

Freedom of Information request: To clarify RFID use in West Cheshire College

Information Commissioner's Office ref: FS50488835

10th December 2012 – 5 questions asked of West Cheshire College under the Freedom of Information Act

9th January 2013 - Freedom of Information Request refused on the grounds that ***“not been a reasonable interval since your initial request”***

9th January 2013 – Internal Review requested of West Cheshire College of their handling of the Freedom of Information Act request.

19th February 2013 – 25 days after the Internal Review request, a communication asking the outcome of the Internal Review was made to West Cheshire College.

26th February 2013 – An official complaint was sent to the Information Commissioner's Office.

[26th February 2013 – A journalist from a national newspaper rang to ask the college some questions about the RFID. The college informed the journalist that the tags were switched off and students were no longer being tracked]

27th February 2013 – West Cheshire College answered the original questions asked in December. The college had no information to offer as the college was no longer using RFID to tag students.

July 2013 – Information Commissioner's Office's respond to complaint.

1) RFID tags - Did West Cheshire College take advice on issues such as data protection, possible impact on civil liberties and privacy, etc, and who did West Cheshire College take advice from. I.e. Department for Education, Information Commissioner's Office, Children's Commissioner or any legal advice.

WCC Internal Review findings: The College does not hold information to respond to this request.

ICO: In respect of question 1, I suggested that as the College claimed not to hold any recorded information it might be reasonable to conclude that it did not seek any advice or if it did, the request for it and the response received were not recorded? The College responded by stating it ***'does not have any relevant recorded information to provide either a yes or no to the question asked of the College. It would not be reasonable to make any conclusions either way from this outcome to the search. It is entirely plausible that someone may have for example made a telephone call to the Information Commissioners Office on data protection***

and RFID and not formally recorded the response. Equally it is plausible that no advice was sought’.

2) RFID tags - Please provide a copy of West Cheshire College’s Privacy Impact Assessment with reference to the introduction of RFID tags as detailed on the Information Commissioner’s Office’s website: http://www.ico.gov.uk/for_organisations/...

WCC internal review: The College does not hold information to respond to this request.

ICO: In relation to question 2, I suggested that as the College claimed not to hold any recorded information it might be reasonable to conclude that it did not undertake a Privacy Impact Assessment. The College responded to this by stating that ***‘a search for a “privacy impact assessment” as keywords and within document archives was undertaken, and the College did not locate any documents that matched the enquiry. Should the College have completed a PIA in this area this would have been returned on the search therefore it is reasonable to assume that no PIA was undertaken’.***

3) With regard to your reply to question 2 from my previous Freedom of Information Request, please could West Cheshire College clarify how the college logs an individual pupil’s registration when your reply to questions 2 was, “We are currently trialling the technology for the purposes of automatic registration of students”, then state that, “The technology is not used for tracking of individual students.”

Please could you clarify how individual registration takes place if the technology is not used for tracking individual students?

WCC Internal Review: A search of information to respond to this question has uncovered no information to respond to this question.

ICO: In relation to question 3, I suggested that as the College admitted that it was trialling the RFID technology for the purpose of automatic registration of students, it was not unreasonable to assume that it held some recorded information in relation to how it worked. The College responded to this by stating that its ***‘building partner (BAM and their subcontractors) were trialling the technology for the College as part of their contractual obligation and no documentation was provided to the College, therefore the search of recorded information held by the College at that time provided no results’.***

4) With regard to your reply to question 4 from my previous Freedom of Information Request which asked West Cheshire College to ‘provide any literature given to students informing them of RFID tags use within its college and its campus’ no literature was provided by yourselves. The answer given was “Information relating to the RFID tags and their purpose was covered during College induction/ enrolment.”

In order not to make assumptions as to how West Cheshire College communicated its intent to use RFID tags with students at induction/enrolment, please could you clarify the following points:

- i) Would it be accurate to state that West Cheshire College issued no literature to students or parents to inform them of the RFID location tags issued to students?
- ii) Would it be accurate to state that the information about RFID tags was given verbally?
- iii) Would it be accurate to state that the information about RFID tags is on West Cheshire College's website?

WCC Internal Review: Information relating to the system and their purpose was covered during College induction and enrolment.

ICO: In respect of question 4, I noted that information relating to RFID tags and their purpose was covered during the College's induction/enrolment. I therefore invited the college to let me know whether it held any recorded information in relation to the induction/enrolment process and the information imparted. The College responded by stating '**we can confirm that the induction process is covered verbally with students. It is fair to assume that information about RFID was also communicated verbally to students**'.

5) Are any staff using RFID tags?

WCC Internal Review: As the trial has now concluded, all RFID tags are inactive and have been recalled.

ICO: In relation to question 5, the College has confirmed that some staff were given RFID tags as part of the trial (for example, to check the whereabouts of first aiders). However, at the date of your request on 10 December 2013, the College has clarified that '**staff badge tags remained inactive and were not in active use for any purpose. Staff who had a RFID badge for first aid purposes also had inactive badges**'. The College has also reiterated that it does not hold any recorded information in relation to this question.

End.