



1

School census: what you need to know

- Collection must meet legal obligations of “fairness”
- Your pupil data submitted since 1996 is also given to journalists, commercial companies, charities, other third parties
- The addition of nationality in 2016 was originally intended for sharing for immigration enforcement reasons and was agreed in a compromise with the Home Office to “fend off” other measures according to Nicky Morgan (Schools Week, Dec 1, 2016)
- Data Protection law is changing by May 25, 2018
- Your privacy policy probably needs improvement - happy to help
- We'd like your support to call for change and to #BoycottSchoolCensus nationality data collection



2

“what do you stand for?”

3

**Safe
Fair
Transparent**

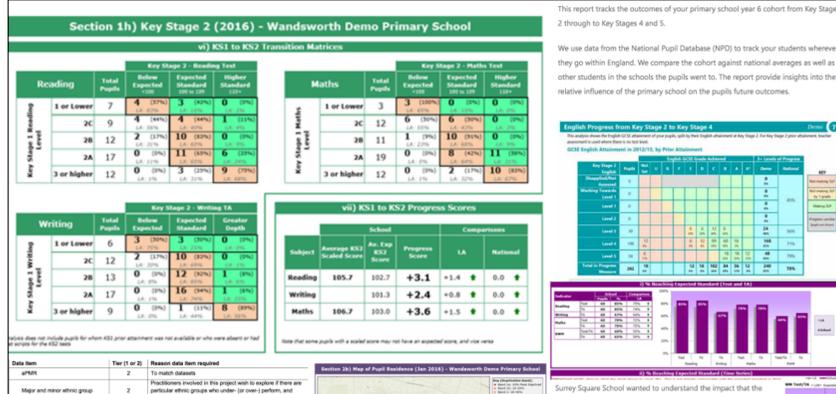


4

Mime Consulting

<http://delovijidatama.com/wp-content/uploads/2017/05/Mime-Consulting.pdf>

We use our proprietary data warehouse, DataHub, to process a huge range of education data.



9

“We use data from the NPD to track your students wherever they go within England.”

10

Tutor Hunt

“Private Tutors & Personal Tutors For Home Tuition”

The schools pages here give the parents a comprehensive guide to local schools. One feature which we are looking to add is to show a schools catchment area. We aim to implement something similar to the below heat map for each school.

To implement this we would need pupils post code data for all schools.



11

“The Tutor Hunt network helps both tutors and students find each other.”

Level of individual pupil data granted: Tier 1 (pupil level, identifying and highly sensitive) 03/4/2015 and can keep the data until: 31/03/2017.

12

Fair?



13

profiling and predictive scoring

- Accuracy?
- How are risk scores calculated and would you know if they are wrong?
- Understandable to all staff?
- How is it acted on?
- Is this transparent to parents and pupils?
- Is risk of error, discrimination or bias clear



14

The screenshot shows the fflaspire interface. On the left, there's a 'Subject' table with columns for 'FFT Benchmark', 'Pupil target data', 'Chance of each level or higher', 'Risk of lower level', 'Benchmark level', 'Chance of higher level', 'Target level', 'How busy?', and 'Target reviewed?'. The table lists subjects like Mathematics, English, Science, Reading and Listening, and Writing, each with a progress bar and a target level (A-). Below this is a summary table for 'Subtotal for section' and 'EYFS Total Score'. On the right, there's a 'Term tracker' section with a table for 'Term details' showing 'Year', 'Term', 'LA', 'School', 'Entry', 'Leave', and 'Attendance'. The 'LA' and 'School' columns are redacted with a blue box containing the text 'LA School name code'.

Subject	FFT Benchmark	Pupil target data	Chance of each level or higher	Risk of lower level	Benchmark level	Chance of higher level	Target level	How busy?	Target reviewed?
Mathematics			48%		A-	1%			
English			22%		A	1%			
Science			47%		A-	1%			
Reading and Listening			31%		A	1%			
Writing			46%		A-	1%			

Subtotal for section	Score
Communication, language and literacy	24
Language for communication and thinking	9
Linking sounds and letters	9
Reading	9
Writing	9
Subtotal for section	36
Problem solving, reasoning and numeracy	
Numbers as labels for counting	8
Calculating	7
Shape, space and measure	8
Subtotal for section	23
Knowledge and understanding of the world	8
Physical development	8
Creative development	8
EYFS Total Score	107

Year	Term	LA	School	Entry	Leave	Attendance
Reception	Autumn 2012			04/09/12		
	Spring 2013					
	Summer 2013					
Year 1	Autumn 2013					
	Spring 2014					
	Summer 2014					
Year 2	Autumn 2014					
	Spring 2015					
	Summer 2015					
Year 3	Autumn 2015					

15

Transparent?



16

School census: what you need to know on third party uses by DfE

- Identifying and highly sensitive data are released at pupil level, without suppression of small numbers.
- Commercial, charity, press, and for-profit uses since 2012 which receive raw data to their own locations without a regular ethical review or post audit process
- DfE has no intention to contact ex-pupils to inform them (Lord Nash, written question HL5598, Jan 2017)



17

Why this matters 'now'

"Will the Minister talk to the DfE about this, and include a warning about the national pupil database? The NPD routinely collects highly sensitive data about all the nation's children and shares them across government departments, with academics and with private companies. There is little transparency as to why it collects what it does, it is a workload pressure on teachers and I hope that the Minister can help them quickly address concerns about this data collection."

"Our digital future is uncertain. With transparency, inclusion and understanding, we can progress with consent and confidence."

Lord Jim Knight, Digital Understanding debate
7/9/2017 House of Lords



18

Home Office use continues



From December 2015 - October 14, 2016

"Nationality data (once collected)"

<https://www.whatdotheyknow.com/request/377285/response/941438/attach/4/20151218%20DfE%20HO%20Final%20V0%201%20REDACTED.PDF.pdf>



19

- Home Office policy now using national pupil data monthly for matching and sharing on up to 1,500 pupils. Name Home and School address, Gender, DOB. from up to last 5 years
- Census expansion 2016: new nationality data "for understanding impact of immigration on education system" but nationality data was originally intended for Removals Casework Team as a compromise agreed in July 2015 to collect it from every child
- Ministerial answers to Parliamentary written questions in July 2016 denied this intent "currently no plans to share the data with other government departments" and omitted to say that monthly transfers already been happening in secret for a year
- MOU in place included "(once collected) nationality data" until amendment signed off on Oct 14, 2016 AFTER nationality data collected in autumn census and had removed that 'nationality' line
- Nationality was removed, but monthly data shares continues
- Now take action to #BoycottSchoolCensus - nationality data are **optional** and parents and schools can use 'refused' code before any school census collection date to retract data already submitted

20

Why this matters 'now'

"Between July 2015 and September 2016 [...] requests relating to a total of 2,462 individuals have been made by the Home Office to DfE and 520 records have been identified within DfE data and returned to the Home Office."

*Nick Gibb, Minister for School Standards and Data, House of Commons
Written Parliamentary Question 52645, Nov 2016*



21

School census: what you need to know on addition of nationality

Timeline: <http://defenddigitalme.com/timeline-school-census/>

Briefing: http://defenddigitalme.com/wp-content/uploads/2017/08/Briefing_pupildata_BorderForce_Nationality.pdf

Monthly transfers continue: Numbers of pupils data handed over to Home Office since January 2016 [\[download .pdf 45kB\]](#) obtained quarterly via FOI (Q2 2017 refused to date via FOI)



22

Action to take **before October 5, 2017**

Against Borders for Children

🐦 @Schools_ABC

#BoycottSchoolCensus

📘 @SchoolsABC Refuse Retract Resist

<https://www.schoolsabc.net/resources/>



23



As seen on twitter reportedly outside the Department for Education, Great Smith Street, London

24

The National Pupil Database is “one of the richest datasets in the world” with 20+ million individual records of identifiable personal data, growing by ca 700K yearly

Every child aged 2-19 in state funded education since 1995 (incl. some Key stage 4 and 5 data from pupils at Independent schools) in England and border areas of Wales (in English schools). (There are further separate National Pupil Databases for Wales and Scotland.)

In 2012/13 new legislation ‘opened up’ the database to give individual level personal closed data to third parties, including press, charities and commercial users - privacy notices fail and no one has told any pupils who left school before this change, of new uses.

These case studies exclude the public interest academic research use (approx 40%)

At the time of Freedom of Information requests in July 2015, identifiable data were (and continue to be) released to a range of third parties to their own settings, and:

- No small numbers suppression
- No privacy impact assessment (PIA) had been made
- No audits had ever been carried out of the organisations or individuals that had made 600+ requests since 2012 of identifying, individual pupil-level, data
- No transparency: policies, database size, or privacy notices listing 3rd party use
- No Subject Access Requests made had been permitted
- No TOR or published oversight of the data release process or panel responsible

25

What must change: national pupil data handling

- Identifying data ‘in-the-wild’ is a safeguarding risk and threat to children’s digital identity and integrity.
- Reduce risk of loss, theft, misuse.
- Safe data access can be distributed but not raw data.
- Users should come to the data, not have the data sent to them.
- There must be “no surprises”. Pupils and ex-pupils must be told by the Department for Education or schools exactly which third parties are accessing their personal data, why, and for how long. (GDPR)



26

Is all *your* pupil data

Safe
Fair
Transparent?



27

School census guidance 2017-18

<https://www.gov.uk/government/publications/school-census-2017-to-2018-guide-for-schools-and-las>



5.3.5 Pupil nationality [ALL schools]

Pupil nationality is collected for all pupils and records the nationality of the pupil as stated by the parent / guardian or child. See paragraph 3.2.2 above for further guidance on collecting data from a parent / guardian or pupil.

5.3.5.1 Prerequisites

Nationality must be as declared by the parent / guardian or pupil. There is absolutely no requirement for schools to request, or see, any documentary evidence of a pupil's nationality. Schools must not request to see any documentation (such as a passport or birth certificate) to verify the information declared by the parent / guardian or pupil for the purposes of the census.

For pupils with 'Multiple Nationality' (also known as 'Dual Nationality') more than one nationality may be recorded. Where the child was born in unusual circumstances, such as outside of national boundaries (in international waters), the pupil may be classified under the nationality of the parent or as 'Stateless'.

The school **must not** ascribe nationality to the pupil but may, where appropriate, use the following codes:

- 'refused' – where the parent or guardian has declined to provide the information requested
- 'not yet obtained' – where the data has not been obtained by census day



28

