



Home Office

# Retention and usage of biometric information

Version 3.0

Policy guidance on the retention and usage of biometric information provided in connection with a function under the immigration acts or in relation to nationality.

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# About this guidance

This guidance sets out the policy on how biometric information provided in connection with a function of the immigration acts and nationality may be used and retained.

For the purpose of this guidance:

- 'official' means:
  - immigration officer
  - caseworkers
  - passport examiners
  - police officers
  - prison officer
  - authorised person
  - removal centre staff
- 'individual' means:
  - Applicants
  - claimants
  - customers
  - dependants
  - Individuals
  - guardians
  - foreign nationals
  - parents

Biometric information plays a significant role in delivering security and facilitation in the border, immigration and citizenship system. The biometric information that we currently use for immigration and nationality purposes are facial image and fingerprints, which enable quick and robust identity assurance and suitability checks. They are required as part of an application for an immigration product such as a visa, biometric immigration document or biometric residence card, from an individual subject to immigration control.

## Scope

This policy guidance covers parts of the Home Office responsible for covering the Migration and Borders Group (MBG):

- UK Visas and Immigration
- Her Majesty's Passport Office
- Border Force
- Immigration Enforcement

'Biometric Information' is defined in section 15 of the [UK Borders Act 2007](#) as follows: 'information about a person's external physical characteristics (including in particular fingerprints and features of the iris)'. It includes fingerprints and facial images. Retention of DNA evidence is covered by the DNA Policy guidance.

This guidance does not cover facial images provided solely in connection with an application for a UK or other types of British passport.

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email the Identity Security team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

## Publication

Below is information on when this version of the guidance was published:

- version **3.0**
- published for Home Office staff on **04 September 2023**

## Changes from last version of this guidance

Removed reference to eGates.

### Related content

[Contents](#)

# Biometric information retention and usage: background

Biometric information, enrolled under immigration legislation, in the form of fingerprints and facial photographs, underpin our migration and borders system (MBS) to ensure we have appropriate levels of identity assurance on individuals entering the UK and those who are applying for an immigration or nationality product.

We want a biometrically enabled MBS, where face and fingerprints are our primary biometric information. We are moving from application type and biographic based record keeping to a system based on biometric information where an individual's records will be centred around their facial image, and facial biometric information will be the primary biometric modality for all transactions.

Recording biometric information enables us to confirm and fix an individual's biographical details to their unique biometric identifiers, check against existing records to make sure the individual who applies is not known to the Home Office or security and policing organisations by another identity and establishes a reliable link between the holder and their visa or biometric residence permit. In time, all foreign nationals, who are subject to immigration control, will need to provide biometric information which will be linked to their online evidence of their immigration status.

Biometric information enables us to conduct comprehensive checks against immigration and criminality records to prevent leave being granted to illegal migrants and foreign nationals engaged in criminality or terrorist activities.

Our powers to retain and use biometric information taken in connection with our immigration and nationality acts are set out in section 8 of the UK Borders Act 2007. This provides a regulation-making framework that sets out how biometric information enrolled in connection with our immigration and nationality legislation can be used and the circumstances in which biometric information must be deleted.

## **Related content**

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# Biometric information: retention

This page sets out the policy approach for retaining different types of biometric information.

There are different approaches for the retention of fingerprints and facial images provided in connection with a function under the immigration acts or in relation to nationality. This is to reflect the sensitive nature of biometric information.

**Fingerprints** can be used to link an individual to an identity to a standard that is beyond reasonable doubt. They can also be used forensically to enable an individual to be linked to a crime scene.

**Facial images** can be used to link an individual to their face both electronically or manually as part of a visual check, such as part of a Right to Work or a Right to Rent check, when entering the UK via an ePassport Gate or during intelligence development and operational deployments. They are also used to ensure a UK passport is correctly issued to a newly naturalised or registered British citizen.

Our powers to retain biometric information in connection with a function under the immigration acts or in relation to nationality are set out in the following regulations and in accordance to UK Data Protection legislation:

- Section 8 of the UK Borders Act 2007
- The Immigration (Provision of Physical Data) Regulations 2006
- The Immigration (Biometric Registration) Regulations 2008
- Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) Regulations 2021

## Related content

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# Fingerprint biometric information

This page sets out the policy for retaining an individual's fingerprint biometric information.

Fingerprint biometric information is used to confirm and fix an individual to a unique identity. They are used to conduct suitability checks on foreign nationals who apply to come or to extend their stay in the UK. The migration and borders system needs to be able to retain fingerprint information for a period that is sufficient to ensure both customer convenience and public safety.

We check the fingerprints of holders of visas and biometric immigration documents (BID) at border control to confirm the identity of the individual before they are admitted into the UK.

Biometric information is also required to be provided:

- as part of an application for a Home Office Travel Document
- when applying for leave or British citizenship
- when applying for a replacement immigration document
- when claiming asylum
- when requiring leave to enter, is liable to detention or is subject to a deportation order

## Limited leave

An individual's fingerprints will normally be retained for up to 15 years from the date they were enrolled as part of an application for a visa or a BID, or other immigration process, for example, when taken at the secondary border control or at an Immigration Removal Centre. The 15-year retention period applies to fingerprints enrolled from 1 July 2021. Fingerprints enrolled before 1 July 2021 will normally be retained for up to 10 years, unless they meet one of the grounds for longer retention as set out in the [High harm](#) section of this guidance. This is to ensure the applicant can be identified upon their arrival at the UK border and after arrival if encountered by Immigration Enforcement officers or the police.

There are circumstances when fingerprint biometric information can be held beyond 10 or 15 years, such as when an individual is granted settled status or is considered to be a risk of high harm to the UK.

## Reuse of fingerprint biometric information

Officials will restart the 15-year fingerprint retention period for holders of limited leave where an applicant has made a new valid application for leave to enter or remain in the UK, entry clearance or registration or naturalisation as a British citizen and the Secretary of State has chosen to reuse the applicant's fingerprint biometric information. In the case of fingerprints re-used before 1 July 2021, officials will restart the 10-year fingerprint retention period.

## Settled status

Individuals who are granted indefinite leave to enter or remain (settled status) will have their fingerprints retained beyond 10 or 15 years and until:

- the applicant becomes a British citizen
- 15 years after the date the individual's settled status is deemed to have lapsed, cancelled or was revoked or 10 years if the date was before 1 July 2021
- it is no longer necessary to retain the individual's fingerprints, for example because of their age or it is likely they are deceased

## High harm

The Secretary of State may choose to retain fingerprints of individuals beyond 10 or 15 years where there is a need in connection with a function under the immigration acts or in relation to nationality.

An individual will be deemed to be a risk of high harm where:

- the individual is or at any time has been, subject to a deportation order, exclusion order or decision to exclude
- the individual can be, or at any time could have been, refused entry clearance or leave to enter for a period specified in the immigration rules because of a previous breach of the United Kingdom's immigration laws
- the Secretary of State deems it necessary for national security reasons to retain the individual's fingerprints for use in connection with a function under the immigration acts or in relation to nationality

Where officials want to retain an individual's fingerprints beyond 10 or 15 years, except where the extension is for reasons for national security, the individual must:

- have been subject to a deportation order, exclusion order or decision to exclude, which can be in place or discharged
- either has already been or could be refused entry clearance or leave to enter for a period specified in the immigration rules because of a previous breach of the United Kingdom's immigration laws

Officials must submit a request to the Immigration Fingerprint Bureau to extend the retention of fingerprints where one of the 3 circumstances set out above apply, with an explanation of why it is necessary to retain the fingerprints for a longer period.

Where officials consider the extended retention is no longer necessary, they must inform the Immigration Fingerprint Bureau so that the fingerprints can be deleted if there are no other reasons for retaining them.



## British citizenship

The Secretary of State **must** delete fingerprints as soon as officials are aware the individual is a British citizen, or a Commonwealth citizen who has a right of abode in the United Kingdom.

## Other reasons for mandatory destruction

The Secretary of State must also delete fingerprints if the Secretary of State no longer thinks that it is necessary to retain the information for use in connection with a function under the immigration acts or in relation to nationality.

## Request to delete fingerprints

An individual can request the Secretary of State deletes their fingerprint data, which is set out in the [Right to deletion](#) section. However, officials may not be able to fulfil the individual's request if there is a legitimate need to continue to keep or use their data.

Requests to delete fingerprints outside of the normal policy must be approved by the Head of the Immigration Checking and Enquiry team or their appointed deputy.

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# Facial images

This page sets out the policy for retaining an individual's facial images, in the form of a photograph.

The policy on retaining facial photographs is different to fingerprint biometric information. Section 41 of the [British Nationality Act 1981](#) provides a power to enable the Secretary of State to retain a facial photograph until an individual is issued with a UK passport. This is to prevent fraudulent applications from individuals who falsely claimed to have registered or naturalised as a UK citizen.

We also need to retain the facial photographs captured as part of an immigration or citizenship application to support Right to Work and Right to Rent checks. Before officials can issue a civil penalty to an employer or landlord, they need to be satisfied the employer or landlord failed to carry out the checks correctly. This includes conducting a visual comparison of the prospective employee or tenant against the image on the document (online evidence of immigration status or physical document) which was used to evidence the individual's status in the UK.

## UK passport

Officials must delete or block access to facial photographs of registered or naturalised British citizens who are issued with a UK passport on the immigration and nationality computer systems. However, facial images of British citizens issued with a UK passport will be retained in the HM Passport Office part of the Immigration and Asylum Biometric System (IABS).

## No longer necessary

Officials **must** delete a facial image where its retention is no longer necessary for use in connection with a function under the immigration acts or in relation to nationality.

This is likely to include individuals who no longer have immigration status in the UK and can show they have left the UK and not applied to return to the UK within 15 years from when they last enrolled their biometric information or had them reused as part of an immigration or nationality application.

However, the Secretary of State will retain the individual's facial image regardless of whether or not they have status or have left the UK where the individual:

- is or at any time has been, subject to a deportation order, exclusion order or decision to exclude
- can be, or at any time could have been, refused entry clearance or leave to enter for a period specified in the immigration rules because of a previous breach of the United Kingdom's immigration laws

In addition, an individual's facial image will be retained where the Secretary of State deems it necessary for national security reasons, for use in connection with a function under the immigration acts or in relation to nationality.

The Secretary of State will review the continued retention of facial photographs periodically to assess whether there remains a need to retain an individual's facial photograph.

## Request to delete facial images

An individual can request the Secretary of State deletes their facial photograph, which is set out in the [Right to deletion](#) section. However, officials may not be able to fulfil the individual's request if there is a legitimate need to continue to keep or use their data.

Requests to delete facial photographs outside of the normal policy must be approved by the Head of the Immigration Checking and Enquiry team or their appointed deputy.

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# Right to deletion

This page tells officials and individuals about the right to deletion.

## UK General Data Protection Regulations (UK GDPR)

Under Article 17 of the UK GDPR individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. It allows an individual to request the deletion or removal of personal data a data controller holds about them. Data must be erased without undue delay in a range of circumstances, including where there is no compelling reason for its continued processing. Article 17 does not provide an absolute 'right to be forgotten'. The right is not absolute and only applies in certain circumstances.

More information about the 'Right to Erasure' can be obtained from the [Office of the Information Commissioner's website](#).

## Requests to delete biometric information

Individuals who want to request deletion of the biometric information held on them should write to:

Immigration Fingerprint Bureau,  
5th Floor,  
Lunar House,  
40 Wellesley Road,  
Croydon,  
CR9 2BY

You will need to explain why you want the Home Office to delete your biometric information including providing evidence that shows the Secretary of State no longer requires the information in connection with a function under the immigration acts or in relation to nationality.

If you have recently been granted British Citizenship you **must** supply a copy of your naturalisation certificate, and your biometric residence permit if you have not already returned it.

If the Secretary of State agrees to delete your fingerprints, officials will take steps to ensure that biometric information held electronically is destroyed or erased. Where a facial photograph was provided for the purpose of a combined application for British citizenship and a UK passport, upon issuing the passport UKVI will be blocked from having access to the data.

Individuals **must** provide evidence that confirms their identity before officials are able to consider whether to issue a certificate confirming the deletion of their biometric information. You **must** include clear copies of at least 2 documents (a minimum of one document from each of the lists below).

If you have recently naturalised or registered as a British citizen, you **must** enclose your biometric residence permit or card if you were issued a card, unless you have already returned it to the Home Office. You are advised to cut the card in half before posting it to the Immigration Fingerprint Bureau (IFB).

List A:

- passport/travel document
- photo driving licence
- National Identity Card
- ARC Card
- Biometric Residence Permit or Card (actual card if granted British citizenship)

List B:

- a letter sent to you, with your current address on, by the Home Office (issued in the last 6 months)
- most recent utility or council tax bill showing current home address
- bank statement or building society book (issued in the last 6 months)

Biometric data will not be destroyed where it is being retained in accordance with and for the purposes of another power with a legal basis.

## Certificate

Individuals can request a certificate to show their biometric information has been deleted where the biometric legislation requires it to be erased, destroyed or blocked.

Officials from the Immigration Fingerprint Bureau will issue a certificate using the wording below:

“Dear *Name*,

### Option 1

I certify that the [fingerprints and facial photograph(s) – delete as necessary] taken on:

- [insert date(s)]

for *Name...* have been destroyed and deleted or blocked from the Immigration systems and records, in accordance with statutory requirements.

*Or in the case of an individual who is registered or naturalised as a British citizen and has not yet been issued with a passport:*

### Option 2

I certify that the fingerprints taken on:

- [insert date(s)]

for *Name...* have been destroyed and deleted or blocked from the Immigration systems and records, in accordance with statutory requirements.

The photograph(s) for *Name...* has been retained until they have been issued with a United Kingdom passport describing them as a British citizen, as permitted by the regulations.

Yours sincerely

*IFB representative name*  
*Rank*

#### **Related content**

[Contents](#)

#### **Related external links**

[ICO: Right to erasure](#)

# Biometric information: usage

This page tells officials and individuals about how the Secretary of State may use their biometric information.

## Immigration and nationality

The Secretary of State may use your biometric information for a purpose in connection with a function under the immigration acts or in relation to nationality.

For example, officials may use your biometric information when you make an immigration application or when applying to become a British citizen to confirm and fix your identity and undertake suitability checks.

Officials may also check your biometric information upon arrival at the UK's border or in-country where officials need to confirm your status and are unable to ascertain your identity.

## Other uses

The Secretary of State may use your biometric information for other purposes while they are retained in connection with a function of the immigration acts or nationality.

These additional purposes include:

- the prevention, investigation or prosecution of an offence:
  - biometric information may be checked against law enforcement biometric databases and used to assess whether the individual is linked to unresolved criminality, assist with a prosecution and used to help criminality, which can include preventing individuals suspected to be involved in criminality coming to the UK
- where required to protect national security:
  - biometric information may be checked against other databases to establish whether an applicant poses a risk to the UK's national security
- identifying individuals who have died, or are suffering from illness or injury:
  - biometric information may be used to help identify an individual who has died or is suffering from serious illness or injury to enable their relatives to be informed or appropriate medical treatment to be given
- ascertaining whether an individual has acted unlawfully, or has obtained or sought anything to which the individual is not legally entitled:
  - officials may use biometric information to check whether an individual has applied for or obtained a service or product which they are not legally entitled to receive - this could include access to a public benefit or service, such as local authority housing and housing benefits

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