



Policy:	Biometrics Policy
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Version History Log

Version	Description of Change	Date of Policy Release by Judicium
1	Initial Issue	06.05.18
2	Updated references to UK GDPR	11.05.21
3	Formatting amendments	03.08.22
4	Included information about facial recognition technology and included information on alternatives available.	29.08.24

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Introduction

This policy has been compiled with 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
- DfE (2018) 'Protection of biometric information of students in schools and colleges'

This policy operates in conjunction with the following Trust / Academy policies:

- Data Protection Policy
- Records management Policy

Schools and Colleges that use student's biometric data must treat the data collected with appropriate care and must comply with the data protection principles as set out in the General Data Protection Regulations (GDPR) 2018

Where the data is to be used as part of an automated biometric recognition system, schools and colleges must also comply with the additional requirements in sections 26 to 28 of the Protection of Freedoms Act 2012

The Trust must ensure that each parent of a student is notified of the Trust's intention to use the student'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'. This applies to all students in schools and colleges under the age of 18. In no circumstances can a student's biometric data be processed without consent.

The Trust must not process the biometric data of a student (under the age of 18) 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.

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

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. At the Thomas Deacon Education Trust we use Fingerprint mapping for Cashless catering, and some staff use Facial Recognition to access their school device].

All biometric data is considered to be special category data under the UK General Data Protection Regulation (UK GDPR). This means the data is more sensitive and requires additional protection as this type of data could create more significant risks to a person's fundamental rights and freedoms.

This policy complies with The Protection of Freedoms Act 2012 (sections 26 to 28), the Data Protection Act 2018 and the UK GDPR.

The Trust has carried out a Data Protection Impact Assessment with a view to evaluating whether the use of biometric data is a necessary and proportionate means of achieving the legitimate objectives set out below.

The result of the Data Protection Impact Assessment has informed the Trust's use of biometrics and the contents of this policy.

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.

The Legal Requirements under UK GDPR

'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.

As biometric data is special category data, in order to lawfully process this data, the Trust must have a legal basis for processing personal data and a separate condition for processing special category data. When processing biometric data, the Trust relies on explicit consent (which satisfies the fair processing conditions for personal data and special category data). Consent is

obtained using the providers consent form OR using the consent form(s) in the attached appendix.

The Trust process biometric data as an aim to make significant improvements to our canteen and lunch facilities or for students to sign in. This is to ensure efficiency, to do away with the need for swipe cards and cash being used, to safeguard the student.

Consent and Withdrawal of Consent

The Trust will not process biometric information without the relevant consent.

Consent for students

When obtaining consent for students, both parents will be notified that the Trust intend to use and process their student's biometric information. The Trust only requires consent from one parent (in accordance with the Protection of Freedoms Act 2012), provided no parent objects to the processing.

If a parent objects to the processing, then the Trust will not be permitted to use that student's biometric data and alternatives will be provided such as NFC cards.

The student may also object to the processing of their biometric data. If a student objects, the Trust will not process or continue to process their biometric data, irrespective of whether consent has been provided by the parent(s).

Where there is an objection, the Trust will provide reasonable alternatives which will allow the student to access the same facilities that they would have had access to, had their biometrics been used.

Students and parents can also object at a later stage to the use of their child's/their biometric data. Should a parent wish to withdraw their consent, they can do so by writing to the Trust at <mailto:datateam@tdet.education> requesting that the Trust no longer use their child's biometric data.

Students who wish for the Trust to stop using their biometric data do not have to put this in writing but should let the headteacher know.

The consent will last for the time that your child attends the school (unless it is withdrawn).

Consent for staff

The Trust will seek consent of staff before processing their biometric data. If the staff member objects, the Trust will not process or continue to process the biometric data and will provide reasonable alternatives such as NFT cards. Staff who wish for the Trust to stop using their biometric data should do so by writing to datateam@tdet.education .

The consent will last for the time that the staff member remains employed by the Trust (unless it is withdrawn).

Retention of Biometric Data

Biometric data will be stored by the Trust for as long as consent is provided (and not withdrawn).

Once a student or staff member leaves, the biometric data will be deleted from the Trust's system no later than 72 hours.

Storage of Biometric Data

At the point that consent is withdrawn, the Trust will take steps to delete their biometric data from the system and no later than 72 hours.

Biometric data will be kept securely, and systems will be put in place to prevent any unauthorised or unlawful access/use.

The biometric data is only used for the purposes for which it was obtained, and such data will not be unlawfully disclosed to third parties.

Appendix 1 – Biometric Consent Form (parent/carer)

Please sign below if you consent to the school 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 school for the purpose of charging for school meals.

In signing this form, you are authorising the school to use your son/daughter's biometric information for this purpose until he/she either leaves the school 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 headteacher. Once your son/daughter ceases to use the biometric recognition system, his/her biometric information will be securely deleted by the school no later than 72 hours.

Please note that students can object or refuse to allow their biometric data to be taken/used and if they do this, we will provide them with an alternative method of accessing relevant services. This will be discussed with you or your student (depending on their age and their understanding of their data rights) within school. However, we would encourage you to also discuss this with your student at home to ensure that they are aware of their right to refuse or to change their mind at any time.

Parental 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 school for use as part of an automated biometric recognition system.

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

Parent/carer name:

Signature:

Date:

Name of student:

Please return a copy of this consent form to reception.

Appendix 2 – Biometric Consent Form (staff)

Please sign below if you consent to the school taking and using your fingerprint information as part of an automated biometric recognition system. This biometric information will be used by the school for the purpose of an alternative form of identification for payment at the canteen.

In signing this form, you are authorising the school to use your biometric information for this purpose until you either leave the school or cease 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 headteacher.

Staff Consent:

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

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

Staff name:

Signature:

Date:

Please return a copy of this consent form to reception.