



Baroness Barran

Parliamentary Under-Secretary of State for the School System and Student Finance
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Lord Scriven,
House of Lords,
Houses of Parliament,
Parliament Square,
London,
SW1A OPW

22 December 2022

Dear Paul,

Further to the Oral Parliamentary Question tabled by Baroness Wilcox of Newport on 'Children's Private Information: Data Protection Law', I am writing to you regarding your question relating to the use of facial recognition technology in schools. You also queried regarding the Biometrics and Surveillance Camera Commissioner requesting to have legal oversight of the ethical use of that technology in schools. I would like to thank you for your question and give you a full answer on this issue.

The Data Protection Act 2018 governs the use of [Protection of biometric data of children in schools and colleges](#).

Schools/education settings are the data controller which means they need to make any decisions relating to the use of CCTV on their premises themselves. To support schools, and other education settings, in their decision making relating to the use of CCTV, DfE have produced and published [CCTV Guidance](#). DfE conduct regular reviews of the guidance and update when required.

The Information Commissioners Office website has [Video Surveillance Guidance \(inc CCTV\)](#) information, and a helpful [self-assessment/cctv-checklist](#) for schools and other education settings to use to help them make the right decision.

We need to continue to ensure that all education establishments have the freedom to make the decisions that meet their needs, whilst ensuring that they take the necessary steps to address privacy concerns. The tools and guidance I have referenced above are designed to support education establishments to make these decisions.

Regarding the requests from the Biometrics and Surveillance Camera Commissioner to have legal oversight of the ethical use of that technology in schools, you refer to, DCMS is responsible for the legal decisions, and following the election of the new leader of the Conservative Party, Ministers are further considering the bill.

Regarding the provision of CCTV by companies, as raised by Baroness Chakrabarti, schools, as the data controllers, make their own decisions when procuring services and there is no centralised list of who provides these services.

I hope these further details have been useful and I will place a copy in the House libraries.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Diana Barran". The signature is written in a cursive, flowing style.

BARONESS BARRAN

PARLIAMENTARY UNDER-SECRETARY OF STATE