

31<sup>st</sup> October 2018

Dear Meg Hillier,

Student Loans Company: Social Media Monitoring of Vulnerable Young People

I am writing today from the charity Stand Alone, we support young people aged 18-25 who are estranged from their family or a key family member.

I wish to bring to your attention a very serious issue in how vulnerable young people are treated by Student Loans Company (SLC) when accessing finance. Robert Halfon MP and MPs in the Education Select Committee challenged SLC around this behavior on 30<sup>th</sup> October, and SLC's subsequent responses have given me cause to write to you in your role as Chair of the Public Accounts Committee.

It has become apparent that SLC are routinely using the social media feeds of estranged young people to monitor for communication between themselves and their estranged parent(s). Rigid interpretations of policy have been employed to operationalise what an estranged family relationship looks like, and operatives at SLC have been set up to find any violations of this rigid picture.

A highly publicized recent example, where 150 'estranged' students were investigated at random by SLC, showed that any small form of parental communication found on social media, even if unwanted by the student, would mean their entitlements to full maintenance loan support were removed. Furthermore, if any financial transaction should be found from a parent, even if small, unwanted and deposited in their bank without their knowledge, this would see them lose their entitlement to full maintenance loan support. In some cases, social media data was misinterpreted. For example, a student posting on Facebook thanking a 'father figure' on Father's Day caused delays to the student receiving their finance and becoming subject to a more serious level of fraud investigation. That student has now dropped out of university with the stress of the fraud process.

SLC's outgoing CEO, Peter Lauener, and Chair, Christian Brodie, have justified such invasive treatment of vulnerable young people by stating publically that they must answer to your committee and Parliament in protecting public funds. Specifically, Peter suggested your committee would reprimand SLC for *not* monitoring their social media.

Although social media information may be 'a public source' and some students may have lapse privacy settings, which facilitate such monitoring, no concessions have been made for the fact that such information about dysfunctional family relationships is highly emotive and socially sensitive. SLC admit they have given staff no training on family relationships and social media, and rejected it when offered by us free of cost. Most importantly, until this very public statement at the Education Select Committee from Christian Brodie, students were not clearly and simply told that such monitoring of their social media may take place to determine their family relationships.

Both the sensitivity of information and informed consent around data processing are key tenants of the General Data Protection Regulations, and the Data Protection Act, which

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preceded it. The legal advice we have received from two firms of human rights solicitors around the process and specific cases show that decisions made to cut entitlements using the evidence of small social media interactions between estranged family members is 'irrational' and potentially unlawful.

The recent investigation into 150 students showed the fraud rate for this group of around 9,300 students is as low as 2%-6%. Thus, the charity feels that the pressure involved in taking part in the process, and the stress of fitting a complex family breakdown into a rigid and immovable set of characteristics is a real barrier for them in accessing HE funding. The complexity of the process is wholly disproportionate to the actual rates of fraud. Estranged students are a target group for support from The Office for Students, and the HE sector has been tasked to ensure their access and participation is optimized, and barriers removed. Surely accessing statutory finance must be part of this picture?

My intention in writing is to help you understand how guidance and pressure from your committee to protect public funds has been interpreted and operationalized at SLC, meaning some of the most vulnerable young people in our society struggle to access the relevant financial support to which they should be entitled.

Estranged young people are often surviving abuse, have been subject to difficult family relations post-divorce and re-marriage, or have been distanced from their family due to 'coming out' as LGBT+ or in some cases rejecting rigid cultural practices such as arranged marriage and FGM. These young people have often been overlooked by the care system, which does not have the remit to intervene in all but extreme cases of family dysfunction. Or in many cases, they have dealt with their family issues privately, not wishing to endanger younger siblings or fearing judgement for speaking out. Many estranged students are care experienced, and were removed from family earlier in life, but were not living in care on their 16<sup>th</sup> birthday.

Much as I understand and agree that there is a duty to protect public funds and stamp out fraud in the student population, these young people have rights under 1998 Human Rights Act, Article 8 to family and private life. Their data should be subject to lawful, appropriate and transparent processing under GDPR and DPA. They have the right to be dealt with compassionately and in a system that has adequate training to meet their complex needs. And most importantly, not be processed on the basis that they are fraudsters, cheating the system, unless they can pass stringent tests to prove otherwise.

From what Christian Brodie has advocated, it seems that SLC and Parliament will go to great lengths to save small amounts of public funds in the short term from this group, at the expense of the greater contributions that these disadvantaged young people could make to society post-graduation. That leaves us facing a very dim picture of widening participation and equity in today's society.

I would appreciate a meeting to discuss this very complex issue at your convenience.

All my best,

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