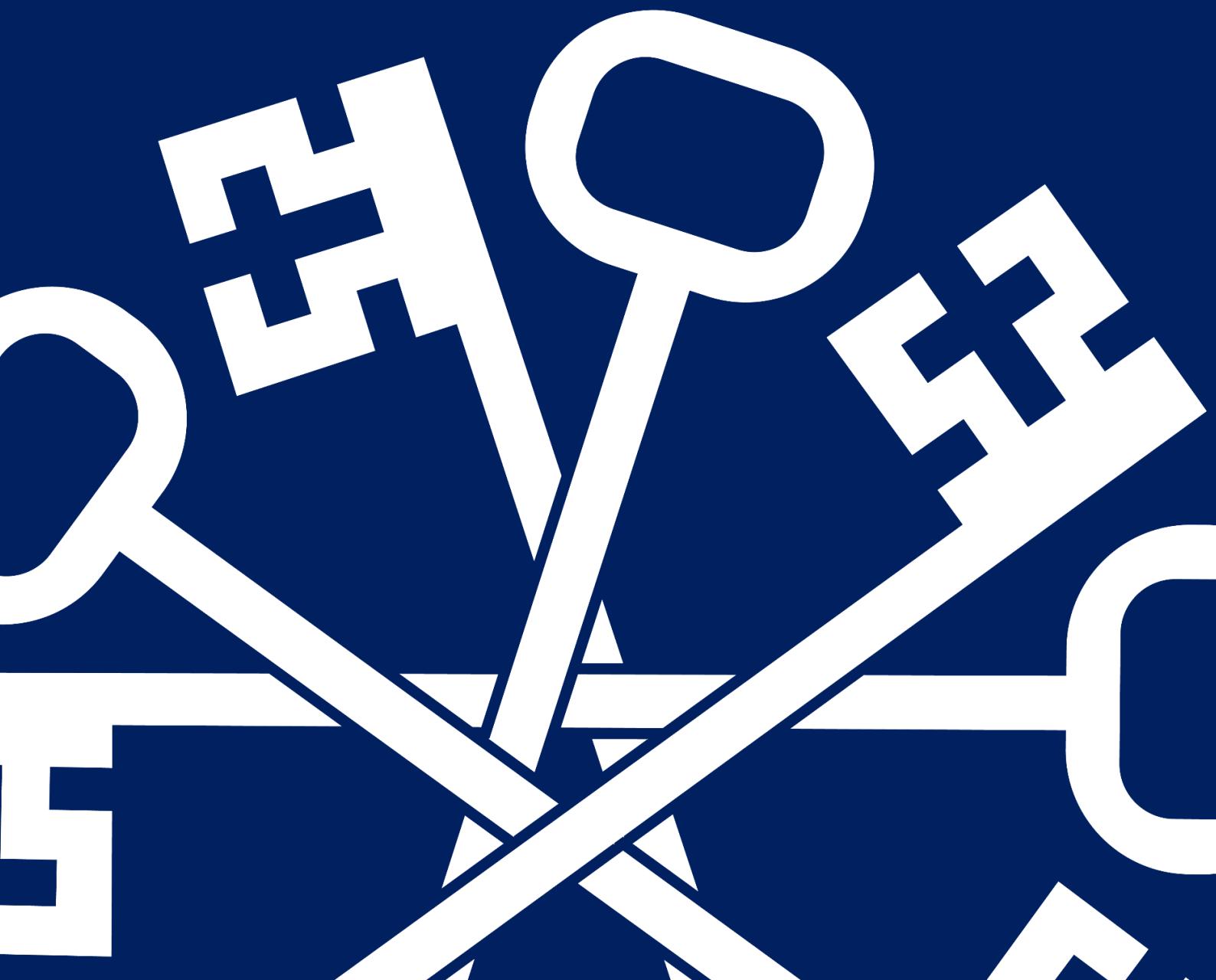




KEYS  
ACADEMIES  
TRUST

# Biometric Data Policy

## Version 1.1



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## 1. Policy Statement

- 1.1. At the heart of our mission is the belief that every individual has untapped potential waiting to be unlocked. By fostering an environment that challenges and supports growth, we want to create pathways for social mobility. By providing the right tools, guidance, and opportunities, we enable each person to overcome barriers and reach their fullest potential.
- 1.2. We want our schools to not only places of learning but vibrant communities where every person feels they truly belong. Within this students, teachers, and support staff alike should feel they are developing and succeeding. This success should be an achievable reality for all, irrespective of background or circumstance. It may be quite different for each of us, but the key is the feeling of pride in doing well and enjoyment of the journey.
- 1.3. We are committed to building inclusive environments where the uniqueness of every individual is celebrated, and where collective growth is the norm.

## 2. Change Summary

- 2.1. No significant changes since first policy iteration.

## 3. Key Principals

- 3.1. This policy is set by The Keys Academies Trust to cover Biometric Data in all of our trust schools.
- 3.2. Keys Trust schools that use pupils' **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
- 3.3. Where the data is to be used as part of an **automated biometric recognition system**, schools must also comply with the additional requirements in sections 26 to 28 of the **Protection of Freedoms Act 2012**
- 3.4. Keys schools must ensure that 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.
- 3.5. The written consent of at least one parent must be obtained before the data is taken from the child and used ie, '**processed**'. This applies to all pupils in schools and colleges **under the age of 18**. In no circumstances can a child's biometric data be processed without written consent.
- 3.6. Keys schools must not process the biometric data of a pupil (under 18 years of age) where:
  - a) The child (whether verbally or non-verbally) objects or refuses to participate in the processing of their biometric data;

- b) No parent has consented in writing to the processing; or
- c) A parent has objected in writing to such processing, even if another parent has given written consent.

3.7. Schools and colleges must provide reasonable alternative means of accessing services for those pupils who will not be using an automated biometric recognition system.

## 4. What is Biometric Data?

- 4.1. 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.
- 4.2. Schools and academies that use pupils' biometric data must treat the data collected with appropriate care and must comply with the data protection principles as set out in the UK General Data Protection Regulation.
- 4.3. The Information Commissioner considers all biometric information to be personal data as defined by the UK General Data Protection Regulation; this means that it must be obtained, used and stored in accordance with the Regulation.
- 4.4. Personal data used as part of an automated biometric recognition system must also comply with the additional requirements in sections 26 to 28 of the Protection of Freedoms Act 2012.
- 4.5. The Protection of Freedoms Act 2012 includes provisions which relate to the use of biometric data in schools, academies and colleges when used as part of an automated biometric recognition system.
- 4.6. Schools and academies must ensure that the parent/carer of each pupil is informed of the intention to use the pupil's biometric data as part of an automated biometric recognition system. Parents/carers must be advised that alternative methods to biometric scanning are available for processing identity if required.
- 4.7. The written consent of the parent/carer or the pupil, where the pupil is deemed to have the capacity to consent, must be obtained before the data is taken from the pupil and processed within the biometric recognition system. In no circumstances can a pupil's biometric data be processed without written consent.
- 4.8. Schools and academies must not process the biometric data of a pupil where:
  - a) the pupil (whether verbally or non-verbally) objects or refuses to participate in the processing of their biometric data;
  - b) a parent or pupil has not consented in writing to the processing; or
  - c) a parent or pupil has objected in writing to such processing, even if another parent has given written consent.

4.9. Schools and academies must provide reasonable alternative means of accessing the services to those pupils who will not be using an automated biometric recognition system.

## 5. Biometric Data and Processing

### 5.1. 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). Biometric recognition systems can use many kinds of physical or behavioural characteristics such as those listed above.

### 5.2. What Does Processing Data Mean?

'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:

- a) recording pupils' biometric data, for example, taking measurements from a fingerprint via a fingerprint scanner;
- b) storing pupils' biometric information on a database system; or
- c) 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 pupils.

### 5.3. Who Is Able to Give Consent?

The Data Protection Act gives pupils rights over their own data when they are considered to have adequate capacity to understand. Most pupils will reach this level of understanding at around age 13.

For this reason, for most pupils in a secondary school, it will normally be up to the individual pupil to decide whether or not to provide biometric data. Where the school or academy considers that the pupil does not have the capacity, or they are under the age of 13, parents/carers will be asked to provide written consent.

### 5.4. Alternative to Biometric

The school or academy will provide an alternative to biometric scanning for any parent/pupil objecting to the processing of biometric data.

### 5.5. Length of Consent

The original written consent is valid until such time as it is withdrawn. However, it can be overridden, at any time either parent/carer or the pupil themselves objects to the processing (subject to the parent's/carer's objection being in writing).

When the student leaves the school or academy, their biometric data will be securely removed from the academy's biometric recognition system.

## 6. Frequently Asked Questions

- 6.1. What information should schools provide to parents/pupils to help them decide whether to object or for parents to give their consent?
  - a) Any objection or consent by a parent must be an informed decision – as should any objection on the part of a child. Schools should take steps to ensure parents receive full information about the processing of their child's biometric data including a description of the kind of system they plan to use, the nature of the data they process, the purpose of the processing and how the data will be obtained and used. Children should be provided with information in a manner that is appropriate to their age and understanding.
- 6.2. What if one parent disagrees with the other?
  - a) Schools will be required to notify each parent of a child whose biometric information they wish to collect/use. If one parent objects in writing, then the school or college will not be permitted to take or use that child's biometric data.
- 6.3. How will the child's right to object work in practice – must they do so in writing?
  - a) A child is not required to object in writing. An older child may be more able to say that they object to the processing of their biometric data. A younger child may show reluctance to take part in the physical process of giving the data in other ways. In either case the school or college will not be permitted to collect or process the data.
- 6.4. Are schools required to ask/tell parents before introducing an automated biometric recognition system?
  - a) Schools are not required by law to consult parents before installing an automated biometric recognition system. However, they are required to notify parents and secure consent from at least one parent before biometric data is obtained or used for the purposes of such a system. It is up to schools to consider whether it is appropriate to consult parents and pupils in advance of introducing such a system.
- 6.5. Do schools need to renew consent every year?
  - a) No. The original written consent is valid until such time as it is withdrawn. However, it can be overridden, at any time if another parent or the child objects to the processing (subject to the parent's objection being in writing). When the pupil leaves the school, their biometric data would be securely removed from the school's biometric recognition system.
- 6.6. Do schools need to notify and obtain consent when the school introduces an additional, different type of automated biometric recognition system?
  - a) Yes, consent must be informed consent. If, for example, a school has obtained consent for a fingerprint/fingertip system for catering services and then later introduces a system for accessing library services using iris or retina scanning, then schools will have to meet the notification and consent requirements for the new system.

6.7. Can consent be withdrawn by a parent?

- a) Parents will be able to withdraw their consent, in writing, at any time. In addition, either parent will be able to object to the processing at any time but they must do so in writing.

6.8. When and how can a child object?

- a) A child can object to the processing of their biometric data or refuse to take part at any stage – i.e. before the processing takes place or at any point after his or her biometric data has been obtained and is being used as part of a biometric recognition system. If a pupil objects, the school must not start to process his or her biometric data or, if they are already doing this, must stop. The child does not have to object in writing.

6.9. Will consent given on entry to primary or secondary school be valid until the child leaves that school?

- a) Yes. Consent will be valid until the child leaves the school – subject to any subsequent objection to the processing of the biometric data by the child or a written objection from a parent. If any such objection is made, the biometric data would not be processed and the school or college must, in accordance with the GDPR, remove it from the school's system by secure deletion.

6.10. Can the school notify parents and accept consent via email?

- a) Yes – as long as the school is satisfied that the email contact details are accurate and the consent received is genuine.

6.11. Will parents be asked for retrospective consent?

- a) No. Any processing that has taken place prior to the provisions in the Protection of Freedoms Act coming into force will not be affected. Any school wishing to continue to process biometric data must have already sent the necessary notifications to each parent of a child and obtained the written consent from at least one of them before continuing to use their child's biometric data.

6.12. Does the legislation cover other technologies such as palm and iris scanning?

- a) Yes. The legislation covers *all* systems that record or use physical or behavioural characteristics for the purpose of identification. This includes systems which use palm, iris or face recognition, as well as fingerprints.

6.13. Is parental notification and consent required under the Protection of Freedoms Act 2012 for the use of photographs and CCTV in schools?

- a) No – not unless the use of photographs and CCTV is for the purposes of an automated biometric recognition system. However, schools and colleges must continue to comply with the requirements in the GDPR 2018 when using CCTV for general security purposes or when using photographs of pupils as part of a manual ID system or an automated system that uses barcodes to provide services to pupils. Depending on the activity concerned, consent may be required under the GDPR before personal data is processed.

The Government believes that the GDPR requirements are sufficient to regulate the use of CCTV and photographs for purposes other than automated biometric recognition systems. Photo ID card systems, where a pupil's photo is scanned automatically to provide them with services, would come within the obligations on schools and colleges under sections 26 to 28 of the Protection of Freedoms Act 2012, as such systems fall within the definition in that Act of automated biometric recognition systems.

6.14. Is parental notification or consent required if a pupil uses or accesses standard commercial sites or software which use face recognition technology?

a) The provisions in the Protection of Freedoms Act 2012 only cover processing by or on behalf of a school or college. If a school or college wishes to use such software for school work or any school business, then the requirement to notify parents and to obtain written consent will apply. However, if a pupil is using this software for their own personal purposes then the provisions do not apply, even if the software is accessed using school or college equipment.

## 7. Associated Resources

- 7.1. [ICO guide to data protection](#)
- 7.2. [ICO guidance on data protection for education establishments](#)
- 7.3. [British Standards Institute guide to biometrics](#)

## 8. Monitoring and Review of This Policy

- 8.1. The Trustees shall be responsible for reviewing this policy from time to time to ensure that it meets legal requirements and reflects best practice.

## 9. Version History

VERSION	ACTION	RESPONSIBLE	DATE
1.0	Biometric Data policy created	Howard NELSON	29/06/2023
1.1	Policy reviewed in line with review schedule	Jordan SMITHSON	01/11/2025