

Schedule of proposed amendments to Code of Practice

Front cover and Page 2	Publisher will make necessary amendments to version number and publication date	
Page 5	Highlighted text has been amended to explain that the existing Code remains in legal effect until the revised version is approved by Ministers and brought into effect by Regulations	Updated to reflect legislation requirements
Page 7	Signature and date added/amended once revised Code is sent for Ministerial approval	
Page 9	Final sentence to be removed by the publisher as appendix also to be removed from the revised Code	
Page 14	Note to publisher to amend all numbered paragraphs from this point onwards within the document	
Page 16	Inclusion of new bullet point (d)	Updated to reflect new legislation which applies across the UK re retention of biometric data – Reconciliation and Information Recovery (Biometric Material) Regulations 2024 The practical effect of this UK legislation is to prevent the disposal of DNA or fingerprints which may assist investigations in Northern Ireland relating to the troubles between specified dates
Page 16	Paragraph 25 amended to include legal requirements for Commissioner to consult statutory consultees on revised Code	Updated to reflect legislative process of the SBC Act in relation to consultation requirements for any revision of the Code (the difference in process between development of the first Code and a revised Code)
Page 17	Paragraph 26 amended to reflect legal requirements	Updated to reflect legislative process of the SBC Act in relation to consultation requirements for any revision of the Code (the difference in process between development of the first Code and a revised Code)
Page 21	Instruction for publisher to add footnote	
Page 22	Instruction for publisher to make hyperlink visible	
Page 25	Two additional bullet points included and instruction for the publisher to amend the spacing	Updated to reflect outcome of the joint review of Laws of Retention conducted by SBC and SG – reflects the recommendations made within the report

		The additional text is instructive and expressly prohibits the indefinite retention of biometric data without such data having been subject to periodic review
Page 26	Two additional paragraphs added	Added to reflect recent publication and outcomes/recommendations of the joint review into Laws of Retention as well as recent development and content of the SBC Strategic Plan 2025/29 which highlights how compliance with the Code will be measured
Page 27	Additional sentence added to paragraph 57	Reflects recommendations made within the recently published joint DNA assurance review
Page 31	Highlighted text reflects new name of this group (paragraph 72 and footnote)	
Page 32	Instruction for publisher to add additional sentence	Text provided by ICO for inclusion
Page 34	Highlighted text added following	Reflects recommendations made in the recently published Vulnerable Adults/Children & Young People assurance reviews Additional text strengthens position in relation to sharing of data referencing DPA 2018
Page 35	Highlighted text added	Added text reflects recent developments in biometric technologies seen across the UK e.g. use of LFR and NPL report The final paragraph on page 35 is intended to ensure that bodies to whom this Code applies do not use either retrospective (after the event) facial search or live facial recognition in future unless it is done through a software solution that can demonstrate that it is free from statistically significant demographic bias having been subject to an accuracy and equitability study conducted independently by the UK National Physical Laboratory
Page 36	Highlighted text added	Reflects outcomes of the Laws of Retention review
Page 39	Highlighted text added	Reflects recent legislative changes as found within the United Nations Convention of the Child (Incorporation) (Scotland) Act 2024

Page 40	Highlighted text added	<p>Reflects recommendations made within the 2023 published Children & Young People assurance review and guidance available</p> <p>This amendment is intended to strengthen the Code by requiring bodies who collect biometric data from children (under 18 years of age) to have distinct policies in place to protect children's rights so that decisions relating to the acquisition, retention, use and destruction of biometric data relating to children are distinct from the general policies relating to adults</p>
Page 43	Highlighted text added	Amended to reflect recent guidance being published by the ICO
Page 46	Highlighted text added	<p>Text reflects recent changes seen across Scotland and the UK since the first Code was published re the use and development of AI technologies and highlights recent publication of NPL report</p> <p>This amendment is contextual only</p>
Page 47	Instruction to publisher to add in hyperlink	
Page 49	Highlighted text amended	Amendments reflect recent operational work conducted by the SBC including statutory review of the Code and our second 4-year Strategic Plan
Page 54	Instruction to publisher to add in acronyms	
Page 64	Instruction to publisher to amend this page	
Page 65	Instruction to publisher to delete this appendix/page	