

# Protection of Biometric Information Policy

## Policy document provenance

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<b>Date of next review:</b>	September 2025
<b>Summary of changes since last review:</b>	<ul style="list-style-type: none"><li>• The policy takes into account the updated DfE guidance on the protection of biometric data of children in schools and colleges July 2022</li><li>• Addition of the definitions on facial recognition and live facial recognition</li></ul>
<b>Related policies and documents:</b>	<ul style="list-style-type: none"><li>• Data protection policy</li><li>• Records retention and data management policy</li></ul>

Unless there are legislative or regulatory changes in the interim, this policy will be reviewed on an annual basis. Should no substantive change be required at this point, the policy will move to the next review cycle.



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## 1.0 Policy statement

Dixons Academies Trust is committed to protecting the personal data of all its students and staff, this includes any biometric data we collect and process.

We collect and process biometric data in accordance with relevant legislation and guidance to ensure the data and the rights of individuals are protected. This policy outlines the procedure our trust follows when collecting and processing biometric data.

## 2.0 Scope and purpose

The purpose of the document is to set out clearly how we meet our statutory obligation with regards to the storing of biometric data. The policy applies to the storage of all biometric data, staff, student, and visitors and is reviewed by the school trust leaders on an annual basis. All staff who are involved in storing data are trained on the content. The policy should be read in conjunction with the following Dixons Academies Trust policies.

- Data protection policy
- Records retention and data management policy

## 3.0 Legal framework

3.1 The Data Protection Act 2018, the UK GDPR and the Protection of Freedoms Act 2012 set out how students' data (including biometric data) should be processed. Biometric data is special category data and must be processed lawfully, fairly and in a transparent way.

3.2 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)
- DfE (2022) 'Protection of biometric information of children in schools and colleges'

## 4.0 Definitions

4.1 Biometric data: Personal information about an individual's physical or behavioural characteristics that can be used to identify that person, including their eight point identification pattern, facial shape, retina and iris patterns, and hand measurements.

4.2 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.

4.3 Facial recognition: The process by which a person can be identified or otherwise recognised from a digital facial image. Cameras are used to capture these images and facial recognition technology software produces a biometric template. Facial recognition is often not appropriate in schools and it must be both necessary and proportionate within the school environment if this is implemented.

4.4 Live facial recognition: This is different to facial recognition technology as described in 4.3 and is typically deployed in a similar way to traditional CCTV. It is directed towards everyone in a particular area rather than specific individuals. Live facial recognition is not appropriate in schools and colleges and will not be used in our trust.

4.5 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 students' biometric data, e.g. taking measurements from a eight point identification pattern via a fingerprint scanner
- storing students' biometric information on a database
- using students' biometric data as part of an electronic process, e.g. by comparing it with biometric information stored on a database to identify or recognise students

4.4 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.

## 5.0 Roles and responsibilities

5.1 The school trust leaders are responsible for:

- reviewing this policy on an annual basis

5.2 The principal is responsible for:

- ensuring the provisions in this policy are implemented consistently

5.3 The data protection officer (DPO) is responsible for:

- monitoring the academy's compliance with data protection legislation in relation to the use of biometric data
- advising on when it is necessary to undertake a data protection impact assessment (DPIA) in relation to the academy's biometric system(s)
- being the first point of contact for the ICO and for individuals whose data is processed by the academy and connected third parties

## 6.0 Data protection principles

6.1 The academy processes all personal data, including biometric data, in accordance with the key principles set out in the GDPR.

6.2 Our trust 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

6.3 As the data controller, the academy is responsible for being able to demonstrate its compliance with the provisions outlined in 6.2.

## 7.0 Data protection impact assessments (DPIAs)

7.1 In accordance with Article 35 of the UK GDPR, prior to processing biometric data or implementing a system that involves processing biometric data, a DPIA will be carried out.

7.2 The DPO will oversee and monitor the process of carrying out the DPIA.

7.3 The DPIA will:

- describe the nature, scope, context and purposes of the processing
- assess necessity, proportionality and compliance measures
- identify and assess risks to individuals
- identify any additional measures to mitigate those risks

7.4 When assessing levels of risk, the likelihood and the severity of any impact on individuals will be considered.

7.5 In accordance with Article 36 of the UK GDPR, if a high risk is identified that cannot be mitigated, the DPO will consult the ICO before the processing of the biometric data begins.

7.6 The ICO will provide the academy with a written response (within eight weeks or 14 weeks in complex cases) advising whether the risks are acceptable, or whether the academy needs to take further action. In some cases, the ICO may advise the academy to not carry out the processing.

7.7 Our trust will adhere to any advice from the ICO.

## 8.0 Notification and consent

Please note that the obligation to obtain consent for the processing of biometric information of children under the age of 18 is not imposed by the Data Protection Act 2018 or the GDPR. Instead, the consent requirements for biometric information is imposed by section 26 of the Protection of Freedoms Act 2012.

8.1 Where the academy uses students' biometric data as part of an automated biometric recognition system (e.g. using students' eight point identification pattern to receive school dinners instead of paying with cash), the academy will comply with the requirements of the Protection of Freedoms Act 2012.

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

8.3 Written consent will be sought from at least one parent of the student before the academy collects or uses a student's biometric data.

8.4 The name and contact details of the student's parents will be taken from the academy's admission register.

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

- 8.6 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 student requires that a particular parent is not contacted, e.g. where a student has been separated from an abusive parent who must not be informed of the student's whereabouts
  - it is otherwise not reasonably practicable for a particular parent to be notified or for their consent to be obtained
- 8.7 Where neither parent of a student can be notified for any of the reasons set out in 8.6, consent will be sought from the following individuals or agencies as appropriate:
- if a student is being 'looked after' by the 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 student and written consent will be obtained from at least one carer before the student's biometric data can be processed
- 8.8 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 student's right to refuse or withdraw their consent
  - the academy's duty to provide reasonable alternative arrangements for those students whose information cannot be processed
- 8.9 The academy will not process the biometric data of a student under the age of 18 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 carer has consented in writing to the processing
  - a parent has objected in writing to such processing, even if another parent has given written consent
- 8.10 Parents and students can object to participation in the academy's biometric system(s) or withdraw their consent at any time. Where this happens, any biometric data relating to the student that has already been captured will be deleted.
- 8.11 If a student 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 student's biometric data is not taken or used as part of a biometric recognition system, irrespective of any consent given by the student's parent(s).
- 8.12 Students will be informed that they can object or refuse to allow their biometric data to be collected and used via a letter.
- 8.13 Where staff members or other adults use the academy's biometric system(s), consent will be obtained from them before they use the system.
- 8.14 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.
- 8.15 Alternative arrangements will be provided to any individual that does not consent to take part in the academy's biometric system(s), in line with section 9 of this policy.

## 9.0 Alternative arrangements

- 9.1 Parents, students, staff members and other relevant adults have the right to not take part in the academy's biometric system(s).
- 9.2 Where an individual objects to taking part in the academy's biometric system(s), reasonable alternative arrangements will be provided that allow the individual to access the relevant service, e.g. where a biometric system uses academy's eight point identification pattern to pay for school meals, the student will be able to use cash for the transaction instead.
- 9.3 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 student's parents, where relevant).

## 10.0 Data retention

- 10.1 Biometric data will be managed and retained in line with our trust's records retention and data management policy.
- 10.2 If an individual (or a student's parent, where relevant) withdraws their consent for their child's biometric data to be processed, it will be erased from the academy's system.

## 11.0 Breaches

- 11.1 There are appropriate and robust security measures in place to protect the biometric data held by the academy. These measures are detailed in our trust's data protection policy.



11.2 Any breach to the academy's biometric system(s) will be dealt with in accordance with our data protection policy and data breach guidance.

## **12.0 Monitoring and review**

12.1 The school trust leaders will review this policy on an annual basis. Should no substantive changes be required at this point, the policy will move to the next review cycle.

12.2 Any changes made to this policy will be communicated to all staff, parents and academies.



## Appendix 1 - Parental notification and consent form for the use of biometric data

Name

Address line one

Address line two

Town

County

Postcode

Date

### **RE: Notification of intention to process students' biometric information and consent form**

Dear name of parent,

I am writing to notify you of the academy's wishes to use information about your child as part of an automated (i.e. electronically-operated) recognition system. The purpose of this system is to facilitate catering transactions to be made using students' eight point identification pattern instead of by using cash.

The information from your child that we wish to use is referred to as 'biometric information'.

### **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 academy would like to collect and use the following biometric information from your child:

- their eight point identification pattern

The academy would like to use this information for the purpose of providing your child with the opportunity to pay for their school meal using their eight point identification pattern.

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

The law places specific requirements on academies when using personal information, such as biometric information, about students for the purposes of an automated biometric recognition system. For example:

- the academy will not use the information for any purpose other than those for which it was originally obtained and made known to the parent(s) (i.e. as stated above)
- the academy will ensure that the information is stored securely
- the academy will tell you what it intends to do with the information
- unless the law allows it, the academy will not disclose personal information to another person or body Please note, the academy has to share the information with the following bodies:
  - the supplier of the biometric system
  - Parentpay - the supplier of the biometric system

This is necessary in order for your child to be set up as a user on the system and access the services provided.

### **Providing your consent / objecting to the use of biometric data**

Under the Protection of Freedoms Act 2012, 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.

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 the use of their biometric information, the academy cannot collect or use the information for inclusion on the automated recognition system.

You can also object to the proposed processing of your child's biometric information at any time or withdraw any consent you have previously given. Please note that you must make any consent, withdrawal of consent or objection in writing.

Even if you have given your consent, your child can object or refuse at any time to their biometric information being collected and used

– their objection does not need to be in writing. We would appreciate if you could discuss this with your child and explain to them that they can object if they want to.

The academy is happy to answer any questions you or your child may have – please contact the academy with any questions.





If you do not wish for your child’s biometric information to be used by the academy, or your child objects to such processing, the academy will provide reasonable alternative arrangements for students who are not going to use the automated system to pay for school meals.

Please note that, when your child leaves the academy or ceases to use the biometric system, their biometric information will be securely erased in line with the records and data management policy.

Please complete the form below to confirm if you do or do not consent to the collection and use of your child’s biometric information and return it to the academy office by date.

Kind regards,

Name



## Consent form for the use of biometric information

Please complete this form to confirm whether you provide consent for the academy to collect and use the following biometric information relating to your child:

- eight point identification pattern

This biometric information will be used by the academy for the following purpose:

- providing your child with the means to pay for their school meal using their eight point identification pattern

Having read the guidance provided to me by the academy, I (please tick your selection):

- do consent to the processing of my child's biometric data
- do not consent to the processing of my child's biometric data

## For parents that have provided consent

Please confirm that you have read and understood the following terms:

- I authorise the academy to use my child's biometric information for the purpose specified above until either they leave the academy or cease to use the system
- I understand that I can withdraw my consent at any time
- I understand that if I wish to withdraw my consent, I must do so in writing and submit this to the Principal of the academy
- I understand that once my child ceases to use the biometric system, the academy will securely delete my child's biometric information
- I confirm that I have read and understood the terms above

## For all parents

Name of child:
Name of parent:
Signature:
Date:

Please return this form to the academy office by date.