



Department
for Education

Data Protection ICO Audit Closure Summary - update

Version 2

Office of the Data Protection Officer

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ICO audit response

The ICO undertook an audit in February and March 2020. The Department for Education (DfE) extended the scope of the audit to include the sharing of data contained within the Learning Records Service (LRS) database. This was to assist an ICO investigation following a reported data breach.

The scope of the audit covered the following key control areas:

1. Governance & Accountability
2. Individual Rights
3. Training & Awareness
4. Information Risk
5. Data Sharing
6. Records Management
7. Information Security

The DfE published an ICO audit closure summary in October 2023. This is an update to the next steps as identified in the [Department for Education \(DfE\) data protection ICO audit: closure summary](#).

The updates for each key control area are given below.

1. Governance and accountability

1. We have implemented further checks on RoPAs and Data Protection Impact Assessments (DPIAs), as well as improving DP compliance questions in the annual Assurance Framework Record.
2. We have developed data subject privacy notices, based on user feedback they were further simplified in March 2025. This includes a new guide for information requests.
3. As part of the activity to improve data governance DDT introduced a data mapping exercise to identify all data processes within DfE. Office of the Data Protection Officer has worked closely with the DfE data mapping project to support compliance with DPIAs, the IAR and RoPA.

This Governance & Accountability action will now be closed and future work will be undertaken as 'business as usual' and will be monitored accordingly.

2. Information Rights

1. The Data Protection in Schools guidance was expanded to include [guidance on dealing with subject access requests \(SARs\)](#)
2. DfE's centralised Information Rights team complete a 100% check on information rights responses before being sent to the requestor to ensure full compliance with SAR guidance.

This Information Rights action will now be closed and future work will be undertaken as 'business as usual' and will be monitored accordingly.

3. Training & Awareness

1. We are committed to continuous learning on compliance for DfE stakeholders as well as our own team.
 - The following training modules have all been updated and made available to all DfE staff:
 - Information rights
 - Personal data breaches
 - Data protection in contracts,
 - Introduction to Data Protection Impact Assessments (DPIAs).
 - The Data sharing and Retention of information modules were deemed not necessary as comprehensive guidance has been refreshed and hosted on the intranet for all staff to access.
 - Regular workshops are held on DfE's Record of Processing Activity and Information Asset Register, available to all staff but targeted towards IAOs in particular.
2. Courses are reviewed annually unless there is a change in process, policy or legislation that requires an earlier update.
 - We have developed the Data Protection Awareness module, which is mandatory training for staff, temporary staff, contractors, consultants, contingent workers and ALB staff. This is completed within one month of joining the department and renewed annually (as part of the Civil Service Mandatory Essential Training).
 - For the 2024/2025 cycle, the completion rate was 96.6%. Demonstrating the importance placed on this mandatory course by the Department.
3. The mandatory Data Protection Awareness module is refreshed annually and we continue to work closely with HR to action all feedback and make updates on the software.
4. As part of our commitment to continuous improvement, we deliver regular themed communications based on the Data Protection principles. In the last 12 months we have delivered the following campaigns:
 - Launch and ongoing promotion of the mandatory Data Protection Awareness module, including regular progress updates and targeted communications to drive completion.
 - Stop, Check, Send campaign to remind staff to carefully review all paper and electronic communications before sending, helping to prevent data breaches and protect sensitive information
 - A week-long campaign building up to Data Protection Day, designed to raise awareness of data protection principles, promote best practices, and remind staff of their responsibilities when handling personal information.
 - Tidy Friday campaign to encourage staff to regularly review, clean up, and securely dispose of unnecessary personal and sensitive information.

- Annual Data Protection Conference held to provide updates, share best practices, and promote awareness among data protection professionals across DfE, our ALBs, other Government Departments and the Information Commissioners Office.
 - Quarterly campaign with rotating themes, including:
 - Transparency
 - Accountability
 - Accuracy
 - Security
 - Storage limitation
 - Data minimisation
 - Purpose limitation
 - 5. In addition to these campaigns, we have regularly delivered ad hoc communications to further support our goal of raising awareness of data protection. These include:
 - Regular newsletters
 - Announcements of new or updated guidance
 - Informational posts and reminders across internal channels
 - We have created a resource library of data protection training and content for all staff to access and share. A slide library has also been created to assist ODPO staff in developing materials for delivery of bespoke training across their business partner areas.
 - 6. The Education Provision Assurance Scheme has been re-branded to Get help with Data Protection in Schools:
 - The project aims to equip education settings with the knowledge and skills to make informed Data Protection decisions and ensure compliance with legislation.
 - We are working with the sector through ongoing user research and design activity to update and produce guidance and resources to meet user needs and ensure project outputs are fully informed by school staff responsible for data protection.
 - Rather than establishing a 'portal' for this work it published on Gov.Uk [Data protection in schools - Guidance - GOV.UK](#). Modules are prioritised with the sector and DfE stakeholders.
 - Engagement rates have increased and feedback has been overwhelmingly positive. A couple of examples of this are:
 - We see an average of 4,500* visits per month to the guidance manual on gov.uk
 - We have seen an increase of 56% in the amount of time spent on the page and interacting with the content*
- *stats are only available when the user has opted in to analytical cookies.

This Training & Awareness action will now be closed and future work will be undertaken as 'business as usual' and will be monitored accordingly.

4. Information Risk

1. To ensure information risk is fully understood, recognised and mitigated we have introduced a risk threshold for DPIAs and RoPA. ODPOs business partners support the business to ensure all high-risk processing is logged accurately and reported at the appropriate level including to board level if the threshold is met. All data protection team staff have been trained on this and support DfE stakeholders to recognise and mitigate risk appropriately.
 - We are currently reviewing information risk reporting as part of a refreshed governance process to improve leadership oversight of our compliance.
2. We continually review our Data Protection Impact Assessment process to
 - ensure we identify and mitigate risk appropriately and consistently across the Department
 - make any updates to process, guidance and templates in a timely manner
 - deliver training to staff as required.

This Information Risk action will now be closed and future work will be undertaken as 'business as usual' and will be monitored accordingly.

5. Data Sharing

1. DfE has updated its data protection processes in relation to data sharing and published guidance on the Intranet.

This Data Sharing action will now be closed and future work will be undertaken as 'business as usual' and will be monitored accordingly.

6. Records Management

1. We have published our data management and data protection standards here: [Standards - Find and use standards](#).
 - The retention and disposal schedule has been updated to include all data held within the DfE estate and will be published within the next month.
2. We reviewed the retention periods for all back-up data in 2023. Any action required is being addressed via the DfE's Digital Heap project.
3. We have developed data subject privacy notices, based on user feedback they were further simplified in March 2025. This includes a new guide for information requests.

This Records Management action will now be closed and future work will be undertaken as 'business as usual' and will be monitored according.

7. Information Security

- 1-4. ODPO has been working with information security teams to
 - deliver communications campaigns, training and activities, [see page 5 for details](#).
 - to publish new standards, [see page 7 for details](#).

This Information security action will now be closed and future work will be undertaken as 'business as usual' and will be monitored accordingly.

ICO reprimand – in response to the investigation into a data breach for the Learner Records Service

1. DfE have developed data subject privacy notices, based on user feedback they were further simplified in March 2025. This includes a new guide for information requests.
2. DfE entered the ICO Regulatory Sandbox to consider the privacy implications of the Education Record project, see here for details: [Current projects | ICO](#). The Data Protection Officer remains in close contact with the LRS team to support the continued development and delivery of the LRS service.

This action will now be closed and future work will be undertaken as 'business as usual' and will be monitored accordingly.



Department
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