



Carlton Academy Protection of Biometric Information Policy

**Protection of Biometric Information Policy
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****Currently Carlton Academy do not obtain Biometric Data of Students or Staff, however this Policy has been drafted and approved, should Biometric data be required in the near future****

Key Points

Schools that use pupils' biometric data (Full description listed below) must treat the data collected with appropriate care and must comply with the data protection principles as set out in the [General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#).

Where the data is to be used as part of an automated biometric recognition system (see below), schools must also comply with the additional requirements in sections 26 to 28 of the [Protection of Freedoms Act 2012](#).

Schools must ensure that each parent/carer of a student, is notified of the school's intention to use the child's biometric data as part of an automated biometric recognition system.

The written consent of at least one parent must be obtained before the data is taken from the student and used (i.e. 'processed' – see below). This applies to all students in schools and colleges under the age of 18. Under no circumstances can a student's biometric data be processed without written consent.

Schools must not process the biometric data of a student (under 18 years of age) where:

- The student (whether verbally or non-verbally) objects or refuses to participate in the processing of their biometric data;
- No parent has consented in writing to the processing; or
- A parent has objected in writing to such processing, even if another parent has given written consent.

Schools and colleges must provide reasonable alternative means of accessing services for those students who will not be using an automated biometric recognition system.

Biometric Data and Processing

What is Biometric Data?

- Biometric data means personal information about an individual's physical or behavioural characteristics that can be used to identify that person; this can include their fingerprints, facial shape, retina and iris patterns, and hand measurements
- The Information Commissioners Office (ICO) considers that all biometric information is considered to be personal data as defined by the General Data Protection Regulation 2018; this means that it must be obtained, used and stored in accordance with that Act (please refer to Carlton Academy General Data Protection Policy)
- The Protection of Freedoms Act 2012 includes provisions which relate to the use of biometric data in schools and colleges when used as part of an automated biometric recognition system. These provisions are in addition to the requirements of the General Data Protection Regulation 2018

What is an automated biometric recognition system?

- 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

- Biometric recognition systems can use many kinds of physical or behavioural characteristics such as those listed above

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:
 - Recording students' biometric data, for example, taking measurements from a fingerprint via a fingerprint scanner;
 - Storing students' biometric information on a database system; or
 - 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 students

Consent

Who is able to give consent?

- The General Data Protection Act 2018 gives children rights over their own data when they are considered to have adequate capacity to understand. Most children will reach this level of understanding at around age 13. For this reason, for most children in a secondary school, it will normally be up to the individual child to decide whether or not to provide biometric data. Where the academy considers that the child does not have the capacity or they are under the age of 13, parents/carers will be asked to provide consent. For any avoidance of doubt, Carlton Academy will seek parental authority for Years 7 and 8 and student consent for Years 9 and above
- Carlton Academy will be required to notify each parent of a child whose biometric information they wish to collect/use. If either parent objects in writing, then we will not be permitted to take or use that child's biometric data

The Length of consent?

- The original written consent is valid until such time as it is withdrawn. However, it can be overridden, at any time by either parent or the child themselves objecting to the processing (subject to the parent's objection being in writing). When the student leaves the academy, their biometric data will be securely removed from the academy's biometric recognition system.

Alternatives to Biometric Data?

- The academy cashless catering system currently does not allow biometric scanning, however if this changes in the future and any student objects to the processing of their biometric data, they will be issued with an alternative solution.

Frequently asked Questions

What information should schools provide to parents/pupils to help them decide whether to object or for parents to give their consent?

Any objection or consent by a parent must be an informed decision – as should any objection on the part of a student. Carlton Academy will take steps to ensure that parents 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. Students will be provided with information in a manner that is appropriate to their age and understanding.

What if one parent disagrees with the other?

Carlton Academy is required to notify each parent of a student, whose biometric information they wish to collect/use. If one parent objects in writing, then we will not be permitted to take or use that child's biometric data.

How will students' right to object work in practice – must they do so in writing?

A student is not required to object in writing. An older student may be more able to say that they object to the processing of their biometric data. A younger student may show reluctance to take part in the physical process of giving the data in other ways. In either case the academy will not be permitted to collect or process the data.

Are schools required to ask/tell parents before introducing an automated biometric recognition system?

Schools are not required by law to consult parents before installing an automated biometric recognition system. However, they are required to notify parents and secure consent from at least one parent before biometric data is obtained or used for the purposes of such a system. It is up to schools to consider whether it is appropriate to consult parents and pupils in advance of introducing such a system.

Do schools need to renew consent every year?

No. The original written consent is valid until such time as it is withdrawn. However, it can be overridden, at any time if another parent or the student objects to the processing (subject to the parent's objection being in writing). When the student leaves the academy, their biometric data will be securely removed from the academy's biometric recognition system.

Do schools need to notify and obtain consent when the school introduces an additional, different type of automated biometric recognition system?

Yes, consent must be informed consent. If, for example, a school has obtained consent for a fingerprint/fingertip system for catering services and then later introduces a system for accessing library services using iris or retina scanning, then schools will have to meet the notification and consent requirements for the new system.

Can consent be withdrawn by a parent?

Parents will be able to withdraw their consent, in writing, at any time. In addition, either parent will be able to object to the processing at any time but they must do so in writing.

When and how can a student object?

A student 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 student objects, the school must not start to process his or her biometric data or, if they are already doing this, they must stop. The child does not have to object in writing.

Will consent given on entry to Carlton Academy be valid until the student leaves the school?

Yes. Consent will be valid until the student leaves the academy – subject to any subsequent objection to the processing of the biometric data by the student or a written objection from a parent. If any such objection is made, the biometric data should not be processed and the academy must, in accordance with the General Data Protection Act, remove it from the academy's system by secure deletion.

Can the school notify parents and accept consent via email?

Yes – as long as the academy is satisfied that the email contact details are accurate and the consent received is genuine.

Will parents be asked for retrospective consent?

No. Any processing that has taken place prior to the provisions in the Protection of Freedoms Act coming into force will not be affected.

Does the legislation cover other technologies such a palm and iris scanning?

Yes. The legislation covers all systems that record or use physical or behavioural characteristics for the purpose of identification. This includes systems which use palm, iris or face recognition, as well as fingerprints.

Is parental notification and consent required under the Protection of Freedoms Act 2012 for the use of photographs and CCTV in schools?

No – not unless the use of photographs and CCTV is for the purposes of an automated biometric recognition system.

Is parental notification or consent required if a pupil uses or accesses standard commercial sites or software which use face recognition technology?

The provisions in the Protection of Freedoms Act 2012 only cover processing by or on behalf of a school. If a school wishes to use such software for school work or any school business, then the requirement to notify parents and to obtain written consent will apply. However, if a pupil is using this software for their own personal purposes then the provisions do not apply, even if the software is accessed using school equipment.

Biometric Consent Form – (Parent/Carer)

Student name:

Please sign below if you consent to Carlton Academy taking and using information from your son/daughter's fingerprint as part of an automated biometric recognition system. This biometric information will be used by the academy for the purpose of

In signing this form, you are authorising the academy to use your son/daughter's biometric information for this purpose until he/she either leaves the academy or ceases to use the system.

If you wish to withdraw your consent at any time, this must be done so in writing and sent to the Head of School. Once your son/daughter ceases to use the biometric recognition system, his/her biometric information will be securely deleted by the academy.

Parent consent:

Having read the above guidance information, I give consent to information from the fingerprint of my son/daughter being taken and used by the academy for use as part of an automated biometric recognition system for the purpose of

I understand that I can withdraw this consent at any time in writing.

Parent Name:

Signature:

Date:

Biometric Consent Form – (Student)

Student name:

Please sign below if you consent to Carlton Academy taking and using information from your fingerprint as part of an automated biometric recognition system. This biometric information will be used by the academy for the purpose of

In signing this form, you are authorising the academy to use your biometric information for this purpose until you either leave the academy or ceases to use the system.

If you wish to withdraw your consent at any time, this must be done so in writing and sent to the Head of School. Once you cease to use the biometric recognition system, your biometric information will be securely deleted by the academy.

Student consent:

Having read the above guidance information, I give consent to information from my fingerprint being taken and used by the Academy for use as part of an automated biometric recognition system for the purpose of

I understand that I can withdraw this consent at any time in writing.

Student Name:

Signature:

Date:

Biometric Consent Form – (Staff)

Name:

Please sign below if you consent to Carlton Academy taking and using information from your fingerprint as part of an automated biometric recognition system. This biometric information will be used by the academy for the purpose of

In signing this form, you are authorising the academy to use your biometric information for this purpose until you either leave the academy or ceases to use the system.

If you wish to withdraw your consent at any time, this must be done so in writing and sent to the Head of School. Once you cease to use the biometric recognition system, your biometric information will be securely deleted by the academy.

Staff consent:

Having read the above guidance information, I give consent to information from my fingerprint being taken and used by the academy for use as part of an automated biometric recognition system for the purpose of

I understand that I can withdraw this consent at any time in writing.

Name:

Signature:

Date: