically, guidance about labelling of information can be found on the following pages:

<https://ico.org.uk/for-organisations/foi-eir-and-access-to-information/foi-self-assessment-toolkit/topic-2-section-12/searching/>

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/how-should-we-prepare/>

4. *Has the ICO raised any guidance for EdTech vendors about Information Classification labels?*
5. *Has the ICO had any discussions with the DfE on Information Classification labels within schools?*
6. *Has the ICO had any discussions with EdTech vendors directly about Information Classification labels?*
7. *Has the ICO had any discussions with stakeholder groups/trade associations about information classification labels in EdTech products (e.g. discussed with BESA)?*

We have carried out reasonable searches for the information you have requested. We can confirm that we do not hold information in scope of this element of your request.

Further information about the exemptions applied can be found below:

FOIA section 44 (& DPA s132)

This information has been withheld under the provisions of section 44 of the FOIA which places prohibitions on disclosure. This exemption is an absolute exemption, which does not require a consideration of the public interest test of the type required by the qualified exemptions.

Section 44(1)(a) of the FOIA states;

'(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it -

(a) is prohibited by or under any enactment'

The enactment in question is the Data Protection Act 2018 and specifically section 132(1) of part 5 of that Act. This states that:

"A person who is or has been the Commissioner, or a member of the Commissioner's staff or an agent of the Commissioner, must not disclose information which—

(a) has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner's functions,

*(b) relates to an identified or identifiable individual or business, and
(c) is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,
unless the disclosure is made with lawful authority."*

Section 132(2) lists the circumstances in which a disclosure can be made with lawful authority, however we find that none of them apply here. As a result the information is exempt under the FOIA and withheld from our response.

FOIA section 21

Information on our website is withheld in reliance on section 21 of the FOIA. This exempts information which is reasonably accessible to the applicant through means other than a request under the FOIA.

It is an absolute exemption, which means it is not necessary for us to consider any public interest test.

This concludes our response to your request.

FOI review procedure

If you are dissatisfied and wish to request a review of our decision or make a complaint about how your request has been handled you should write to the Information Access Team at the address below or e-mail icoaccessinformation@ico.org.uk.

Your request for internal review should be submitted to us within 40 working days of receipt by you of this response. Any such request received after this time will only be considered at the discretion of the Commissioner.

If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to this office in our capacity as the statutory complaint handler under the legislation.

To make such an application, please write to our Customer Contact Team at the address given or visit our website if you wish to make a complaint under the FOIA.

Your information

Please note that our [Privacy notice](#) explains what we do with the personal data you provide to us and what your rights are. This includes entries regarding the specific purpose and legal basis for the ICO processing information that people that have provided us with, such as an [information requester](#).

The length of time we keep information is laid out in our retention schedule, which can be found [here](#).

Yours sincerely



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Risk and Governance Department, Corporate Strategy and Planning Service
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ico.org.uk [@iconews](https://twitter.com/iconews)

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