Request to remove school census data: country of birth, nationality, first language, ethnicity

Date: _____

As the [parent/legal guardian/carer] of _____

_____ **in** _____ **class,**

I am writing to ask for the removal of these personal data from their school records (ticked):

☐ country of birth

☐ nationality

☐ first language

☐ ethnicity

Please record my objection and refusal of data

- record my objection at school level as "refused".
- request the withdrawal of data already provided to the Department for Education (DfE)
- ensure my Right to Object at DfE is upheld under Article 21 of the General Data Protection Regulation[1].

Retract data previously submitted
The Department for Education School Census 2018-19 Guidance, version 1.3, September 2018[2] states that Nationality, and Country-of-Birth, and Language Proficiency must no longer be collected or stored for school census purposes, to submit to the Department for Education, with immediate effect.

Grounds
Data must only be submitted for educational purposes as required under s537a of the Education Act 1996. In July 2016 in a written parliamentary question[3], the Schools Minister said of nationality and country-of-birth that, "*The data will be collected solely for internal Departmental use for the analytical, statistical and research purposes … There are currently no plans to share the data with other government Departments*". But the live data sharing agreement already included "nationality (once collected)" in the information to be transferred between the Home Office and DfE for purposes including the strategic aims of the Hostile Environment.[4] The government plans to expand the use of national pupil data for immigration enforcement purposes through a new exemption in the Data Protection Act introduced in May 2018.[5] Further, any national research using the data collected is not meaningful, since no recorded nationality was submitted[6] for 25.6% of pupils. There are no safeguards in place how the data will be used in future.

There are therefore compelling grounds to uphold our rights of erasure and objection to processing.

Please reply to this letter to confirm that my request has been processed accordingly. Thank you.

Name of Parent / Guardian_____

Signature of Parent / Guardian_____

_____

1 "*The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject.*"

2 School Census guidance https://www.gov.uk/government/publications/school-census-2018-to-2019-guide-for-schools-and-las

3 Parliamentary question 42842 https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-07-15/42942/

4 Data sharing agreement with reference to paragraphs 15.1.2 and para 15.2 .6 https://www.whatdotheyknow.com/request/377285/response/941438/attach/4/20151218%20DfE%20HO%20Final%20V0%201%20REDACTED.PDF.pdf

5 March 13, Col 72 https://hansard.parliament.uk/Commons/2018-03-13/debates/0714412b-9b1d-4c1c-b0c5-c6aee4c48612/DataProtectionBill(Lords)(SecondSitting)#contribution-8D39BA9F-68A6-4F4E-BBA7-B526CDE1FACF

6 December 2017 statistics on nationality and country-of-birth in the school census https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/665127/Data_on_pupil_nationality__country_of_birth_and_proficiency.pdf

Request to remove school census data: country of birth, nationality, first language, ethnicity

For more than one child: Information to help identify and amend further children's records

Parent name _____

Parent / Guardian signature _____

[2] Child's class _____ Child's First name _____

Surname / Family name _____

[3] Child's class _____ Child's First name _____

Surname / Family name _____

[4] Child's class _____ Child's First name _____

Surname / Family name _____

[5] Child's class _____ Child's First name _____

Surname / Family name _____

[6] Child's class _____ Child's First name _____

Surname / Family name _____