Reclaim Rights for Children is a collaborative bringing together evidence and voices from academics, organisations and grassroots community groups around a simple demand. The rights of children must be respected and kept at the heart of state policy and interaction with children and their families.

Children's Wellbeing and Schools Bill

Our joint letter to the Minister detailing shared concerns warns in the strongest possible terms that the measures around children's information in the Children's Wellbeing and Schools Bill **are dangerous to society as a whole and that they will cause great harm to children and their families**, especially those who are already marginalised**.**

This warning comes from some of England's leading experts in child protection and safeguarding, those who have dedicated entire working lives to social work and the protection of children, **from organisations representing those who will be harmed** as well as those with **expertise in how data about children and families is processed, including by automated decision-making systems.**

ATD Fourth World / Dr Chris Bagley / Professor Andy Bilson / Professor Luke Clements / Dr Stephen Crossley / Define Fine / Disabled Mother's Rights Campaign (Tracey Norton, WinVisible) / Dr Sarah Gillie / Professor Ros Edwards / Professor Val Gillies / Professor Anna Gupta / Dr Remi Joseph-Salisbury / Dr Michael Lambert / Maslaha (Raheel Mohammed / Professor Eileen Munro / No More Exclusions / Allan Norman / Northern Police Monitoring Project / Parents, Families and Allies Network / Dr Harriet Pattison / Prevent Watch / Support Not Separation, (Anne Neale, Legal Action for Women) / The Victoria Climbié Foundation UK / Professor Debbie Watson / Professor Sue White / Dr Lauren Wroe

Briefing

We urge Peers to speak out against measures which sweep aside consent of children and parents, gut privacy and undermine the long-established threshold for coercive state intervention regarding children, one upheld by the Supreme Court in the 2016 Named Person judgement. These include clause 4 - the consistent identifier and the duty to share information - and the extensive and excessive data sharing required under the Children Not in School powers as well as coercive home visit expectations without any cause for concern.

The government's claim that these measures are justified to enable the state to intervene early and that doing so will keep children safe ignores the body of evidence **of significant, often lifelong harm and negative repercussions to children and to their families arising from coercive state intervention in their lives.** The reality for children and for families is that instead of help, being referred means having to navigate what has become an adversarial system evidenced to blame parents and children with the risk of further intervention and child removal. Safeguarding measures are frequently indistinguishable from policing and can lead to the same harms.

Contrary to the government's portrayal there is already extensive information sharing, with information linked across service areas and increasing use of predictive analytics to flag families for wide ranging interventions. Despite the clear evidence that automated decision-making systems are ineffective and inaccurate – causing harm both by missing children in need of help and flagging those for intervention who did not - they are used by numerous local authorities and police forces across

England. We ask Peers to consider too the changes being ushered in by the Data Use and Access Bill. This weakens children's data protection – legislation referenced within this Bill - as well as exposing children and families to further dangerous processing by automated decision-making systems. The result of these two bills is a bleak future, with huge volumes of information being stored on children, their families and their communities which will be processed at scale – consistent identifiers facilitating and legitimising this linkage – and used to further profile, police and punish the most vulnerable.

This Bill gives the state unprecedented power to surveil, monitor and decide when to intervene and how. It will harm not help children and families, removing consent and privacy, and in doing so threatens the safety of our children, their childhoods and their futures.

Instead of making it easier for the state to track and target them, **children and their families need it to be easier to get help and for there to be more support and services available.** There is nothing to prevent the government from providing support and services which will protect children, save lives and improve their wellbeing and happiness. Indeed, they have a legal obligation to provide these as part of their commitments under social and economic human rights frameworks, including the UN Convention on Rights of the Child. Universal services and measures which reduce child poverty require no intrusion into family life. Parents are vocal about the help their children need.

Clause 4 (information sharing and consistent identifiers) is dangerous and should be removed entirely. *Consistent identifier:* this universal measure legitimises and facilitates the linking of children's records across multiple areas of government at scale. The NHS number is proposed, one "advantage" being that it would be lifelong, despite the Department of Health undertaking that it would not be used beyond linking health and social care following concerns from the ICO. Both the UK and Welsh government acknowledged that its usage risks harm to children by deterring families from seeking health or social services. This alone should surely be enough to rule it out.

Duty to share information: "relevant to safeguarding or promoting the welfare of the child" are worryingly broad grounds, which could permit vast swathes of data sharing, and the duty could apply to any people or any service working with children.

Clauses 30-35 Children Not in School powers: as currently drafted (and in conjunction with clause 4) remove all meaningful content of children's privacy. Any register should contain only that information strictly necessary. The requirements on parents and education providers are excessive and unjustifiable. Those measures granting a blank cheque both for local authorities to store "any other information" they "consider appropriate" and the duty for them to include any information the Secretary of State considers relevant puts children and families at risk of considerable abuse and harm. Expectations that authorities be permitted to enter children's homes, under threat of an order, when there are no concerns must not be tolerated. Research evidences such visits as causing trauma and distress and will inevitably result in even greater intrusion and loss of privacy with information from visits and interviews added to children's records to be shared with government and onwards.

We would be happy to speak to Peers further. Please contact rosearnold@rightsforchildren.uk Further information is available at www.rightsforchildren.uk including our open letter and the open letter on the Data Use and Access Bill.