

14 December 2023

IC-276088-T9R3

Request

You asked us:

"Please confirm what guidance or otherwise the ICO issue or provide to police forces in England in relation to the minimum period of retention by such forces of personal data processed for any of the law enforcement purpose."

We received your request on 8 December.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

We do not hold any information within the scope of your request. We do not have any standard guidance for police forces which sets out the length of time personal data should be retained for, other than the general guidance available on our website [here](#).

It's fundamentally for any organisation, including law enforcement agencies, to determine how long they should process personal data for. Often this will be dictated by statutory requirements under other pieces of legislation. It will also depend on the nature of the data and how the Police then need to use it.

For example, if the Police are prosecuting an individual then they may need to hold on to it far longer than when they decide not to prosecute. This is dependent on the nature of the data, how it was obtained, and many other factors.

Whilst we don't have specific guidance, we will often speak to Police Forces to discuss issues like this, often in the context of a complaint which we've received, and do provide tailored guidance on a case by case basis.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

Your information

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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