



CHATHAM & CLARENDON GRAMMAR SCHOOL

Use of Biometrics Policy

Agreed by Governors: November 2023

1. Introduction

This policy is a working document that represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Equality Act 2010
- Education Act 2011
- Protection of Freedoms Act 2012
- Data Protection Act 2018

The following documentation is also related to this policy:

- Protection of biometric information of children in schools and colleges: Advice for proprietors, governing bodies, head teachers, principals and school and college staff (DfE 2018)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)
- Data Protection: a toolkit for schools (DfE)

We have a duty that when using automated biometric recognition systems to have in place arrangements to notify parents and obtain their consent. We are aware that there are no circumstances in which we can lawfully process a student's biometric data without having notified each parent of a child and received the necessary consent.

We understand that 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'.

We are aware that 'the Information Commissioner considers all biometric information to be personal data as defined by the Data Protection Act 1998; this means that it must be obtained, used and stored in accordance with that Act'.

We understand the 'Protection of Freedoms Act 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 Data Protection Act 1998'.

We recognise that biometric technology has been used in the UK since the beginning of the 21st century to charge for meals. The use of electronic [fingerprinting](#) systems has raised privacy concerns because of the creation of [databases](#) that would progressively include the entire population.

We realise that:

- 'automated biometric recognition systems uses technology which measures an individual's physical 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 characteristics such as those listed in section 1 of the 'What is biometric data' section above'

We acknowledge that:

- '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

(Protection of biometric information of children in schools and colleges: (DfE)

We wish to work closely with the Students and parents to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

2. Aims

- To treat students' biometric data collected with appropriate care and to comply with the data protection principles as set out in the Data Protection Act 2018.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with the Department for Education and the local authority to share good practice in order to improve this policy.

3. Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- appointed a Data Protection Officer;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- responsibility for ensuring:
 - full compliance with all statutory responsibilities;
 - the school complies with all equalities legislation;
 - funding is in place to support this policy;
 - this policy and all policies are maintained and updated regularly;
 - all policies are made available on the school's website;
 - the involvement of the School Council in:
 - - discussing improvements to this policy during the school year;
 - - organising surveys to gauge the thoughts of all students;
 - the effective implementation, monitoring and evaluation of this policy.

Role of the Data Protection Officer

The Data Protection Officer will ensure that:

- data is collected and treated with appropriate care;
- data protection principles as set out in the Data Protection Act 2018 are complied with;
- when the data is used as part of an automated biometric recognition system comply with the additional requirements in sections 26 to 28 of the Protection of Freedoms Act 2012;
- each parent of a child is notified of the school's intention to use the child's biometric data as part of an automated biometric recognition system;
- written consent of at least one parent will be obtained before the data is taken from a child under the age of 18 and used;
- biometric data of a student (under 18 years of age) will not be processed where:
 - the child (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.
- reasonable alternative means of accessing services for those students who will not be using an automated biometric recognition system are provided;
- biometric data is provided securely to prevent any unauthorised or unlawful use;
- biometric data is not kept for longer than it is needed;
- if a student no longer uses the system or when he/she leaves the school or where a parent withdraws consent or the child objects, the biometric information will be deleted;
- biometric data is used only for the purposes for which they are obtained and that such data are not unlawfully disclosed to third parties;
- school personnel are trained to use this data correctly;

- documentation of all data protection activities are kept up to date;
- they will work closely with the Headteacher and nominated governor;
- they periodically report to the Headteacher and to the Governing Body;
- they annually report to the Governing Body on the success and development of this policy.

Role of the Headteacher

The Headteacher will:

- work in conjunction with the Senior Leadership Team to ensure all school personnel, students and parents are aware of and comply with this policy;
- take steps to ensure parents receive full information about the processing of their child's biometric data including:
 - a description of the proposed biometric system;
 - the nature of the data the school wishes to process; and
 - the purpose of the processing and how the data will be obtained and used;
- provide students with information in a manner that is appropriate to their age and understanding;
- notify both parents of a child whose biometric information the school wishes to collect/use but if one parent objects in writing, then the school will not be permitted to take or use that child's biometric data;
- ensure students are aware that they have a right to object (this does not have to be writing) and can object to the processing of their biometric data or refuse to take part at any stage;
- in the event that a student objects:
 - will not start to process his or her biometric data; or
 - will stop the process if it has already started
- be aware that the school is not required by law to consult parents before installing an automated biometric recognition system but will consult with parents and students before introducing such a system;
- notify parents and secure consent (either in writing or by verified email) from at least one parent before biometric data is obtained or used for the purposes of such a system;
- be aware that we do not need to renew consent every year as the original consent is valid until such time as it is withdrawn;
- be aware that the original consent can be overridden at any time if another parent objects in writing or if the child objects to the processing;
- understand that when the student leaves the school his/her biometric data will be securely removed from the system;
- notify and obtain consent from parents when the school introduces an additional, different type of automated biometric recognition system;
- inform parents that they have the right to withdraw their consent in writing at any time;
- be aware that the Protection of Freedoms Act covers all systems that record or use physical characteristics for the purpose of identification such as palm, iris or face recognition or fingerprints;
- provide reasonable alternative arrangements for students who do not use the automated biometric recognition systems;
- ensure students who do not participate in the automated biometric recognition system do not suffer any disadvantage from the alternative arrangements;
- ensure that the alternative arrangements do not place any additional burden on parents whose children are not participating in such a system;
- work closely with the link governor and Data Protection Officer;
- provide leadership and vision in respect of equality;

- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;
- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy by speaking with students, parents, school personnel, and governors;
- annually report to the Governing Body on the success and development of this policy

Role of School Personnel

School personnel will:

- comply with all aspects of this policy;
- be aware of all other linked policies

Role of Students

Students will:

- be aware of and comply with this policy;
- be made aware of their rights

Role of Parents/Carers

Parents/carers will:

- be aware of and comply with this policy;
- work in partnership with the school;
- comply with this policy for the benefit of their children;
- be made aware of their rights

4. Raising Awareness of this Policy

We will raise awareness of this policy via:

- School Handbook/Prospectus;
- School website;
- Staff Handbook;
- Meetings with school personnel;
- Written communications with home such as weekly newsletters and of end of half term newsletters;
- Annual report to parents;
- Headteacher reports to the Governing Body;
- Information displays in the main school entrance;
- Text messages
- Email

5. Training

All school personnel:

- have equal chances of training, career development and promotion;
- receive training on induction which specifically covers:

- All aspects of this policy
- Cyber Security
- Data Protection and the General Data Protection Regulation
- Management of School Records
- School Data Retention and School Data Management
- Vital School Records
- Equal opportunities
- Inclusion
- receive periodic training so that they are kept up to date with new information;
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

6. Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any student and it helps to promote equality at this school.

7. Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

This policy will be reviewed every three years. The next year of review is: 2025

8. Linked Policies

- Cyber Security
- Data Protection and the General Data Protection Regulation
- Management of School Records
- School Data Retention and School Data Management
- Vital School Records