

September 23, 2016

Dear Members of the Star Chamber,

I write to you in your capacity as member of the Star Chamber, the group that approved in November 2015, the expansion of the National School Census and Early Years Census, starting in the 2016-17 school year. We have asked the Department for Education to pass this letter to you, via the contact email address: starchamber.mailbox@education.gsi.gov.uk

We would like to bring to your attention concerns from schools, parents and leading rights' organisations about who will receive these data from children, what the data will be used for, and whether the collection and their data usage meet requirements of Data Protection law.

We would like to ask for your support to clarify some of these questions, and indeed if you share any of these concerns, to ask the Department for Education to pause the collection until they are clarified.

Key questions about the census expansion decision making process:

- Were you informed the Home Office¹ and police have access to children's data from the National Pupil Database and if not, would this have influenced the questions you asked about collecting country-of-birth?
- Are you aware of the uses of the confidential and sensitive identifiable data of individual pupils by third parties, handed out from the National Pupil Database, such as to national newspaper² and TV journalists³, charities and commercial businesses? Are you confident these users will use new, sensitive data wisely?
- What privacy considerations and due diligence you were given to help you making your decision, that this national data expansion meets Data Protection regulations⁴ and Human Rights law?
- The key concern is that this change appears an attempt to extend the boundaries of policing immigration to the school workforce, and to reintroduce the immigration checks and barring entry to education for new arrivals, reportedly vetoed in 2013 under the Coalition.⁵ Did your group obtain express guarantees that this is not the purpose of the collection and who will be accountable for potential changes of use in future?

We would like to ask you for your support, in asking the Department for clarity before the new collection. We are happy to answer questions or discuss on request.

Given that the census dates for 2016-17 are: October 6, January 19, 2017, and May 18, 2017, we need to act promptly to obtain satisfactory answers to the purposes and limitations that frame this national data collection from every child in England, to be stored in perpetuity and given to all sorts of third parties, to which children and parents have not given their consent.

Thank you for your consideration.
Sincerely,

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About the campaign: Defenddigitalme

Defenddigitalme is a volunteer non-profit campaign group for children's privacy rights formed in response to concerns from parents and privacy advocates about increasingly invasive uses of children's personal data. The campaign asks the Department for Education (DfE) to change their policies and practices to protect 20 million children's identifiable personal and confidential data in the National Pupil Database (NPD) making all uses, safe, consensual and transparent. **More information:** <http://defenddigitalme.com/>

¹ <http://defenddigitalme.com/2016/08/home-office-and-police-have-accessed-data-from-the-national-pupil-database/>

² <https://www.whatdotheyknow.com/request/293030/response/723407/attach/5/The%20Times.pdf>

³ <https://www.whatdotheyknow.com/request/293030/response/723407/attach/10/BBC%20Newsnight.pdf>

⁴ <http://defenddigitalme.com/call-to-review-relevant-legislation/>

⁵ <http://www.theguardian.com/politics/2013/may/22/immigrant-status-checks-on-schoolchildren-vetoed>