

This is a summary of the decision of the Commissioner.

The Data Protection Office received a complaint from Complainant against Respondent (a government institution) regarding the processing of biometric data. In his statement, Complainant declared that he was being forced to give his fingerprint to record his attendance daily.

This office requested Respondent to provide a statement regarding the complaint and to answer a series of questions about the fingerprinting system. Respondent declared that it is not aware of any complaint or any incident forcing somebody to give his fingerprint and thus requested for more details such that an enquiry could be initiated at its end.

This office informed Complainant about the statement of Respondent and requested for more details about the circumstances of the complaint for Respondent to be able to start an inquiry. Complainant stated that an officer, on behalf of Management, obliged him to give his fingerprint so as to record his attendance daily.

This office requested Respondent about the measures taken based on the reply of Complainant. Respondent replied to this office and sent a copy of a letter addressed to Ministries and Departments whereby necessary arrangements were made to sensitise officers on the use of the fingerprint system and therefore to seek their consent.

Respondent has been informed that the fingerprint system should only be used by employees who have signed their consent form and that an alternative means of taking attendance should be provided for employees who have not expressed their consent. Respondent informed this office that the officer who forced Complainant to record his attendance daily has been transferred and that all employees are on Electronic attendance system either by using fingerprint system or bar code after providing their consent.

The Data Protection Office thus informed Complainant about the statement provided by Respondent and requested the former to provide his views on this matter.

Up to now Complainant has not replied to the correspondence sent to him regarding his views on the statement of Respondent but he confirmed verbally that he did not have any comment with regard to the letter.

In view of the above, this enquiry has been successfully concluded and no offence has been committed under the Data Protection Act.