
Original Freedom of Information requests (February)

St Ambrose Barlow replies in yellow highlight

Second set of Freedom of Information question in bold to clarify their responses (April)

- CONSULTATION

1) Please supply any minutes of meetings and or emails where the implementations of biometric systems were discussed. i.e.

Governor, children, parent forums, Salford LEA.

No minutes or emails available at this school.

Thank you for informing me that the school has no details of the biometric system in minutes of meetings or emails that was discussed by any member of staff or school representative.

In order to eliminate assumption either:

1) Please confirm that a biometric system has been purchased, installed and implemented without any member of staff or school representative communicating in the form of email or minuted meetings with the supplier, benefactor and BSF PPP.

or

2) If any communication was had please confirm in what form that communication was. i.e. verbal

or

3) Please confirm no communication was had about purchased, installation and implementation.

2) Please provide minutes of meetings where methods *other than* biometrics discussed as a sole option i.e. PIN or swipe card, (which do not contain biometric data or face reading software) for children and reasons why were they not chosen for implementation.

No minutes available. The school is providing an alternative option to biometric data being used i.e. PIN codes for those children whose parents choose not to grant permission for their children's biometric data to be captured and stored

Thank you for informing me that no minutes are available. In order not to make an assumption:

1) Please confirm that no other system other than a biometric system was ever considered or discussed, that was not minuted. i.e. email or verbal discussion

2) If an alternate system was considered or discussed please advise in what form that decision process took. If in any documented form i.e. email, please forward details.

3) Advise, if any, sources of advice on biometric technology, other than the biometric vendor, that were used to determine whether biometrics were an appropriate technology for the purpose the school needed, and please forward copies of communications with all advisers.

We have followed the DFE guidelines on the introduction of Biometric data, www.education.gov.uk/about/advice/f00218617/biometric-recognition-systems

Thank you for informing me that the school considers it has followed the DFE guidelines.

As these guidelines do not cover the question of whether ‘sources of advice on biometric technology, other than the biometric vendor, that were used to determine whether biometrics were an appropriate technology for the purpose the school needed’

Please advise who, if any one, within the school chose the system to be appropriate;

under what advice from whom. Please enclose emails relevant to this decision making process.

4) Advise if a cost benefit analysis been done (to include running costs of security systems).

The school did not need to conduct a cost benefit analysis as it is not bearing the cost of introducing the biometric system.

- **Is the school the benefactor of any other systems not purchased by the school? If so please advise what other systems the school has that it has not purchased**
- **For systems gifted to the school, such as the biometric system, are Privacy Impact Assessment carried out to assess suitability for use with children or does the school accept gifted systems without any kind of assessment?**

5) Please advise if a consultation with parents has been discussed within the Board of Governors meetings and the conclusions.

No consultation undertaken. Parents have been issued with a letter giving details of biometrics and requesting their permission for their child to participate. Any parent who fails to give permission for their child's biometric data to be encaptured will result in that child being given a PIN number in which to access cashless catering and follow me printing. There is no compunction whatsoever in any child being forced to give his/her biometric data

-CONSENT

6) To date since your letter 5th February 2013 has been issued, please advise if there are any children who have not consented to giving their biometrics.

None,

Please advise to date 17th April 2013 how many students have not consented/or withdrawn their consent to their children's biometrics being taken and/or processed?

7) To date since your letter 5th February 2013 has been issued, how many parents have not consented to their children's biometrics being taken and/or processed?

1. Please advise to date 17th April 2013 how many parents have not consented/withdrawn consent to their children's biometrics being taken and/or processed?
2. Please advise to date how many children are using PIN code to purchase lunches
3. Please advise how many children are using the biometric system ie how many children's biometrics you have stored

8) With respect to the letter dated 5th February, what efforts have you made to contact both parents in cases where parents registered on your database have different addresses?

None. Only the main carer was contacted.

Thankyou for advising me in Q3 above that the school considers it has followed the DFE guidelines .

Please therefore explain how in your understanding of what this advice says, how you have followed it.

“Schools and colleges using automated biometric recognition systems, or planning to install them, are advised to plan, in advance, to make arrangements to notify parents and obtain the consent required under the new duties, as set out in the body of this advice. This will be particularly relevant for schools where pupils are already enrolled and using automated biometric recognition systems. There will be no circumstances in which a school or college can lawfully process, or continue to process, a pupil's biometric data without having notified each parent of a child and received the necessary consent after the new duties come into effect”.

9) Please advise what measures the school will undertake to ensure that a revised letter of consent which complies with the law will reach both parents, and if the school will be contacting those who have already replied by post.

The school will ensure that a revised letter of consent will be forwarded to all parents registered to a different address to that of main carer

Please advise

1. The date you begun collection of biometric data;
2. The number of students you have collected this data from;
3. The number of students you have collected this data from who are registered as having parents at 2 separate addresses;
4. The number of parents that you have not contacted to date when you have begun collection of the biometric data;
5. The number of students are registered on you systems as having parents not at the same address
6. What efforts will be made to obtain addresses for parents that you do not hold,
7. Please confirm your awareness under DFE guidelines
<http://www.education.gov.uk/about/advice/f00218617/biometric-recognition-systems>
that in order to continue to be the data controller who is either

'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'³.

'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 it³. 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.'*

That you are aware that this requires consent has been sought from both parents and students including those whose biometrics you have obtained processed and stored prior to September 1st and without the full informed consent process being in place (ie before you send out your corrected letter)

- 8. And finally, by what date this letter is intended to be sent, given that given that in Malcolm Walker's email to Ms Chuntso on stated**

'however with a major move to a new school this is not currently possible within the finite resources of the school until a later date in the summer term.'

BIOSTORE LEAFLET

As the information required for fully informed consent is incorrect and incomplete in the FAQ leaflet you issued in your initial consent letter February 2013,

please confirm you are aware of each of the following points

and will correct the misinformation supplied

therein, namely to state:

- 1. That data is able to be shared with any other agencies; police can access this upon suitable request by law**
- 2. and that parents would not necessarily be informed,**
- 3. That data is transferable as algorithmic data without need of original deleted template**
- 4. That it is possible to reconstruct a fingerprint from the stored mathematical algorithm <http://www.identityblog.com/wp-content/resources/adler-2003-biometrics-conf-regenerate-templates.pdf>**
- 5. That stolen data could therefore be used to reconstruct the pupils fingerprint**
- 6. When you intend to send the corrected letter of fully informed consent to both registered parents addressing the students and giving corrected information from the BioStore leaflet.**

10) What alternative method is in place for a child not wishing to participate in the biometric scheme

the school is offering? Will this method be confirmed as not containing biometric data or RFID chip?
The alternative method is via PIN Code entry, which does not contain biometric or RFID chip.

Please advise the manufacturer who will be supplying the PIN card and the system details.

Please advise how, if any consultation was undertaken to determine this method and with whom.

11) Please advise what measures the school has undertaken before issuing the letter on 5th February to be certain that all children understand the implications of giving their fingerprints, to include their right to consent at any time; in other terms how are/were the children fully informed?

None DFE advice states 'It is up to schools to consider whether it is appropriate to consult parents and pupils in advance of introducing such a system'

"It is up to schools to consider whether it is appropriate to consult parents and pupils in advance of introducing such a system" Your statement you quote that the advice you have stated is "None DFE advice states" is incorrect.

**The quote you use comes direct from the DFE, Department of Education, website:
<http://www.education.gov.uk/aboutdfe/advice/f00218617/biometric-recognition-systems-> which clearly states**

*"Schools and colleges should 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 or college will have to provide them with an alternative method of accessing relevant services. The steps taken by schools and colleges to inform pupils should take account of their age and level of understanding. **Parents should also be told of their child's right to object or refuse and be encouraged to discuss this with their child**"*

**.and here, a PDF issued by the Department of Education:
<http://media.education.gov.uk/assets/files/pdf/p/biometrics%20advice%20revised%2012%2012%202012.pdf>**

The same two links above provide this advice from the Department of Education: "Children should be provided with information in a manner that is appropriate to their age and understanding"

Therefore please advise how the school will satisfy the Department of Education advice that, "Children should be provided with information in a manner that is appropriate to their age and understanding"? As the original question asked "how are/were the children fully informed?"

12) Please advise what measures the school will undertake after receiving the request via email from a parent for an amended letter of consent on 22nd February to be certain that all children understand the (possible and or future) implications of giving their fingerprints, in other terms how are the children to be fully informed?

We may need to seek advice on this matter.

Please see above comments to question 11.

13) Please advise if biometric data is planned to be taken from children that are either on the register as having any learning difficulties/special needs or children that have English as a second language and please advise any special efforts made in this circumstance to contact and gain consent from both parents?

Biometric data will only be taken from those pupils whose parent/s have consented. No special effort has been made.

Please advise how you consider that if a child is special needs, SEN or has English as a second language that it is suitable to only take their biometric data when their parents have consented when DFE guidelines state that the child has the right to consent and MUST be fully informed?

1. Please advise how many children fall into these categories at school
2. Please advise how many of these children have already had their biometrics collected
3. Please advise what measure you intend to take to rectify this for students in these categories who have;
4. Not had their biometrics collected
5. Already had their biometrics collected

- FINANCE

14) Please advise how much the biometric/cashless system cost. Please advise a figure/s in order not to exempt this question from Freedom of Information Act 200, Part 2 - Exempt Information, Section 43 -Commercial Interest.

We do not hold any information on the costs involved in introducing biometric/cashless systems.

In order to make no assumption and to clarify that the school has no idea of the cost of the biometric system please can the school either advise how is the worth of the biometric system is assessed for insurance purposes or advise, as the biometric system's value is unknown, how the system can be insured when there is no idea of cost.

Please advise how many other systems or items the school runs or possesses that the school has no idea of value?

15) Please advise any yearly licensing or supporting costs to run the biometric system. Please advise a figure/s in order not to exempt this question from Freedom of Information Act 200, Part 2 -Exempt Information, Section 43 - Commercial Interest.

We do not hold any information on the costs involved in annual licensing or supporting costs to run the biometric system.

These costs are not borne by the school.

Thank you for stating that the school bears no costs whatsoever for the biometric system, therefore:

1. Please advise who is bearing the cost of any licensing, supporting costs and maintenance.
2. Please advise who arranges, I assume a third party, such costs and therefore has communication with the biometric supplier.
3. If this third party have access then to the school biometric database?
4. As the school has not purchased or has any responsibility for payment of services of the biometric system, as you have informed, please advise ownership the biometric system which obtains, processes and stores data contained in it?
5. Please advise who in the event of theft of the system claims for its replacement ie who holds insurance for the system.

16) How many other companies were considered in this particular supply of biometric/cashless

services? Please advise who they were and provide details of their consultation.

Not Known.

Thank you for informing me that you do not know who has been considered as suitable companies to supply the school with this system.

Please therefore advise as this system has been supplied to the school with monies from Building Schools for Future, who in the PPP has been responsible for sourcing the system, their company (ies), name(s) and email contact(s).

17) Please detail budget/monies that were used to purchase it. i.e Building Schools for the Future, eLearning Credits, Harnessing Technology Grant, schools funds.

BSF monies were used to purchase the system.

18) Please advise the person, either within the school or not, that authorised the payment for the biometric system, and the date.

This information is not known to us

It is acknowledged that the school has not paid for the biometric system, therefore please advise who at the school was responsible for authorising the implementation of the biometric system, including their job title and the date.

-DATA PROTECTION and TRANSPARENCY

19) Please advise the last time the school internally undertook a Data Protection Compliance Audit (or any such audit similar to this) or advise the last time a Data Protection Compliance Audit was undertaken by the Information Commissioner's Office at the school.

The school has not undertaken a Data Compliance Audit

Please advise when the school intends to perform a Data Compliance Audit;

please explain how the data is to be stored, backed up, accessed and

whom has access to the data on a day to day basis

20) Please advise the estimated cost of gaining permission from parents in order to comply with the Protections of Freedoms Act, in that every child's biometric data held on St Ambrose Barlow RC school's biometric database must have written parental consent by 1st September 2013.

£278

Please supply the breakdown of these costs. In this, please advise:

- **any extra costs not considered of contacting the parents who are non resident**

- **and issuing the necessary revised letter of consent to all students**

21) Please advise the reason why there is no mention on St Ambrose Barlow RC School's website of the biometric system intended. If there is no reason please advise when St Ambrose Barlow RC School's website will contain details of the biometric system.

The school website is being revamped and whilst this information may find itself on our new website, we believe there is no statutory duty placed upon us to do so.

Some parts of this request may be easier to answer than others, and in such case please could you release available data as soon as possible rather than delay the entire request.

If you are not fully certain of what it is I am asking then I look forward to contact from you as soon as possible to clarify what it is I am requesting in order for the college to meet its obligations under the law.

http://ico.org.uk/for_organisations/freedom_of_information/guide/receiving_a_request

If the costs of processing this request exceed the limit in the Act, please advise on what information you are able to supply within the cost limit.

Your time in this matter is appreciated.