

# **Salendine Nook High School (Academy)**

## **Policy for Protection of Biometric Information of Children in School (Statutory)**

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## 1. What is biometric data?

- 1.1 Biometric *data* means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allows or confirms the unique identification of that natural person, such as fingerprints or facial images. (n.b. Fingerprints are currently used for the cashless catering system).
- 1.2 The Information Commissioner considers all biometric information to be sensitive personal data within data protection regulations; this means that it must be obtained, used and stored in accordance with those regulations.
- 1.3 The Protection of Freedoms Act 2012 includes provisions which relate to the use of biometric data in schools when used as part of an automated biometric recognition system. These provisions are in addition to the requirements of the data protection regulations. Note that in the context of the Protection of Freedoms Act 2012, a “child” means a person under the age of 18.

## 2. What is an automated biometric recognition system?

- 2.1 An *automated biometric recognition system* uses technology which measures an individual’s physical or behavioural characteristics by using equipment that operates ‘automatically’ (i.e. electronically). Information from the individual is automatically compared with biometric information stored in the system to see if there is a match in order to recognise or identify the individual.
- 2.2 Biometric recognition systems can use many kinds of physical or behavioural characteristics such as those listed in 1.1 above.

## 3. What does processing data mean?

‘*Processing*’ of biometric information includes obtaining, recording or holding the data or carrying out any operation or set of operations on the data including (but not limited to) disclosing it, deleting it, organising it or altering it. An automated biometric recognition system processes data when:

- a. Recording pupils’ biometric data, for example, taking measurements from a fingerprint via a fingerprint scanner;
- b. Storing pupils’ biometric information on a database system; or
- c. Using that data as part of an electronic process, for example, by comparing it with biometric information stored on a database in order to identify or recognise pupils.

## Key Points

- Salendine Nook High School will treat students’ **biometric** data with appropriate care and will comply with data protection principles.

- This policy meets the requirements of the:

UK General Data Protection Regulation (UK GDPR) – the EU GDPR was incorporated into UK legislation, with some amendments, by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2020](#)  
[Data Protection Act 2018 \(DPA 2018\)](#)

It is based on guidance published by the Information Commissioner's Office (ICO) on the [UK GDPR](#).

It meets the requirements of the [Protection of Freedoms Act 2012](#) when referring to our use of biometric data.

- The school will ensure that each parent/guardian/carer of a child is notified of the school's intention to use their child's biometric data as part of an automated biometric recognition system.
- The written consent of at least one parent/guardian/carer will be obtained before the data is taken from the child and used i.e, 'processed'. In no circumstances can a child's biometric data be processed without written consent.
- The school will not process the biometric data of a student where:
  - a) The child (whether verbally or non-verbally) objects or refuses to participate or no longer wishes to participate in the processing of their biometric data;
  - b) No parent/guardian/carer has consented in writing to the processing; or
  - c) A parent/guardian/carer has objected in writing to such processing, even if another parent/guardian/carer has given written consent.
- The school will provide reasonable alternative means of accessing services for those pupils who will not be using an automated biometric recognition system. (n.b. Personal Identification Numbers (PIN) are available).

## **Objection/Consent**

- Any objection or consent by a parent/guardian/carer must be an informed decision – as should any objection on the part of a child. The school will take steps to ensure parents/guardians/carers receive full information about the processing of their child's biometric data including a description of the kind of system they plan to use, the nature of the data they process, the purpose of the processing and how the data will be obtained and used. Children will be provided with information in a manner that is appropriate to their age and understanding.
- The school does not need to renew consent every year. The original written consent is valid until such time as it is withdrawn. However, it can be overridden, at any time if another parent/guardian/carer or the child objects to the processing (subject to the parent's/guardian's/carer's objection being in writing). When the pupil leaves the school, their biometric data will be securely removed from the school's biometric recognition system.

- If the school introduces an additional, different type of automated biometric recognition system then the school needs to notify and obtain consent. Consent must be informed consent. If, for example, the school obtains consent for a fingerprint system for catering services and then later introduces a system for accessing library services using iris or retina scanning, then the school will have to meet the notification and consent requirements for the new system.
- Parents/guardians/carers will be able to withdraw their consent, in writing, at any time. In addition, either parent/guardian/carer will be able to object to the processing at any time but they must do so in writing.
- A child can object to the processing of their biometric data or refuse to take part at any stage – i.e. before the processing takes place or at any point after his or her biometric data has been obtained and is being used as part of a biometric recognition system. If a pupil objects, the school must not start to process his or her biometric data or, if they are already doing this, must stop. The child does not have to object in writing.
- Consent given on entry to the school will be valid until the child leaves that school and will remain valid until the child leaves the school – subject to any subsequent objection to the processing of the biometric data by the child or a written objection from a parent/guardian/carer. If any such objection is made, the biometric data should not be processed and the school must, in accordance with data protection regulations, remove it from the school's system by secure deletion.
- The school can notify parents/guardians/carers and accept consent via e-mail, as long as the school is satisfied that the e-mail contact details are accurate and the consent received is genuine.
- Where staff members or other adults use the school's biometric system(s), we will also obtain their consent before they first take part in it, and provide alternative means of accessing the relevant service if they object. Staff and other adults can also withdraw consent at any time, and the school will delete any relevant data already captured.

## **Associated Resources**

- [ICO guide to data protection](#)
- [ICO guidance on data protection for education establishments](#)
- [British Standards Institute guide to biometrics](#)

PoFA in Associated Resources

(<https://www.legislation.gov.uk/ukpga/2012/9/part/1/chapter/2>)