



Academies Trust

Biometrics Policy

Approved by Trust Board on:
Applicable from:
Review Date:

This document represents a Trust-wide approach which is approved by the Trust Board for use in the Trust's academies that use biometric data.

Where an academy is using biometric data, they are required to add themselves to the [Trust's Central Register for academies collecting and processing biometric data](#).

Co-op Academies Trust Biometrics Policy

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Co-op Academies Trust Biometrics Policy

1. Introduction

- 1.1 In order to support the achievement and learning of our pupils, the Co-op Academies Trust collects and processes personal data about our staff, pupils, parents and other individuals who come into contact with our Trust and our academies.
- 1.2 Biometric data is considered to be special category data - data which the law deems to be more sensitive and therefore needs more protection.
- 1.3 This policy is intended to ensure that where we collect biometric data, that we do so in accordance with relevant legislation and guidance to ensure the data and the rights of the individual are protected
- 1.4 This policy outlines the processes the Trust and each of our academies follow when collecting and processing biometric data.

2. What is biometric data and how is it processed?

- 2.1 Biometric data is personal information about an individual's physical or behavioural characteristics that can be used to identify that person, including their fingerprints, facial shape, retina and iris patterns, and hand measurements.
- 2.2 Some of our academies may use an automated biometric recognition system. This is 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 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 pupils' biometric data, e.g. taking measurements from a fingerprint via a fingerprint scanner.
 - Storing pupils' biometric information on a database.
 - Using pupils' biometric data as part of an electronic process, e.g. by comparing it with biometric information stored on a database to identify or recognise pupils.

2.4 Many of our academies will use an automated biometric recognition system to record and hold information regarding fingerprints that can then be used by individuals to access certain parts of the building, or to obtain school lunches.

3. Legal Framework

3.1 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
- The UK General Data Protection Regulation (UK GDPR)
- Department for Education (DfE) (2018) Protection of biometric information of children in schools and colleges

3.2 This policy operates in conjunction with the following Trust policies:

- Data Protection Policy
- Data Retention Policy
- Data Breach Policy

4. Roles and Responsibilities

4.1 The Trust Board is responsible for reviewing this policy on an annual basis.

4.2 The Headteacher/Head of School in each academy is responsible for ensuring the provisions in this policy are implemented consistently.

4.3 The Data Protection Ambassador in each academy is responsible for monitoring the academy's compliance with this policy and the data protection legislation in regard to the use of biometric data. The Data Protection Ambassador will also act as the first point of contact for data subjects to address any queries or concerns regarding the collection and processing of their data.

4.4 The Data Protection Officer is responsible for advising the Data Protection Ambassadors on when it may be necessary to undertake a data protection impact assessment (DPIA) in relation to the academy's biometric system(s) and for being the first point of contact for the Information Commissioner's Office (ICO).

5. Data Protection Impact Assessments (DPIAs)

5.1 Where an academy is seeking to process biometric data or implement a system that involves processing biometric data, they must consult the Data Protection Officer (DPO) and a DPIA must be carried out.

5.2 The DPO will support the Data Protection Ambassador to conduct the DPIA to:

- Assess the nature, scope, context and purposes of processing
- Assess necessity, proportionality and compliance measures
- Identify and assess risks to individuals
- Identify any additional controls that may need to be applied to mitigate those risks.

5.3 When assessing levels of risk, the likelihood and the severity of any impact on individuals will be considered. If a high risk is identified that cannot be mitigated by additional and reasonable controls, the DPO will consult the ICO before the processing of biometric data takes place.

5.4 The ICO will provide the DPO with a written response and the academy must then adhere to any advice provided in response.

6. Notification and Consent

6.1 Each academy must obtain explicit consent for the processing of biometric data as required by section 26 of the Protection of Freedoms Act 2012 (for pupils), and the explicit consent required for processing special category data under the UK GDPR.

6.2 Where the academy uses pupils' biometric data as part of an automated biometric recognition system, the academy will comply with the requirements of the Protection of Freedoms Act 2012.

6.3 Prior to any biometric recognition system being put in place or processing a pupil's biometric data, the academy will send the pupil's parents a parental notification and consent form for the use of biometric data.

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

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

6.6 Where the name of only one parent is included on the admissions register, the Headteacher / Head of Academy will consider whether any reasonable steps can or should be taken to ascertain the details of the other parent.

6.7 The academy does not need to notify a particular parent or seek their consent if it is satisfied that:

- The parent cannot be found, e.g. their whereabouts or identity is not known.
- The parent lacks the mental capacity to object or consent.

- The welfare of the pupil requires that a particular parent is not contacted, e.g. where a pupil has been separated from an abusive parent who must not be informed of the pupil's whereabouts.
- It is otherwise not reasonably practicable for a particular parent to be notified or for their consent to be obtained.

6.8 Where neither parent of a pupil can be notified for any of the reasons set out in 5.7, consent will be sought from the following individuals or agencies as appropriate:

- If a pupil is being 'looked after' by the Local Authority (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 pupil and written consent will be obtained from at least one carer before the pupil's biometric data can be processed.

6.9 Where a parent disputes consent provided by the other parent, consent will be deemed to have not been provided and both parents informed that this will be the case and reasonable alternative arrangements will be provided.

6.10 Notification sent to parents and other appropriate individuals, or agencies will include information regarding the following:

- Details about the type of biometric information to be taken.
- How the data will be used.
- The parent's and the pupil's right to refuse or withdraw their consent.
- The academy's duty to provide reasonable alternative arrangements for those pupils whose information cannot be processed.

6.11 The academy will not process the biometric data of a pupil under the age of 18 in the following circumstances:

- The pupil (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.
- A parent has objected in writing to such processing, even if the other parent has given written consent.

6.12 Parents and pupils 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 pupil that has already been captured will be deleted.

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

6.14 Pupils will be informed, in writing, that they can object or refuse to allow their biometric data to be collected and used.

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

6.16 Staff and other adults can object to taking part in the academy'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.

6.17 Reasonable alternative arrangements will be provided to any individual that does not consent to take part in the academy's biometric system(s).

7. Alternative arrangements

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

7.2 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, for example, where a biometric system uses pupil's fingerprints to pay for school meals, the pupil will be able to use an alternative method of identification for the transaction instead.

7.3 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 pupil's parents, where relevant).

8. Data retention

8.1 Biometric data will be managed and retained in line with the Trust's Data Retention Policy.

8.2 If an individual (or a pupil's parent, where relevant) withdraws their consent for their/their child's biometric data to be processed, it will be deleted from the academy's system.

9. Breaches

9.1 There are appropriate and robust security measures in place to protect the biometric data held by each academy.

9.2 Any breach to the school's biometric system(s) will be dealt with in accordance with the Data Breach Policy.

10. Additional uses of biometric data

10.1 In the event that an additional system is proposed which makes a new use of biometric data belonging to a data subject, a Data Protection Impact Assessment (DPIA) will be carried out.

10.2 If a major change is made to an existing system using biometric data, for example a change in the supplier of a cashless catering system, a DPIA will be carried out.

10.3 The Data Protection Officer must be consulted when a DPIA is undertaken.

11. Monitoring and review

11.1 The Trust Board will review this policy on an annual basis.

Appendix 1

Parental notification and consent form for the use of biometric data

Dear [parent]

Re: Notification of intention to process pupils' biometric information and consent form

[Name of academy] wishes to use information about your child as part of an automated (i.e. electronically operated) recognition system. This is for the purposes of [specify what purpose is – e.g. catering, library access]. The information from your child that we wish to use is referred to as 'biometric information' (see next paragraph). Under the Protection of Freedoms Act 2012 (sections 26 to 28), we are required to notify each parent of a child and obtain the written consent of at least one parent before being able to use a child's biometric information for an automated system.

Biometric information and how it will be used

Biometric information is information about a person that can be used to identify them, for example, information from their fingerprint. The academy would like to take and use information from your child's fingerprint and use this information for the purpose of providing your child with [specify the purpose].

The information will be used as part of an automated biometric recognition system. This system will take measurements of your child's fingerprint and convert these measurements into a template to be stored on the system. An image of your child's fingerprint is not stored. The template (ie. measurements taken from your child's fingerprint) is what will be used to permit your child to access services.

You should note that the law places specific requirements on schools when using personal information, such as biometric information, about pupils for the purposes of an automated biometric recognition system. For example:

- The academy cannot use the information for any purpose other than those for which it was originally obtained and made known to the parents.
- The academy must ensure that the information is stored securely.
- The academy must tell you what it intends to do with the information.
- Unless the law allows it, the academy cannot disclose personal information to another person/body – you should note that the only person/body that the academy wishes to share the information with is [insert any third party with which the information is to be shared e.g. X supplier of biometric systems].

This is necessary in order to [say why it needs to be disclosed to the third party]

Providing your consent / objecting to the use of biometric data

In order to be able to use your child's biometric information, the written consent of at least one parent is required. However, consent given by one parent will be overridden if the other parent objects in writing to the use of their child's biometric information. Similarly, if your child objects to this, the academy must not collect or use their biometric information for inclusion on the automated recognition system. You can also object to the proposed processing of your child's biometric information at a later stage or withdraw any consent you have previously given. This means that, if you give consent but later change your mind, you can withdraw this consent.

Please note that any consent, withdrawal of consent or objection from a parent must be in writing. Even if you have consented, your child can object or refuse at any time to their biometric information being taken/used. Your child's objection does not need to be in writing. We would appreciate it if you could discuss this with your child and explain to them that they can object to this if they wish. The academy is also happy to answer any questions you or your child may have. If you do not wish your child's biometric information to be processed by the academy, or your child objects to such processing, the law says that we must provide reasonable alternative arrangements for children who are not going to use the automated system to [insert relevant service e.g. access school library].

If you give consent to the processing of your child's biometric information, please sign, date and return the enclosed consent form to the academy. Please note that when your child leaves the academy, or if for some other reason they cease to use the biometric system, their biometric data will be securely deleted.

Kind regards,

Appendix 2

Consent Form for the Use of Biometric Information (Pupil)

Please complete this form if you consent to the academy taking and using information from your child's fingerprint by [name of academy] as part of an automated biometric recognition system. This biometric information will be used by [name of academy] for the purpose of [describe purpose(s) for which this data will be used, e.g. administration of academy library/canteen].

In signing this form, you are authorising the academy to use your child's biometric information for this purpose until they either leave the academy 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 academy at the following address:

[insert address]

Once your child ceases to use the biometric recognition system, his/her biometric information will be securely deleted by the academy.

Having read information provided to me by [name of academy], I give consent to information from the fingerprint of my child:

[name of child]

being taken and used by [name of academy] for use as part of an automated biometric recognition system for [describe purpose(s) for which this data will be used, e.g. administration of academy library/canteen].

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

Name of parent: _____

Signature: _____

Date: _____

Please return this form to : [details]

Appendix 3

Notification and consent form for the use of biometric data (Staff/Other)

Dear [xxx]

Re: Notification of intention to process your biometric information and consent form

[Name of academy] wishes to use information about you as part of an automated (i.e. electronically operated) recognition system. This is for the purposes of [specify what purpose is – e.g. catering, library access]. The information from you that we wish to use is referred to as 'biometric information' (see next paragraph). Under the General Data Protection Regulations (GDPR) we are required to seek your explicit consent before being able to use your biometric information for an automated system.

Biometric information and how it will be used

Biometric information is information about a person that can be used to identify them, for example, information from their fingerprint. The academy would like to take and use information from your fingerprint and use this information for the purpose of providing you with [specify the purpose].

The information will be used as part of an automated biometric recognition system. This system will take measurements of your fingerprint and convert these measurements into a template to be stored on the system. An image of your fingerprint is not stored. The template (ie. measurements taken from your fingerprint) is what will be used to permit you to access services.

You should note that the law places specific requirements on schools when using personal information, such as biometric information, for the purposes of an automated biometric recognition system. For example:

- The academy cannot use the information for any purpose other than those for which it was originally obtained and made known to you.
- The academy must ensure that the information is stored securely.
- The academy must tell you what it intends to do with the information.
- Unless the law allows it, the academy cannot disclose personal information to another person/body – you should note that the only person/body that the academy wishes to share the information with is [insert any third party with which the information is to be shared e.g. X supplier of biometric systems].

This is necessary in order to [say why it needs to be disclosed to the third party]

Providing your consent / objecting to the use of biometric data

In order to be able to use your biometric information, we require your written consent. You can also object to the proposed processing of your biometric information at a later stage or withdraw any consent you have previously given. This means that, if you give consent but later change your mind, you can withdraw this consent.

Please note that any consent, withdrawal of consent or objection from you must be in writing.

If you do not wish your biometric information to be processed by the academy, the law says that we must provide reasonable alternative arrangements to enable you to still [insert relevant service e.g. access school library].

The academy is happy to answer any questions you may have.

If you give consent to the processing of your biometric information, please sign, date and return the enclosed consent form to the academy. Please note that when you leave the academy, or if for some other reason you cease to use the biometric system, your biometric data will be securely deleted.

Kind regards,

Appendix 4

Consent Form for the Use of Biometric Information (Staff/Other)

Please complete this form if you consent to the academy taking and using information from your fingerprint by [name of academy] as part of an automated biometric recognition system. This biometric information will be used by [name of academy] for the purpose of [describe purpose(s) for which this data will be used, e.g. administration of academy library/canteen].

In signing this form, you are authorising the academy to use your biometric information for this purpose until you either leave the academy 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 academy at the following address:

[insert address]

Once you cease to use the biometric recognition system, your biometric information will be securely deleted by the academy.

Having read information provided to me by [name of academy], I give consent to information from my fingerprint being taken and used by [name of academy] for use as part of an automated biometric recognition system for [describe purpose(s) for which this data will be used, e.g. administration of academy library/canteen].

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

Name: _____

Signature: _____

Date: _____

Please return this form to : [details]