

THE HIGHLAND COUNCIL
EDUCATION, CULTURE & SPORT COMMITTEE
13 NOVEMBER 2008

Agenda Item	14
Report No	

BIOMETRIC TECHNOLOGIES

Report by Director of Education, Culture and Sport Service

SUMMARY

This report introduces the Scottish Government's current consultation on biometric technologies in schools, reviews the Council's current position and proposes a response.

1. Background

- 1.1 Biometric technology describes the range of technologies used to measure, analyse and record the behavioural characteristics that are unique to individuals. Characteristics such as finger or palm prints, retina or iris patterns and voice patterns are well known examples.
- 1.2 Biometric technology is generally used to support processes which require confirmation of identity. Typically such process involve authentication of identity and allocation of entitlements.
- 1.3 Biometric information is captured and stored in one of two ways. The first is to record and store a complete image of, for example, a finger print. The second is to make measurements that capture the uniqueness of the source image, but do not capture the complete image. It is not normally possible to recreate the complete image from the recorded measurements.
- 1.4 Biometric technology systems in use in schools have typically been based on fingerprint recognition technology. Examples of such systems are for authentication for cashless catering systems, automated attendance recording and automated school library systems.
- 1.5 In Highland biometric technology systems have been used in two primary school libraries although one has now reverted to library cards with bar codes.

2. Legislative Background

- 2.1 The recording and use of personal data whether it be associated with biometric systems or not, is governed by the provisions of the *Data Protection Act 1998*.
- 2.2 The need to involve children and young people as far as it is reasonably practicable in decisions that significantly affect them is governed by *Standards in Scotland's Schools etc Act 2000 s 2(2)*.

3. Concerns

- 3.1 The use of the biometric technologies especially in schools has raised some public concern, particularly amongst MSPs. It has been suggested that to record fingerprints is to treat school children like criminals since the technology is also used in the detection and recording of crime.
- 3.2 Concerns have also been raised about pupils' and parents' consent for the introduction of such systems and about the proper management of the personal data stored.
- 3.3 Many of the concerns have been addressed in *Becta guidance on biometric technologies in schools* available at http://schools.becta.org.uk/upload-dir/downloads/becta_guidance_on_biometric_technologies_in_schools.pdf and *The use of biometrics in schools* from Information Commissioners Office available at http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/fingerprinting_final_view_v1.11.pdf
The Highland Council has followed the advice given in these two publications.

4. Consultation

- 4.1 Following the concerns expressed, the Scottish Government has produced draft guidance for education authorities on biometric technologies in schools and is seeking views on the content of that guidance.
- 4.2 The guidance is available at:
<http://www.scotland.gov.uk/Publications/2008/09/08135019/8>
- 4.3 The guidance incorporates and builds on the advice provided by Becta and ICO and is intended to provide education authorities, schools and parent councils with some of the basic information they need to know about biometric technology and its potential use, and some of the issues to be considered before choosing to put in place a biometric system. It aims to provide guidance on good practice in implementing biometric systems in schools.
- 4.4 Key points are:
- That the systems should match an identified need following an assessment of benefits to be delivered
 - That alternative arrangements be made for those who cannot or do not wish to use the system
 - That a Privacy Impact Assessment (PIA) be carried out before a system is introduced.
 - That schools will inform and consult pupils and parents before a system is introduced giving details of the reasons for the system; how data will be handled; opt out and consent issues; rights to privacy
 - That through the PIA and implementation programme, proper arrangements be made to ensure compliance with *Data Protection Act 1988*.

5. Implications for the Highland Council

- 5.1 In general the clarity of the advice is to be welcomed.
- 5.2 Having already followed the Becta and ICO guidelines most recommendations are already in place. It will be necessary to formalise Privacy Impact Assessments, although most steps are currently already undertaken.
- 5.3 A suggested response to the consultation is attached as Appendix A.

6. Resource Implications

- 6.1 There are no direct resource implications in commenting on the guidance or in adopting it.

7. Impact on the Programme of the Highland Council

- 7.1 The programme commits (1.14) to rolling out a single smart card to all young people by 2011 given access to leisure, libraries, arts and culture activities, youth information and school meals. The priority given to this non-biometric smart card is likely to reduce the requirement for biometric systems.

8. Recommendations

It is recommended that Members:

- 8.1 Confirm their general support for and adoption of the draft guidance on biometric technologies in schools.
- 8.2 Consider their response to the consultation based on the draft at Appendix A in the light of any comments made during discussion of the topic at this meeting.

Signature:

Designation: Director of Education, Culture and Sport Service

Date: 31 October 2008

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Background Papers: *Biometric technologies in schools: draft guidance for education authorities*

Becta guidance on biometric technologies in schools

The use of biometrics in school (Information Commissioner's office)

Appendix A

Suggested response to Scottish Government Consultation on *Biometric technologies in schools: draft guidance for education authorities*.

The Highland Council welcomes the opportunity to comment on *Biometric technologies in schools: draft guidance for education authorities*.

The Highland Council has experience in deploying such technologies in its schools and has previously followed the guidelines provided by Becta and ICO.

The Highland Council is committed to the proper handling, management and security of personal data in accordance with Data Protection Act and will rigorously ensure the compliance of any new systems adopted.

The proposed Scottish Government guidelines provide a clear statement of the issues involving and the Highland Council will adopt the recommendations made when considering such systems in the future.

The Highland Council is committed to the roll out of a single smart card to all young people by 2011 giving access to leisure, libraries, arts and culture activities, youth information and school meals. It has linked the roll out of this card to the National Entitlement Card and therefore expects that the future implementation of biometric technologies will be limited.