

PROTECTION OF BIOMETRIC INFORMATION POLICY

Responsible	Director of Professional Services
Approved by	Board of Trustees
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PROTECTION OF BIOMETRIC INFORMATION POLICY

Purpose

To confirm Better Futures Multi Academy Trust's commitment to protecting the personal data of its students and staff.

Scope

This policy applies to Better Future's Multi-Academy Trust which will be referred to as BFMAT for the purposes of the policy.

This policy also applies to all academies that are a member of BFMAT.

Terminology for job titles may vary across BFMAT. If this is the case, the terminology used within this policy is deemed to apply to staff/functions in equivalent roles and positions and of equivalent standing.

Definitions

Biometric data: 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.

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.

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 pupils/staff biometric data, e.g. taking measurements from a fingerprint via a fingerprint scanner.
- Storing pupils/staff biometric information on a database.
- Using pupils/staff 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.

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.

MIS: Management Information System

Equality Statement

Equality, freedom and treating all persons with dignity and respect are fundamental human rights. As such, BFMAT is committed to making these central in all its work.

A diverse student body and workforce benefit BFMAT's role as a provider of high quality education and employment in a modern and ever-changing society. BFMAT is firmly committed to the promotion of equality and will not unlawfully discriminate, or tolerate discrimination (direct or indirect, harassment or victimisation) on grounds of age, disability, ethnicity (including race, colour, caste and nationality), gender identity, marriage or civil partnership, pregnancy or maternity, religion or belief, sex and sexual orientation; this includes discrimination by association or due to perception. This policy will operate in furtherance of this.

The Policy

1. Introduction

1.1. BFMAT process all personal data, including biometric data, in accordance with the key principles set out in the General Data Protection Regulations.

1.2. BFMAT 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.
- 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.

1.3. As the data controller, the Trust is responsible for being able to demonstrate its compliance with the provisions outlined above.

2. Specific Consent

2.1. The Protection of Freedoms Act 2012 directs educational establishments with a clear obligation to obtain consent to collect and process the biometric information of anyone under the age of 18.

2.2. Written consent will be sought from at least one parent/guardian of the student before BFMAT, and more specifically any member academies collect or use a student's biometric data.

2.3. Names and contact details of students parents will be obtained from the relevant academies MIS.

2.4. 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
- 2.5. Where neither parent of a pupil can be notified for any of the reasons set out in 2.4, consent will be sought from the following individuals or agencies as appropriate:
- If a pupil is being "looked after" by the LA or is accommodated or maintained by a voluntary organisation, consent will be sought from these organisations.
 - 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
- 2.6. Any request for consent will include the following information:
- Details about the type of biometric information being collected
 - How the data will be used
 - The right of both the student and the parent/guardian to refuse or to withdraw their consent
 - The Trust/Academy's duty to provide reasonable alternative arrangements for those students for whom we do not obtain consent.
- 2.7. No biometric data of a student under the age of 18 will be collected or processed 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 guardian has consented in writing to the processing
 - A parent or guardian has objected in writing to such processing, even if another parent has given written consent
- 2.8. Any staff members or students over the age of 18 will be directly contacted about consent before collection of any biometric data can be collected or processed.
- 2.9. Any student, Parent/Guardian of a student or staff member can object to participate in the Trust/Academy's biometric system(s) or withdraw their consent at any time Any biometric data already collected at this point will be deleted.

3. Alternative Arrangements

- 3.1. Parents/Guardians, Students and staff members have the right to not take part in any biometric system
- 3.2. Where an individual objects to taking part in a biometric system, reasonable alternative arrangements will be provided that allow the individual to access the relevant service, e.g. where a biometric system uses student's fingerprints to access library facilities that that pupil would be able to use a student card instead.
- 3.3. Any alternative arrangements that are put in place will not disadvantage or create any difficulty in accessing services as a result

4. Data Retention

- 4.1. Biometric data will be retained as long as the student is attending the relevant academy.
- 4.2. For staff any biometric data will be retained as long as the staff member is a current employee.
- 4.3. Biometric data will be deleted where consent is withdrawn.

5. Further Information

- 5.1. The Department for Education has information specific to biometric information in education which can be found here:

<https://www.gov.uk/government/publications/protection-of-biometric-information-of-children-in-schools>