| **Ref.** | **Function Description** | **Trigger** | **Retention** | **Action** | **Examples of Records** | **Notes** |
| --- | --- | --- | --- | --- | --- | --- |
| **Biometrics** | The process of obtaining **Biometric** data in the form of physical DNA and Fingerprint samples and associated datalegislated by the Criminal Procedure (Scotland) Act 1995 |
| **Biometrics – Findings of Guilt** |
| **BIO-001** | Conviction or an order underSection 246(3) Criminal Procedure (Scotland) Act 1995: **DNA** | Date of disposal or date obtained if after disposal | Until 100th birthday or 3 years after date of death, whichever sooner | Review at 100th birthday or destroy 3 years after death | DNA samples and associated data |  |
| **BIO-002** | Conviction or an order underSection 246(3) Criminal Procedure (Scotland) Act 1995:**Fingerprints** | Date of disposal or date obtained if after disposal | Until conviction weeds from Criminal History System (CHS) | Destroy | Electronic and hard copy fingerprint forms and associated data |  |
| **BIO-003** | Juvenile proceedings – sexual and serious violent offences | Date of disposal | 3 years | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data | Offences outlined in S19Aof the Criminal Procedure (Scotland) Act, 19952 year extension on application to Sheriff |
| **BIO-004** | Juvenile proceedings – **non** sexual and serious violent offences | Date of disposal | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **Biometrics – Alternative to Prosecution** |
| **BIO-005** | Fiscal disposals: fines / compensation orders / combined orders / work orders - sexual and serious violent offences | Date of disposal | 3 years | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data | Offences outlined in S19Aof the Criminal Procedure (Scotland) Act, 19952 year extension on application to Sheriff |
| **BIO-006** | Fiscal disposals: fines / compensation orders / combined orders / work orders – **non** sexual and serious violent offences | Date of disposal | 2 years | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **BIO-007** | Fiscal disposals: warnings | Date of disposal | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **BIO-008** | Police disposals: fixed penalty notice | Date of disposal | 2 years | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **BIO-009** | Police disposals: police and senior officer warnings / warnings to prostitutes | Date of disposal | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **Biometrics - Non Guilt Findings** |
| **BIO-010** | Court proceedings: no conviction (not guilty/not proven) - sexual and serious violent offences | Date of disposal | 3 years | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data | Offences outlined in S19Aof the Criminal Procedure (Scotland) Act, 19952 year extension on application to Sheriff |
| **BIO-011** | Court proceedings: no conviction (not guilty/not proven) – **non** sexual and serious violent offences | Date of disposal | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **BIO-012** | Case not called / case deserted / fiscal decision of no further proceedings – sexual and serious violent offences | Date of disposal | 3 years | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data | Offences outlined in S19A of the Criminal Procedure (Scotland) Act, 19952 year extension on application to Sheriff |
| **BIO-013** | Case not called / case deserted / fiscal decision of no further proceedings – **non** sexual and serious violent offences | Date of disposal | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **BIO-014** | Children’s Hearings - grounds **not** accepted or established | Date of disposal | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **Biometrics – Further Circumstances** |
| **BIO-015** | Insanity acquittal – sexual and serious violent offences:**DNA** | Date of disposal | Until 100th birthday or 3 years after date of death, whichever sooner | Review at 100th birthday or destroy 3 years after death | DNA samples and associated data | Offences outlined in S19A of the Criminal Procedure (Scotland) Act, 1995 |
| **BIO-016** | Insanity acquittal – sexual and serious violent offences:**Fingerprints** | Date of disposal | Until conviction weeds from Criminal History System (CHS) | Destroy | Electronic and hard copy fingerprint forms | Offences outlined in S19A of the Criminal Procedure (Scotland) Act, 1995 |
| **BIO-017** | Insanity acquittal – **non** sexual and serious violent offences | Date of disposal | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **BIO-018** | Individuals subject to a Sex Offender Registration Order -case with “confirmed” status:**DNA** | Date of disposal or date obtained if after disposal | Until 100th birthday or 3 years after date of death, whichever sooner | Review at 100th birthday or destroy 3 years after death | DNA samples and associated data |  |
| **BIO-019** | Individuals subject to a Sex Offender Registration Order**Fingerprints** | Date of disposal or date obtained if after disposal | Until conviction weeds from Criminal History System (CHS) | Destroy | Electronic and hard copy fingerprint forms |  |
| **BIO-020** | Individuals subject to a Risk of Sexual Harm Order | Date of disposal | Until expiry of order | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **BIO-021** | Data / samples of interest to national security retained as per S18H of the Criminal Procedure (Scotland) Act, 1995 | Date of National Security Determination | 5 years | Review | DNA samplesElectronic and hard copy fingerprint forms Associated data | May be extended beyond 5 years if a new National Security Determination is made |
| **BIO-022** | Extradition | Date created | Until determination of Extradition proceedings | Destroy | DNA samplesAssociated data |  |
| **BIO-023** | Identification purposes only | Date created | Until profile result obtained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **Biometrics – No Proceedings** |
| **BIO-024** | PF take a decision not commence initial proceedings | Date of decision | Not retained | Destroy | DNA samplesElectronic and hard copy fingerprint forms Associated data |  |
| **Biometrics – Live Investigation or Prosecution** |
| **BIO-025** | DNA samples taken with **no confirmation** of live investigation | Date created | 1 month | Destroy | DNA samplesAssociated data | If case raised, retained as per relevant rule |
| **BIO-026** | DNA samples taken with **confirmation** of live investigation | Date created  | 1 year | Destroy | DNA samplesAssociated data | If case raised, retained as per relevant rule |
| **BIO-027** | Fingerprint forms – **without** associated crime reference / case reference / incident number | Date created | 1 month | Destroy | Electronic and hard copy fingerprint forms | If case raised or relevant productions received then forms retained as per relevant rule |
| **BIO-028** | Fingerprint forms – **with** associated crime reference / case reference / incident number | Date created | 1 year | Destroy | Electronic and hard copy fingerprint forms | If case raised or relevant productions received then forms retained as per relevant rule  |
| **BIO-029** | Facial images | See **CHY-010** and **OPS-008** |