



THOMSON HOUSE SCHOOL

Thomson House School Protection of Biometric Information of Children Policy

Agreed by: Education Committee

Date: October 2022

Review Cycle: Annual

Next Review Date: October 2023

All the Thomson House School policies should be read in conjunction with the Equality Policy and the Child Protection policy. If you require a copy of this document in large print, Braille or audio format, please contact the School Business Manager

THOMSON HOUSE SCHOOL - MEDICINES IN SCHOOL POLICY

Introduction

Thomson House School currently holds no biometric information on the children.

However, in-line with DfE guidance, this policy will come into effect if the school, at some point in the future, introduces any systems which require the school to hold biometric information on the children.

What is biometric information?

Biometric information 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.

The Information Commissioner considers all biometric information to be personal data as defined by the Data Protection Act 1998; this means that it must be obtained, used and stored in accordance with that Act.

The Protection of Freedoms Act 2012 includes provisions which relate to the use of biometric data in schools when used as part of an automated biometric recognition system. These provisions are in addition to the requirements of the Data Protection Act 1998.

The obtaining of biometric information

In line with the Protection of Freedoms Act 2012, if, in the future, Thomson House School wishes to obtain biometric information on its pupils, the school will notify each parent that the school wishes to take and subsequently use each child's biometric data as part of an automated biometric recognition system. (See Appendix A)

As long as the child or a parent does not object, the written consent of only one parent will be enough for the school to process a child's biometric information.

Thomson House School understands that it will not need to notify a particular parent or seek his or her consent if the school is satisfied that:

- a. the parent cannot be found, for example, his or her whereabouts or identity is not known;
- b. the parent lacks the mental capacity to object or to consent;
- c. the welfare of the child requires that a particular parent is not contacted, for example where a child has been separated from an abusive parent who is not to be informed of the child's whereabouts;
- d. where it is otherwise not reasonably practicable for a particular parent to be notified or for his or her consent to be obtained.

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Where neither of the parents of a child can be notified for one of the reasons set out above (which would mean consent cannot be obtained from either of them), section 27 of the Protection of Freedoms Act 2012 sets out who should, in such circumstances, be notified and who can give consent:

(a) if the child is being 'looked after' by a local authority or is accommodated or maintained by a voluntary organisation (i.e. a not-for-profit organisation), the local authority, or as the case may be, the voluntary organisation must be notified, and their written consent obtained.

(b) if paragraph (a) above does not apply, then notification must be sent to all those caring for the child and written consent must be gained from at least one carer before the child's biometric data can be processed (subject to the child and none of the carers objecting in writing).

The Right to Refuse

A parent has the right to refuse permission for the school to obtain biometric information on a child. This refusal must be put in writing to the Head Teacher of the school.

A child may also refuse permission for the school to obtain their biometric information. Their objection does not have to be in writing but does have to be verbally told to the Head Teacher.

If a Thomson House School 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/used as part of a biometric recognition system.

A pupil's objection or refusal overrides any parental consent to the processing.

Thomson House School will take steps to ensure that pupils understand that they can object or refuse to allow their biometric data to be taken/used and that, if they do this, the school will provide them with an alternative method of accessing relevant services.

Parents will be told of their child's right to object or refuse and be encouraged to discuss this with their child.

Reasonable Alternatives

Thomson House School will provide reasonable alternative arrangements for pupils who do not wish to use automated biometric recognition systems either because their parents have refused consent (when a parent has objected in writing) or due to the pupil's own refusal to participate in the collection of their biometric data.

Any alternative arrangements will ensure that pupils do not suffer any disadvantage or difficulty in accessing services/premises etc. as a result of their not participating in an automated biometric recognition system.

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The holding of biometric information

Thomson House School will hold pupils' biometric data in accordance with the Data Protection Act 1998 (DPA) and its eight data protection principles:

1. Personal Information must be fairly and lawfully processed
2. Personal Information must be processed for limited purposes
3. Personal Information must be adequate, relevant and not excessive
4. Personal Information must be accurate and up to date
5. Personal Information must not be kept for longer than is necessary
6. Personal Information must be processed in line with data subjects' rights
7. Personal data must be secure
8. Personal Information must not be transferred to other countries without adequate protection.

Thomson House School will also abide by the provisions in the Protection of Freedoms Act 2012. Thomson House School will:

- a. Store biometric data securely to prevent any unauthorised or unlawful use.
- b. Not keep biometric data for longer than it is needed meaning that a school or college must destroy a child's biometric data if, for whatever reason, the child no longer uses the system including when he or she leaves the school or where a parent withdraws consent or the child objects.
- c. Ensure that biometric data is used only for the purposes for which it is obtained and that it is not disclosed to third parties.

The processing of biometric information

'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.

Monitoring and Review of this policy

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This policy is monitored by the Education Committee and will be reviewed every year.

Date of Policy: **October 2022**

Date for Review: **October 2023**

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Appendix A – Template of Notification and Consent

NOTIFICATION OF INTENTION TO PROCESS PUPILS' BIOMETRIC INFORMATION

Dear [name of parent/carer]

Thomson House School wishes to use information about your child as part of an automated (i.e. electronically-operated) recognition system. This is for the purposes of [**specify what purpose is – e.g. catering, library access**]. 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 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.

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/iris/palm]. The school/college would like to take and use information from your child's [**insert biometric to be used**] and use this information for the purpose of providing your child with [**specify what purpose is**].

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

You should note that the law places specific requirements on schools and colleges 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 will ensure that the information is stored securely;
- (c) the school will tell you what it intends to do with the information;
- (d) unless the law allows it, the school will not disclose personal information to another person/body – you should note that the only person/body that the school wishes to share the information with is [**insert any third party with which the information is to be shared e.g. X supplier of biometric systems**]. This is necessary in order to [**say why it needs to be disclosed to the third party**].

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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 is required. However, 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 this, the school/college 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 **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/college, 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 **[insert relevant service e.g. access school library]**.

If you give consent to the processing of your child's biometric information, please sign, date and return the enclosed consent form to the school.

Please note that 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
ICO guidance on data protection for education establishments: Education | ICO.

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CONSENT FORM FOR THE USE OF BIOMETRIC INFORMATION IN SCHOOL

Please complete this form if you consent to Thomson House School taking [and using information from your child's **[insert biometric – e.g. fingerprint]**] as part of an automated biometric recognition system.

This biometric information will be used by Thomson House School for the purpose of [**describe purpose(s) for which this data will be used, e.g. administration of school/college library/canteen**].

In signing this form, you are authorising Thomson House School to use your child's biometric information for this purpose until he/she either leaves the school/college or ceases to use the system. 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: Thomson House School, 27 Sheen Lane, London SW14 8HY

Once your child ceases to use the biometric recognition system, his/her biometric information will be securely deleted by the school.

Having read guidance provided to me by Thomson House School, I give consent to information from the [**insert biometric – e.g. fingerprint**] of my child: [**insert name of child**] being taken and used by Thomson House School for use as part of an automated biometric recognition system for [**describe purpose(s) for which this data will be used, e.g. administration of school/college library/canteen**].

I understand that I can withdraw this consent at any time in writing.

Name of Parent:

Signature:

Date:

Please return this form to: Thomson House School, Sheen Lane Office.