

Habs

HABERDASHERS'
ELSTREE SCHOOLS

Biometric Information Policy

Policy Type	Statutory
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1 Related Information

1.1 Supporting Documents

The following related information is referred to in this policy:

Data Protection Act 2018
Data Protection Policy
Terms and Conditions
Privacy Notice for Parents of Younger Students
Privacy Notice for Older Students
Protection of biometric data of children in schools and colleges (publishing.service.gov.uk)
The Protection of Freedoms Act 2012

1.2 Terminology

Parents includes one or both parents, a legal guardian, or education guardian.

School means Haberdashers' Boys' School and Haberdashers' Girls' School, as now or in the future constituted (and any successor), part of Haberdashers' Aske's Elstree Schools Limited, the School Trustee of Haberdashers' Aske's Charity.

Student or **Students** means any student or students in the School at any age.

2 Biometric Information

Biometric information for students in the senior school is used by the school for the administration of catering (break and lunch) and library loans. Biometric information for staff is used by the school to facilitate maintaining a record of staff signing in and out from the school site. For both students and staff, this biometric data is stored securely on the school network. It is also used to gain access to buildings on the school site.

Permission is sought from parents via the Terms & Conditions attached to an offer of a place. This is again reconfirmed as part of the data capture on the Parent Portal.

Should a parent, student or member of staff object, their school record will be updated accordingly, and they will be given alternative means to register.

Once a parent or member of staff has given consent, the consent is valid until they leave the school, unless consent is withdrawn, which, for a student, must be in writing to the school.

Biometric data that is collected by the school is processed in accordance with the Data Protection Act 1998. In particular:

- The biometric data is stored securely to prevent any unauthorised or unlawful use
- The biometric data is not kept for longer than it is needed, meaning that the school will destroy a student's or staff member's biometric data if they no longer use the system or leaves the school, or, in the case of a student, the parent withdraws consent
- The school ensures that the biometric data is used only for the purposes for which it was obtained and that such data is not unlawfully disclosed to third parties.

3 Biometric information notice

The School wishes to use biometric information about our Students as part of an automated biometric recognition system. This is for the purposes of:

- Access to buildings
- Payment for snacks and lunches
- Borrowing books from the Library

Sections 26 to 28 of the Protection of Freedoms Act 2012 (the **Act**) require the School to notify each parent of a child and obtain the written consent of at least one parent before we can use that child's biometric information.

4 Biometric information and how it will be used

Biometric information is information about a person's physical or behavioural characteristics that can be used to identify them. The School would like to take and use information from our Students' fingerprints and use this information for the purposes described in section 3.

The information will be used as part of an automated biometric recognition system. This system will take measurements of the Students' fingerprints and convert these measurements into a template to be stored on the system. An image of the Students' fingerprint is not stored. The template (i.e. measurements taken from the student's fingerprint) is what will be used.

The law places specific requirements on the School when it uses biometric information, about Students. For example:

- the School cannot use the information for any purposes other than those described above
- the School must ensure that the information is stored securely
- the School must tell Parents and Students what it intends to do with the information; and,
- the School will not disclose the biometric information to a third party unless permitted by law. The School may however share the information with Live Register for the proper use of the automated biometric recognition system.

5 Providing your consent / objecting

The School requires the written consent of at least one parent to use a Student's biometric information. However, consent will be overridden at any time if the other Parent objects in writing. The School will also seek the consent of a student if they have sufficient maturity to exercise their data protection rights. In most cases, consent will be sought from students going into Year 7 or above. Also, if a Student objects to the use of their biometric information at any time, the School cannot collect or use that information. Parents may also withdraw your consent at any time in writing addressed to the School.

Parents and Students can give their consent by completing and returning the School's biometric information consent form.

Please note that when a student leaves the School, or if for some other reason they cease to use the biometric system, their biometric information will be securely deleted.

Appendix 1 – Frequently Asked Questions

What is biometric data?

Biometric data means personal information resulting from specific technical processing relating to the individual's physical, psychological or behavioural characteristics which allow or confirm the unique identification of that person, such as facial images, voice recognition or fingerprints.

How do we use the information?

The biometric fingerprint information that we are referring to above is used by Haberdashers' Elstree Schools to provide a cashless catering service in the school.

The change in the law

With the change in the law the school is no longer able to use this information from 1st September 2013 without the explicit consent of one or more of the parents of children at the school and for this reason we are required to ask you to provide written explicit consent to our use of the biometric data that we hold for your children.

How do I give or deny consent?

The School has sent a form home that you must complete.

What if I do not wish to give consent to Haberdashers' Elstree Schools use of my child's biometric data?

If consent is not provided, the school has to provide an alternative way for your child(ren) to use the facilities managed by the biometric data. In this case, this will be provided with a pin code instead of using biometric fingerprints.

What information should schools provide to parents/students to help them decide whether to object or for parents to give their consent?

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. Students should be provided with information in a manner that is appropriate to their age and understanding.

What if one parent disagrees with the other?

The School 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 will not be permitted to take or use that child's biometric data.

How will the student's right to object work in practice – must they do so in writing?

A student is not required to object in writing. An older student (students aged 13+) may be more able to say that they object to the processing of their biometric data. A younger student (students under 13) may show reluctance to take part in the physical process of giving the data in other ways. In either case, the School will not be permitted to collect or process the data.

Are schools required to ask/tell parents before introducing an automated biometric recognition system?

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 students in advance of introducing such a system.

Do schools need to renew consent every year?

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 student objects to the processing (subject to the parent's objection being in writing). When the student leaves the school, their biometric data should be securely removed from the school's biometric recognition system.

Do schools need to notify and obtain consent when the school introduces an additional, different type of automated biometric recognition system?

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.

Can consent be withdrawn by a parent?

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.

When and how can a student object?

A student 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 student objects, the school must not start to process his or her biometric data or, if they are already doing this, must stop. The student does not have to object in writing.

Will consent given on entry to secondary school be valid until the student leaves that school?

Yes. Consent will be valid until the student 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 should not be processed and the school must, in accordance with the Data Protection Act, remove it from the school's system by secure deletion.

Can the school notify parents and accept consent via email?

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

Will parents be asked for retrospective consent?

No. Any processing that has taken place prior to the provisions in the Protection of Freedoms Act coming into force will not be affected. From 1 September 2013 (when the new duties in the Act take effect), any school wishing to continue to process biometric data from that date 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.

Does the legislation cover other technologies such a palm and iris scanning?

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