

18 April 2023

Dear

## **ATISN 17383 - Biometric data Wales**

### **Information requested**

Thank you for your request which I received on 6 April 2023. You asked for information about facial recognition technology in schools and colleges in Wales.

### **Our response**

The decision on whether to introduce biometric systems to collect and process biometric data in the delivery of services offered to their learners, rests with individual schools and colleges. The associated responsibilities, including any arrangements with providers of such systems, and the legal requirements and duties under the data protection legislation are, therefore, a matter for them. The Welsh Government has published guidance for schools and colleges, which is intended to explain these legal requirements.

Following a search of our paper and electronic records, I have established that some of the information you require is not held by the Welsh Government.

[A list of educational establishments using facial recognition for students 18 and under.](#)

The Welsh Government does not hold this information but is not aware of any schools or colleges in Wales currently operating facial recognition technology (FRT) systems.

[Advice to companies which are providers to schools and schools/educational establishments wishing to use facial recognition technology \(this would include advice regarding GDPR and Data Protection Act 2018\).](#)

The Welsh Government does not provide advice to companies supplying recognition technologies to schools and colleges. However, our published guidance on the [Protection of biometric information in schools and colleges](#) sets out the legal duties for schools and colleges if they choose to collect biometric information, including through FRT systems. This includes legal duties under The Protection of Freedoms Act 2012, The Data Protection Act 2018) and the UK General Data Protection Regulation (UK GDPR).

Due to the sensitivity and intrusive nature of FRT, there are additional obligations a school or college must consider if they intend to use this technology. The use of biometric data for identification purposes is considered a special category data (under UK GDPR), therefore schools and colleges need to have identified a [lawful](#)

[basis](#) for processing personal data under Article 6 and also a condition for processing special category data under Article 9.

Confirmation if the Welsh Government has been approached by any companies wishing to supply facial recognition technology to schools and, if so, all communications with them, including minutes of meetings, letters, emails, video calls, etc.

The Welsh Government has not been approached by companies wishing to supply FRT systems to schools. The decision on whether to introduce biometric systems rests with individual schools and colleges.

Confirmation of whether the Welsh Government has examined or has any details of standards for any facial recognition hardware and software to be used in educational establishments.

The Welsh Government is not directly involved with the use of biometric systems in schools and colleges and has not examined and do not have any details of standards for FRT hardware or software for its use.

### **Next steps**

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ

or Email: [Freedomofinformation@gov.wales](mailto:Freedomofinformation@gov.wales)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely