

## POLICE STAFF COUNCIL (PSC)

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**To:** Police and Crime Commissioner (copy Chief Exec & Treasurer)  
Chief Constables (copy Force Personnel/HR Manager/Payroll Manager)

**cc:** PSC Members  
Scotland and MPS (for information only)

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### JOINT CIRCULAR 96

#### CONTAMINATION ELIMINATION DATABASE (CED) – DNA PROFILING

This circular sets out the agreed policy and procedure for the provision of DNA samples by Police Staff employees for the purposes of identifying contamination at a crime scene, or in the physical evidential chain.

#### **1. Background**

Home Office Circular 23/2005 ‘Fingerprints and the Use of the Police Elimination Database’ acknowledges that PCSOs, Scientific Services Staff and some other Police Staff are likely to come into contact with scenes of crime and may leave marks unwittingly which need to be eliminated, and/or come into contact with the physical evidential chain.

Since 1 April 2015, police forces have been permitted by the Police (Amendment) Regulations 2015 to take DNA samples from serving police officers and special constables, who are likely to come into contact with, and therefore have potential to contaminate the physical evidential chain, and to check information (i.e. the DNA profile) derived from the sample against DNA profiles derived from samples taken in accordance with the Police and Criminal Evidence Act 1984(a), or recovered from scenes of crime. These officers are asked to provide a DNA sample to generate a DNA profile for inclusion on the Contamination Elimination Database (CED).

The Police Staff Council (PSC) has therefore agreed that the following policy and procedure regarding the CED should be applied to the Police Staff workforce. Police support volunteers who come into contact with the physical evidential chain are also covered by this policy.

## **2. Policy**

The PSC policy and procedure in relation to the provision of DNA samples by Police Staff employees to be placed on the Contamination Elimination Database (CED) for the purposes of identifying contamination at a crime scene, or in the physical evidential chain is as follows:

### **a. Training**

- Training should be provided by forces to all Police Staff who are likely to come into contact with, and therefore have potential to contaminate, the physical evidential chain in necessary measures to avoid such contamination;

### **b. Police Staff in Scope of Policy**

- DNA samples shall be sought only from Police Staff who routinely come into contact with the physical evidential chain, or have previously been in such a role within the last twelve months;

### **c. Requirement to Provide a Sample**

- Existing Police Staff who are within scope of this policy (see b. above) are encouraged to provide a DNA sample on a voluntary basis. This voluntary arrangement will be reviewed in August 2019;
- No adverse inference, or treatment, should arise from a refusal by an existing member of staff to provide such a sample;
- From the date of implementation of this policy, applicants for new Police Staff roles, who are within scope of this policy (see b. above), shall be advised that it is a condition of their appointment that they shall provide a mandatory DNA sample upon appointment;

### **d. Purpose**

- The DNA samples, DNA profiles obtained from these samples and the DNA electronic records (encompassing the DNA profile(s) and accompanying reference data) shall be held on the CED for the express and exclusive purpose of identifying contamination at a crime scene, or in relation to crime scene exhibits taken in accordance with the Police and Criminal Evidence Act 1984(a);
- The samples/profiles/DNA electronic records may not be used for any other purpose;
- The data will be processed at all times in compliance with the General Data Protection Regulations 2018.

#### e. Retention Periods

- **DNA profiles** (a string of numbers used to represent the DNA make up of an individual), and the **DNA electronic records** loaded into the CED are to be stored and can continue to be searched for **twelve months** following the cessation of employment of the member of Police Staff whose data is stored on the CED, or a move of the member of Police Staff to a role without contact with the physical evidential chain, so that contamination can continue to be identified where there is a delay to processing an exhibit;
- **The DNA profiles and DNA electronic records**, and all copies thereof, shall be destroyed within **twelve months** of the member of Police Staff ceasing employment, or moving to a role without contact with the physical evidential chain;
- **DNA samples** (the physical DNA taken from an individual) shall be destroyed before the end of the period of **six months** beginning with the date on which they were taken, in line with the retention periods defined in the Protection of Freedoms Act<sup>[1]</sup>.

### 3. Advice and Guidance

If you require further information on this joint circular please contact:

- Trade Union Side: [b.priestley@unison.co.uk](mailto:b.priestley@unison.co.uk)
- Employers' Side: [police-staff@local.gov.uk](mailto:police-staff@local.gov.uk).

Yours sincerely



Ben Priestley  
Trade Union Side Secretary



David Algie  
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<sup>[1]</sup> To conform to PACE as amended by the Protection of Freedoms Act (2012), destruction of the DNA samples needs to take place within **6 months** of a profile being derived from the sample.

