



# OUR LADY OF LOURDES

CATHOLIC MULTI-ACADEMY TRUST

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## Biometrics Policy July 2024

Our Lady of Lourdes Catholic Multi-Academy Trust - Company Number: 7743523 Registered Office: 1<sup>st</sup> Floor, Loxley House, Riverside Business Park, Tottle Road, Nottingham NG2 1RT



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### Trust Mission Statement

We are a partnership of Catholic schools and our aim is to provide the very best Catholic education for all in our community and so improve life chances through spiritual, academic and social development.

We will achieve this by:

- Placing the life and teachings of Jesus Christ at the centre of all that we do
- Following the example of Our Lady of Lourdes by nurturing everyone so that we can all make the most of our God given talents
- Working together so that we can all achieve our full potential, deepen our faith and know that God loves us
  - Being an example of healing, compassion and support for the most vulnerable in our society

*1 Corinthians 14: 40 (GNT)*

*Everything must be done in a proper and orderly way*

## Introduction

Our Lady of Lourdes Catholic Multi Academy 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. This policy outlines the procedure the Trust and its schools will follow when collecting and processing biometric data.

### **Biometric information and how it will be used**

Biometric information is details about a person's physical or behavioural characteristics that can be used to identify them, e.g., their fingerprint.

The data collected will be used as part of an automated biometric recognition system. This system will take measurements of the biometric information specified above (fingerprint) and convert these measurements into a template to be stored on the system. An image of data is not stored. The template (i.e., the measurements) will be used to facilitate cashless catering in school canteen.

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

Pupils, parents/carers and staff who object to fingerprint data being retained, can use their name to access the cashless service.

Under the Protection of Freedoms Act 2012, schools are required to notify each parent/carer of a child and obtain the written consent of at least one parent/carer before being able to take &/or use any pupil's biometric data for an automated system. Staff are also requested to give consent for use of biometric data.

**Please note: this applies to all pupils/students under the age of 18. In no circumstances can a child's biometric data be processed without written consent.**

## 1. Legal Framework

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
- General Data Protection Regulation (GDPR)
- DfE (2018) 'Protection of biometric information of children in schools and colleges'

This policy operates in conjunction with the following Trust policies:

- Data Protection Policy
- Trust Data Retention Policy

## 2. Definitions

- a. 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.
- b. 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.
- c. 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 staff and pupils' biometric data, e.g., taking measurements from a fingerprint via a fingerprint scanner.
  - Storing staff and pupils' biometric information on a database.
  - Using staff and pupils' 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.
- d. 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.

## 3. Roles and Responsibilities

- The Trust Board is responsible for:
  - Reviewing this policy on an annual basis.
- The Trust and Headteachers at each school are responsible for:
  - Ensuring the provisions in this policy are implemented consistently.
- The Data Protection Officer (DPO) is responsible for:
  - Monitoring the Trust'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 Trust/school's biometric system(s).
- Being the first point of contact for the Information Commissioners Office (ICO) and for individuals whose data is processed by the Trust and its schools and connected third parties.

#### 4. Data Protection Principles

- a. The Trust and its schools process all personal data, including biometric data, in accordance with the key principles set out in the GDPR.
- b. The Trust and its schools ensure 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.
- c. As the data controller, the Trust and its schools is responsible for being able to demonstrate its compliance with the provisions outlined in 4.b. The GDPR principles are detailed further in the Trust's Data Protection Policy. The Trust DPO can be contacted at [dpo@lolcatholicmat.co.uk](mailto:dpo@lolcatholicmat.co.uk)

#### 5. 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 are imposed by section 26 of the Protection of Freedoms Act 2012.

- a. Where the Trust and its schools use staff and pupils' biometric data as part of an automated biometric recognition system (e.g., using pupils' fingerprints to receive school dinners instead of paying with cash), the Trust and its schools will comply with the requirements of the Protection of Freedoms Act 2012.
- b. Prior to processing a pupil's biometric data, the school will send the parents/carers a Pupil Consent Form for completion and return.
- c. Written consent will be sought from at least one parent/carer of the pupil before the school collects or uses a pupil's biometric data (Parent/Carer Notification & Consent Form Template attached - Appendix 1)
- d. Notification sent to parents/carers will include information regarding the following:

- How the data will be used
  - The right to refuse or withdraw their consent
  - The school's duty to provide reasonable alternative arrangements for those pupils whose information cannot be processed
- e. The school will not process the biometric data of a pupil under the age of 18 in the following circumstances:
- The pupil (verbally or non-verbally) objects or refuses to participate in the processing of their biometric data
  - No parent/carer has consented in writing to the processing
  - A parent/carer has objected in writing to such processing, even if another parent/carer has given written consent
- f. Parent/Carers and pupils can object to participation in the Trust/schools' biometric system(s) or withdraw their consent at any time. Where this happens, any biometric data relating to the pupil that has already been captured will be deleted.
- g. If a pupil objects or refuses to participate, or to continue to participate, in activities that involve the processing of their biometric data, the school 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 the pupil's parent(s)/carer(s).
- h. Pupils will be informed that they can object or refuse to allow their biometric data to be collected and used.
- i. Where staff members or other adults use the Trust/school's biometric system(s), consent will be obtained from them before they use the system. (Staff Notification & Consent Form Template attached - Appendix 2)
- j. Staff and other adults can object to taking part in the Trust/school'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.
- k. Alternative arrangements will be provided to any individual that does not consent to take part in the Trust/school's biometric system(s), in line with section 6 of this policy.

## 6. Alternative Arrangements

- a. Pupils and staff have the right to not take part in the Trust/school's biometric system.
- b. Where an individual objects to taking part in the Trust/school's biometric system(s), reasonable alternative arrangements will be provided that allow the individual to access the relevant service.

- c. 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 pupil’s parents/carer, where relevant).

**7. Data Retention**

- a. Biometric data will be managed and retained in line with the School’s Data Retention Schedule.
- b. If an individual (or a pupil’s parent/carer, where relevant) withdraws their consent for their biometric data to be processed, **it will be erased from the Trust/school’s system.**

**8. Breaches**

- a. There are appropriate and robust security measures in place to protect the biometric data held by the Trust/school.
- b. Any breach to the Trust/school’s biometric system(s) will be dealt with by the Trust’s DPO in liaison with the system provider, Headteacher and School GDPR Lead.

<b>Date Issued</b>	<b>July 2021</b>  (minor amendments made to Parent/Carer & Staff letter templates in Dec 2021 – no changes to actual policy)
<b>Date of Last Review</b>	<b>July 2024 (annually)</b>
<b>Date of Next Review</b>	<b>July 2025</b>
<b>Reviewer</b>	OLoL Audit & Risk Committee / OLoL Exec Board
<b>Author</b>	Tamer Robson – DPO (in liaison with IT Director)

**(Template Parent/Carer Notification & Consent Form attached - Appendix 1)**

*Schools may choose to use this as a standalone consent form or choose to incorporate it within Admissions/Data Collection documentation.*

## NOTIFICATION OF INTENTION TO PROCESS PUPILS' BIOMETRIC INFORMATION

Dear parent/carer

St Peter and St Paul Catholic Voluntary Academy wishes to use information about your child as part of an automated (i.e., electronically operated) recognition system. This is for the purposes of cashless catering. The information from your child that we wish to use is referred to as 'biometric information' (see next paragraph). Under the Protection of Freedoms Act 2012 (sections 26 to 28), we are required to notify each parent/carer of a child and obtain the written consent of at least one parent/carer before being able to take and use a child's biometric information for an automated system.

### 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, for example, information from their *fingerprint*. We would like to take and use information from your child's fingerprint and use this information for the purpose of providing your child with meals in our canteen.

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

You should note that the law places specific requirements on schools when using personal information, such as biometric information, about pupils for the purposes of an automated biometric recognition system.

For example:

*(a) the school cannot 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);*

*(b) the school must ensure that the information is stored securely;*

*(c) the school must tell you what it intends to do with the information;*

*(d) unless the law allows it, the school/college cannot disclose personal information to another person/body – you should note that the only person/body that the school/college wishes to share the information with is CRB Cunninghams.*



## Providing your consent/objecting

As stated above, in order to be able to use your child's biometric information, the written consent of at least one parent/carer is required. However, consent given by one parent/carer will be overridden if the other parent/carer objects in writing to the use of their child's biometric information. Similarly, if your child objects to this, the school cannot collect or use his/her biometric information for inclusion on the automated recognition system.

You can also object to the proposed processing of your child's biometric information at a later stage or withdraw any consent you have previously given. This means that, if you give consent but later change your mind, you can withdraw this consent. Please note that any consent, withdrawal of consent or objection from a parent/carer must be in writing.

Even if you have consented, your child can object or refuse at any time to their biometric information being taken/used. [His/her] objection does not need to be in writing. We would appreciate it if you could discuss this with your child and explain to them that they can object to this if they wish.

The school is also happy to answer any questions you or your child may have.

If you do not wish your child's biometric information to be processed by the school, or your child objects to such processing, the law says that we must provide reasonable alternative arrangements for children who are not going to use the automated system to (students can give their name at the till rather than using a fingerprint).

**Attached is a reply slip for parents/carers to please sign, date and return to the school indicating whether you a) give consent to the processing of your child's biometric information, or, whether you b) withhold consent.**

Please note that, where consent has been given, when your child leaves the school, or if for some other reason he/she ceases to use the biometric system, his/her biometric data will be securely deleted.

**Further information and guidance - This can be found via the following links:**

Department for Education's '*Protection of Biometric Information of Children in Schools –Advice for proprietors, governing bodies, head teachers, principals and school staff*':

<http://www.education.gov.uk/schools/adminandfinance/schooladmin>.

ICO guide to data protection for organisations: [Guide to data protection | ICO](#)

**PARENT/CARER REPLY SLIP: BIOMETRIC INFORMATION**

Please complete this form to indicate **whether you:**

a) give consent to the processing of your child's / your [if over 18] biometric information,

or, whether you

b) withhold consent

<b>a) Consent GIVEN</b>	Having read guidance provided to me by St Peter and St Paul Catholic Voluntary Academy. <b>I GIVE CONSENT</b> to information from the fingerprint of my child to be taken and used by the school as part of an automated biometric recognition system for cashless catering.  I understand that I can withdraw this consent at any time in writing.
Name of Pupil/Student	
Pupil/Student DOB	
Form Group	
Name of Parent/Carer	
Signature of Parent/Carer	
Date	
<small>(Once your child ceases to use the biometric recognition system, his/her biometric information will be securely deleted by the school/college. If you wish to withdraw your consent at any time, this must be done so in writing and sent to the school at the following address: Jessica.mcGovern@sspp.lincs.sch.uk</small>	

<b>b) Consent Withheld</b>	Having read guidance provided to me by St Peter and St Paul Catholic Voluntary Academy, <b>I DO NOT GIVE CONSENT</b> to information from the fingerprint of my child to be taken and used by the school as part of an automated biometric recognition system for cashless catering.
Name of Pupil/Student	
Pupil/Student DOB	
Form Group	
Name of Parent/Carer	
Signature of Parent/Carer	
Date	

Please return this form to Reception.

(Template Staff Notification & Consent Form attached - Appendix 2)

**Prior to completing and returning this consent form, staff are expected to have read the Trust/School Biometrics Policy.**

**STAFF REPLY SLIP: BIOMETRIC INFORMATION**

Please complete this form to indicate **whether you**

a) give consent to the processing of your biometric information,

or, whether you

b) withhold consent

<b>a) Consent GIVEN</b>	Having read guidance provided to me by St Peter and St Paul Catholic Voluntary Academy, <b>I GIVE CONSENT</b> to my information from the fingerprint to be taken and used by the school as part of an automated biometric recognition system for cashless catering.  I understand that I can withdraw this consent at any time in writing.
<b>Full Name of Employee</b>	
<b>Signature of Employee</b>	
<b>Date</b>	
<small>(Once you cease to use the biometric recognition system, biometric information will be securely deleted by the school/college. If you wish to withdraw your consent at any time, this must be done so in writing and sent to the school at the following address: Jessica.mcgovern@sspp.lincs.sch.uk</small>	

<b>b) Consent Withheld</b>	Having read guidance provided to me by St Peter and St Paul Catholic Voluntary Academy <b>I DO NOT GIVE CONSENT</b> to my information from the fingerprint to be taken and used by the school as part of an automated biometric recognition system for cashless catering.
<b>Full Name of Employee</b>	
<b>Signature of Employee</b>	
<b>Date</b>	

Please return this form to Reception.