# Protection of Biometric Information Policy

This policy was approved and ratified by the Finance and Resources committee of

Cox Green School Governing Board

on 12/11/19

| Version | Authorisation | Approval Date | Effective Date | Next Review |
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**Cox Green School: A company limited by guarantee; Registered in England, Company Number 07831255, Highfield Lane, Maidenhead, Berkshire, SL6 3AX.**

## 1. Statement of intent & Legal Framework

Cox Green School is committed to protecting the personal data of all its students and staff, this includes any biometric data we collect and process.

We collect and process biometric data in accordance with relevant legislation and guidance to ensure the data and the rights of individuals are protected. This policy outlines the procedure the school follows when collecting and processing biometric data.

1.1. This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Protection of Freedoms Act 2012
- Data Protection Act 2018
- General Data Protection Regulation (GDPR)
- DfE (2018) 'Protection of biometric information of children in schools and colleges'

1.2. This policy operates in conjunction with the following school policies:

- Data Protection Policy
- IT Disaster Recovery Plan

## 2. Definitions

2.1. **Biometric data:** Personal information about an individual's physical or behavioural characteristics that can be used to identify that person, including their finger measurements, fingerprints, facial shape, retina and iris patterns, and hand measurements.

2.2. **Automated biometric recognition system:** A system 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.

2.3. **Processing biometric data:** Processing biometric data includes obtaining, recording or holding the data or carrying out any operation on the data including disclosing it, deleting it, organising it or altering it. An automated biometric recognition system processes data when:

- Recording students' biometric data, e.g. taking measurements from a finger via a fingerprint scanner.
- Storing students' biometric information on a database.


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- Using students' biometric data as part of an electronic process, e.g. by comparing it with biometric information stored on a database to identify or recognise students.

2.4. **Special category data:** Personal data which the GDPR says is more sensitive, and so needs more protection – where biometric data is used for identification purposes, it is considered special category data.

## 3. Roles and responsibilities

3.1. The governing board is responsible for:

- Reviewing this policy on an annual basis.

3.2. The headteacher is responsible for:

- Ensuring the provisions in this policy are implemented consistently.

3.3. The data protection officer (DPO) is responsible for:

- Monitoring the school's compliance with data protection legislation in relation to the use of biometric data.
- Advising on when it is necessary to undertake a data protection impact assessment (DPIA) in relation to the school's biometric system(s).
- Being the first point of contact for the ICO and for individuals whose data is processed by the school and connected third parties.

## 4. Data protection principles

4.1. The school processes all personal data, including biometric data, in accordance with the key principles set out in the GDPR.

4.2. The school ensures biometric data is:

- Processed lawfully, fairly and in a transparent manner.
- Only collected for specified, explicit and legitimate purposes, and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up-to-date, and that reasonable steps are taken to ensure inaccurate information is rectified or erased.
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.


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- Processed in a manner that ensures appropriate security of the information, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

4.3. As the data controller, the school is responsible for being able to demonstrate its compliance with the provisions outlined in 4.2.

**5. Notification and consent**

5.1. Where the school uses students' biometric data as part of an automated biometric recognition system (e.g. using students' finger measurements to receive school dinners instead of paying with cash), the school will comply with the requirements of the Protection of Freedoms Act 2012.

5.2. Prior to any biometric recognition system being put in place or processing a student's biometric data, the school will send the student's parents a consent form covering the use of biometric data.

5.3. Written consent will be sought from at least one parent of the student before the school collects or uses a student's biometric data.

5.4. The name and contact details of the student's parents will be taken from the school's admission register.

5.5. Where neither parent of a student can be notified for any reason, consent will be sought from the following individuals or agencies as appropriate:

- If a student is being 'looked after' by the LA or is accommodated or maintained by a voluntary organisation, the LA or voluntary organisation will be notified and their written consent obtained.
- If the above does not apply, then notification will be sent to all those caring for the student and written consent will be obtained from at least one carer before the student's biometric data can be processed.

5.6. Details of biometric data to be taken, how it will be used and how to withdraw consent are published in the schools privacy policies.

5.7. The school will not process the biometric data of a student under the age of 18 in the following circumstances:

- The student (verbally or non-verbally) objects or refuses to participate in the processing of their biometric data
- No parent or carer has consented in writing to the processing


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- A parent has objected in writing to such processing, even if another parent has given written consent

5.8. Parents and students can object to participation in the school's biometric system(s) or withdraw their consent at any time. Where this happens, any biometric data relating to the student that has already been captured will be deleted.

5.9. If a student objects or refuses to participate, or to continue to participate, in activities that involve the processing of their biometric data, the school will ensure that the student's biometric data is not taken or used as part of a biometric recognition system, irrespective of any consent given by the student's parent(s).

5.10. Where staff members or other adults use the school's biometric system(s), consent will be obtained from them before they use the system.

5.11. Staff and other adults can object to taking part in the school's biometric system(s) and can withdraw their consent at any time. Where this happens, any biometric data relating to the individual that has already been captured will be deleted.

5.12. Alternative arrangements will be provided to any individual that does not consent to take part in the school's biometric system(s).

5.13. Please note that the obligation to obtain consent for the processing of biometric information of children under the age of 18 is not imposed by the Data Protection Act 2018 or the GDPR. Instead, the consent requirements for biometric information is imposed by section 26 of the Protection of Freedoms Act 2012.

## 6. Alternative arrangements

6.1. Parents, students, staff members and other relevant adults have the right to not take part in the school's biometric system(s).

6.2. Where an individual objects to taking part in the school's biometric system(s), reasonable alternative arrangements will be provided that allow the individual to access the relevant service.

6.3. Alternative arrangements will not put the individual at any disadvantage or create difficulty in accessing the relevant service, or result in any additional burden being placed on the individual (and the student's parents, where relevant).

## 7. Data retention

7.1. Biometric data will be managed and retained in line with the school's retention schedules.


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7.2. If an individual (or a student's parent, where relevant) withdraws their consent for their/their child's biometric data to be processed, it will be erased from the school's system.

## 8. Breaches

8.1. There are appropriate and robust security measures in place to protect the biometric data held by the school. These measures are detailed in the school's ICT Disaster Recovery Plan.

8.2. Any breach to the school's biometric system(s) will be dealt with in accordance with the school's ICT Disaster Recovery Plan and the Data Protection Policy

## 9. Communication of this policy

9.1. This policy will be published on the schools website and on the staff information drive.

## 10. Review of this policy

10.1 The Finance & Resources Committee of the Governing Board will review this policy every three years.


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