

Scottish Biometrics Commissioner



Business Plan 2026/27

Supporting and promoting the adoption of lawful, effective and ethical practices in relation to the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes in Scotland

Introduction

This Business Plan for 2026/27 sets out the priorities of the Scottish Biometrics Commissioner (SBC) for the coming year to ensure delivery of the outcomes set out in our Strategic Plan 2025/29. Our Business Plan is intentionally ambitious and builds on the achievements of the first Strategic Plan where we successfully delivered and consolidated the SBC function, achieving all objectives whilst operating within our allocated budget.

Although this Business Plan replicates information from our Strategic Plan, it does so by presenting our envisaged activity over the budget year. This is necessary to assist the Parliament in properly holding me to account for the delivery of our functions against available budget as the period of my Strategic Plan and finances are still misaligned in law because of the COVID pandemic. Although my Strategic Plan runs from 01 December to 30 November each year, presenting our activity over the budget year is also intended to assist our external auditors (Audit Scotland) and our internal auditors (TIAA) as well as my Advisory Board on Audit.

In early 2025, we engaged the services of Evaluation Support Scotland to help us develop a theory of change logic model and an outcomes framework relative to our function to help us shape our Strategic Plan. In March 2027, our business year will conclude with the laying of our seventh assurance review in Parliament in relation to forensic imaging. In doing so, we will seek to provide the necessary assurances to the Scottish Parliament and to consolidate our reputation as a trusted voice within the policing and criminal justice community within Scotland, the UK, and internationally.

For the period of this Business Plan, I have continued funding approval from the Parliament Corporation for the 2-year temporary secondment of a subject matter expert from the Scottish Police Authority Forensic Services. This funding from contingency continues to significantly enhance our resilience, capacity and capability allowing me to focus on the executive duties associated with being both an Officeholder and Accountable Officer. In addition, I recently restructured the team to make the position of Director a permanent feature. This role subsumes the duties of the Corporate Services Manager and further supports my position as Officeholder providing delegated authority as and when required.

Our 2026/27 Business Plan objectives align with the four strategic priorities of our current Strategic Plan. For reasons of accountability, each objective has clearly assigned ownership demonstrating a recognisable 'golden thread' linking individual roles and responsibilities to operational delivery. This is our first Business Plan aligned with our theory of change logic model and outcomes framework.

Dr Brian Plastow
Scottish Biometrics Commissioner
June 2026

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Our purpose

The Scottish Biometrics Commissioner Act 2020 established the office of Scottish Biometrics Commissioner (SBC) and provides for its functions. The Commissioner is independent of Scottish Government and is appointed by the Monarch on the nomination of the Scottish Parliament. The Commissioner's general function is to support and promote the adoption of lawful, effective and ethical practices in relation to the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes by Police Scotland, the Scottish Police Authority (SPA) and the Police Investigations and Review Commissioner (PIRC).² The Commissioner must lay an annual report on activities each year before the Scottish Parliament and must publish annual audited accounts. The Commissioner may also publish other reports and research, as necessary.

Section 7 of the Act provides that in furtherance of the Commissioner's general function, the Commissioner must prepare, and may from time-to-time revise, a Code of Practice on the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes. The Code of Practice prepared by the Commissioner was approved by the Parliament and Scottish Ministers and took legal effect on 16 November 2022. The Commissioner must keep the approved Code of Practice under review, prepare and publish a report on the Commissioner's findings, and lay a copy of the report before the Scottish Parliament. The first such report must be laid before the Parliament no later than 3 years after the date on which the first Code of Practice comes into effect. Section 15 of the Act requires that the Commissioner must provide a procedure by which an individual, or someone acting on an individual's behalf, may make a complaint to the Commissioner that a person who is required by Section 9(1) to comply with the Code of Practice has not done or is not doing so in relation to the individual's biometric data. The complaints procedure relating to the Code of Practice can be viewed on the Commissioner's website.

Section 20 of the Act provides that if the Commissioner determines that a person who is required by Section 9(1) to comply with the Code of Practice has not done so or is not doing so, the Commissioner must prepare and publish a report about that failure unless the Commissioner considers that it is sufficiently minor not to merit it. Such reports must be laid before the Scottish Parliament. Section 23(1) of the Act provides that where the Commissioner considers that Police Scotland, the SPA or PIRC has not complied or is not complying with the Code of Practice then the Commissioner may issue a compliance notice. A 'compliance notice' is a notice requiring the person to whom it is issued to take the steps set out in the notice to address the person's failure to comply with the Code of Practice. Further detail on compliance notices can be found in Sections 23 to 26 of the Act.

Section 27 of the Act provides that where a person to whom a compliance notice has been issued refuses or fails, without reasonable excuse, to comply with the notice, the Commissioner may report the matter to the Court of Session.

Our values

Independent

We will always act independently and publish impartial and objective review reports. Our professional advice will be informed and unbiased. The Scottish Biometrics Commissioner is a juristic person, appointed by the Monarch on the nomination of the Scottish Parliament and is independent of Scottish Government.

Transparent

We will be open about what we do and give reasons for our decisions. We will publish our reports and findings and will not restrict information unless deemed necessary to protect the identity of data subjects, or due to wider public interest considerations.

Proportionate

We will ensure that our activity is proportionate and does not exceed what is necessary to achieve our statutory purpose. We will minimise the burden of any review activity on Police Scotland, the Scottish Police Authority and the Police Investigations and Review Commissioner. We will ensure that the way that we do what we do is proportionate, necessary, effective, and efficient.

Accountable

We will be accountable for what we do to the Scottish Parliament and will submit ourselves to whatever scrutiny is appropriate to our function. We will promote equality, diversity, and human rights in everything that we do.



Our strategy

Our Purpose and Vision

To support and promote the adoption of lawful, effective, and ethical practices in relation to the acquisition, retention, use, and destruction of biometric data for criminal justice and police purposes in Scotland¹

Our four strategic priorities

1. Keep under review and report on the law, policy, and practice relating to the acquisition, retention, use, and destruction of biometric data for criminal justice and police purposes in Scotland.
2. Promote public awareness and understanding of criminal justice and policing sector powers and duties in relation to biometric data, how these powers are exercised, and how the exercise of these powers can be monitored or challenged.
3. Develop, publish, promote, and assess compliance with a statutory Code of Practice on the acquisition, retention, use, and destruction of biometric data for criminal justice and police purposes in Scotland.²
4. Provide reports to the Scottish Parliament on the outcomes from the use of biometric data and technologies and highlight key issues to inform public debate, thus strengthening democratic accountability.

Our strategic outcomes aligned to each priority³

1. The acquisition, retention, use and destruction of biometric data by policing bodies in Scotland is lawful, effective, and ethical and improves criminal justice outcomes, responds to threats, public order, and community safety, both locally and nationally.
2. Communities have increased confidence and trust that the use of biometric data and technology by policing bodies is lawful, proportionate, and necessary and that policing is accountable. People who have biometric data taken (including victims) feel more confident that it is being managed appropriately.⁴
3. Policing bodies feel more supported and empowered to adopt new and emerging biometric technologies that support the strategic policing priorities for Scotland and help keep citizens safe.
4. The use of biometric data by policing bodies in Scotland and the oversight of the Scottish Biometrics Commissioner function enhances equalities and human rights, avoids discrimination against protected characteristic groups as set out in the Equality Act 2010, better protects children and vulnerable adults, improves the strategic policing response to violence against women and girls and makes a positive contribution internationally.

Our values:

Independent

Transparent

Proportionate

Accountable

¹ Our strategic priorities are directly aligned to the statutory functions of the Commissioner as established in Section 2(3), Scottish Biometrics Commissioner Act 2020

² Section 7, Scottish Biometrics Commissioner Act 2020

³ SBC Theory of Change Logic Model and New Outcomes Framework

⁴ Section 15, Scottish Biometrics Commissioner Act 2020

Our team

Our permanent team is small and consists of the Commissioner, and three full-time members of staff. Those are a Director & Corporate Services Manager, Operations Manager and a Business Support Officer. Further information can be found on the Who we are page of our website. Since September 2025, we have seconded in a Senior Fingerprint Examiner from the SPA Forensic Services for a period of two-years. They have joined us as a Subject Matter Expert. The structure of the team can be viewed below.



Our budget allocation

Our core allocated budget for 2026/27 is £562,000 broken down as follows:

Staff costs - £456,000

Running costs - £106,000

Priorities

Strategic Objective 1

Keep under review and report on the law, policy and practice relating to the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes in Scotland

	Due by	Led by	Outcome
Thematic Assurance Report on forensic imaging to Scottish Parliament	March 2027	Commissioner & Subject Matter Expert	The use of biometric data by policing bodies in Scotland is lawful, effective and ethical and improves criminal justice outcomes; responds to threats, public order and community safety, both locally and nationally

Strategic Objective 2

Promote public awareness and understanding of criminal justice and policing sector powers and duties in relation to biometric data, how these powers are exercised and how the exercise of these powers can be monitored or challenged

	Due by	Led by	Outcome
Review of the complaints mechanism under Section 15 of the SBC Act 2020	Autumn 2027	Commissioner	Communities have increased confidence and trust that the use of biometric data and technology by policing bodies is lawful, proportionate and necessary and that policing is accountable. People who have biometric data taken (including victims) feel confident that it is being managed appropriately

Priorities

Strategic Objective 3

Develop, publish, promote and assess compliance with a statutory Code of Practice on the acquisition, retention, use and destruction of biometric data for criminal justice and police purposes in Scotland

	Due by	Led by	Outcome
Revised Code of Practice under Section 7 of the SBC Act 2020 to Scottish Parliament	Autumn 2026	Director	The use of biometric data by policing bodies in Scotland and oversight by the SBC function enhances equalities and human rights, avoids discrimination against protected characteristic groups as set out in the Equality Act 2010, better protects children and vulnerable adults, improves the strategic policing response to violence against women and girls, and makes a positive contribution internationally
Code Compliance Assessment report for the PIRC	Spring 2027	Commissioner	
Code Compliance Assessment report for the SPA	Spring 2027	Commissioner	
Code Compliance Assessment report for Police Scotland	Spring 2027	Commissioner	

Strategic Objective 4

Provide reports to the Scottish Parliament on the outcomes from the use of biometric data and technologies and highlight key issues to inform public debate, thus strengthening democratic accountability

	Due by	Led by	Outcome
Retrospective report on outcomes and achievement of the previous Strategic Plan	Summer 2026	Director	Policing bodies feel more supported and empowered to adopt new and emerging biometric technologies that support the strategic policing priorities for Scotland and help keep citizens safe
Annual Report & Accounts to Parliament and publication on our website	October 2026	Director	