Protection of Biometric Data Policy

Policy Code:	IT6
Policy Start Date:	April 2023
Policy Review Date:	April 2026

Contents:

Statement of intent

Community Inclusive Trust is committed to protecting the personal data of all its pupils 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. We will treat the data collected with appropriate care.

This policy outlines the procedure the Trust follows when collecting and processing biometric data.

1.   Legal framework

This policy has due regard to all relevant legislation and statutory 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)
- DE (2018) ‡Ú¦[c^&á] } [~à켣{ ^dﾃ&켣 {¦{ æ檳} [~&@켣å¦^} ̴ V¦˘•ϭ æ}å &[||^*^•q
- DE (2018) Đæææ]¦[c^&á] } : æ¢[|\ã̴{¦ V¦˘•ϭq

This policy operates in conjunction with the following Trust policies:

- Data Protection Policy
- Records Management Policy
- Cyber Security and Resilience Strategy

2.   Definitions

%**Biometric data**+ã]^¦•[}æ¦ã̴{¦{ æ檳}, ¦^•˘|ﾃ̴* ̴[{ •]^&ãã&c^&@켣æ¦]¦[&^••ã̴*, æ\[˘cæ̴ ã̴å ãﾃã˘æ̴q]@•ﾃ&æ¦[¦ à^@&̣ã̴˘|æ¦&@&&æ&c^¦ãﾃ&æ̴ c@&&&æ̴ à^˘•^å ̴{ ãﾃ^}ﾃ̂ that person, including their fingerprints, facial shape, retina and iris patterns, and hand measurements. All biometric data is personal data.

A} %**automated biometric recognition system**+ã æ•ˆ•c^{ ̧ @&@{ ^æ•˘|^• æ} ã̴åãﾃã˘æ̴q]@•ﾃ&æ¦[¦ à^@&̣ã̴˘|æ¦&@&&æ&c^¦ãﾃ&æ̴ à^˘•ã̴* ^˘˘ã̴{ ^}c@&&c[]^¦æ^• æě¢[{ æ&&æ¦¦^q (ã^. ^|^&d[}&&æ¦¦^). I}¦rmation 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 or behavioural characteristics, such as those listed above.

%**Processing biometric data**+ã &ĭ å^• [àcæã̴ã̴*, ¦^&[¦¦åã̴* [¦ @¦|åã̴* c@ åæææ[¦ 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:

- Ü^&[¦¦åã̴*]˘]ã̴•qàã{ ^dﾃ&åææ^.*. æ&ã̴* {ˆæ˘|^{ ^}ϭ¦[{ æ-ã̴*^¦]¦ã̴cçﾃæ a fingerprint scanner.
- Ùc[¦ã̴*]˘]ã̴•qàã{ ^dﾃ&켣 {¦{ æ檳} [} ææåæææàæ^.
- W•ã̴*]˘]ã̴•qàã{ ^dﾃ&åæææ æ]æ&c[~æ} ^|^&d[}&&] rocess, e.g. by comparing it with biometric information stored on a database to identify or recognise pupils.

%**Special category data**+ã]^¦•[}æ¦ åæææ̧ @&@c@˘ WK GDÚÜ •æ̂• ã̴ { [¦^ •^}•ã&̃ã^, and so needs more protection. Where biometric data is used for identification purposes, e.g. through keystroke analysis, it is considered special category data.

3.   Roles and responsibilities

The Trust Board is responsible for reviewing this policy on an annual basis.

The Director of Development, Operations and Governance (DDOG) is responsible for

Please note: 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 UK GDPR. Instead, the consent requirements for biometric information are imposed by section 26 of the Protection of Freedoms Act 2012.

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Ú¦⫶¦ q̆ æ⫶^ à⫶{ ^d⩍ ¦^&[*}ã⫶} •ˆ•c^{ à^⫶*]˘c⫶]|æ&^ [¦]¦[&^••⫶*]˘]⫶q à⫶{ ^d⩍ åæææ c@ V¦˘•c¸ ⫶|•^}å]˘]⫶q]æ^}ơ æÚæ^}cæ|N[ã̃⩍æ⫶} æ̆å C[}•^}c

- The pupil (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

Parents and pupils will be informed that they can object to participation in the Trust's biometric systems or withdraw their consent at any time, and that if they do this, the Trust will provide them with an alternative method of accessing the relevant services. Pupils will be informed that they can object or refuse to allow their biometric data to be collected and used via letter. The steps taken by the Trust to inform pupils will take account of their age and level of understanding. Parents will also be informed of their child's right to object and will be encouraged to discuss this with their child.

Where a pupil or their parents object, any biometric data relating to the pupil that has already been captured will be deleted. If a pupil objects or refuses to participate, or to continue to participate, in activities that involve the processing of their biometric data, the Trust will ensure that the pupil's biometric data is not taken or used as part of a biometric recognition system irrespective of any consent given by their parent.

Where staff members or other adults use the Trust's biometric systems, consent will be obtained from them before they use the system. Staff and other adults can object to taking part in the Trust's biometric systems at any time, in which case their consent can be withdrawn. Where this happens, any biometric data relating to the individual that has already been captured will be deleted.

Alternative arrangements will be provided to any individual that does not consent to take part in the Trust's biometric systems, as set out in the Alternative arrangements section of this policy.

7.   **Alternative arrangements**

There are appropriate and robust security measures in place to protect the biometric data held by the Trust. Any breach to t̶h̶e̶ ̶T̶r̶u̶s̶t̶'̶s̶ ̶d̶a̶t̶a̶ ̶m̶e̶a̶s̶u̶r̶e̶s̶ ̶w̶i̶l̶l̶ ̶b̶e̶ ̶m̶a̶n̶a̶g̶e̶d̶ ̶i̶n̶ accordance with the Data and Cyber-security Breach Prevention and Management Plan.

10. Monitoring and review

The Trust Board will review this policy on an three year basis.

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

Parental notification and consent form for the use of biometric data

[The following is suggested text for a notification letter and consent form to parents. You should adapt this text in line with your Trust's specific biometric systems.]

<div align="right">

Address line one
Address line two
Town
County
Postcode
Date

</div>

RE: Notification of intention to process pupils' biometric information and consent form

Dear parent,

I æ{ ˛ ¦ã̃ã} * ȼ } [ɑ̃ˆ ˆ[ˇ [~c@̃• •&@̦[|ɋ ¸ ã @• ȼ ˇ •^ ã̃ ɟ ¦{ æɑ̃} æà[ˇ c ˆ[ˇ ¦ &@å æ] æ̇c[~æ̀} automated (i.e. electronically operated) recognition system. The purpose of this system is to **[Specify what the purpose of the system is, e.g. to facilitate catering transactions to be made using pupils' fingerprints instead of by using cash.]**.

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Biometric information and how it will be used

Biometric informatio} ã̃ ɟ ɟ ¦{ æɑ̃} æà[ˇcæ] ^¦•[}ɋ] @•ℛæ̇[¦ à^ @æ̇ã̃ ˇ ¦æ̇ &@e̊e æ&c^¦ã̃ c℞• c@æc can be used to identify them, e.g. their fingerprint. The school would like to collect and use the following biometric information from your child:

- **[Specify the biometric information you want to collect and process.]**

The school would like to use this information for the purpose of providing your child with **[Specify the purpose of using the information, e.g. so the child can pay for their Trust meal using their fingerprint.]**.

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 &@å℞ à̃{ ^c̃ã̃ information