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| Key words | Histopathology – tissue management |
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| Attachments | Yes - L3 |

Freedom of Information Act Disclosure log - Reply Extract

You asked

Please supply information for all of the questions below relevant to - fetuses that were miscarried, stillborn or aborted and children up to one year old from 1988 to the present day (Nov 2016).

- 1. Are you holding organs or tissue samples or bodies of fetuses that were miscarried, stillborn, aborted or of children up to one year old, pending disposal?**

Yes

- 2. If yes to question 1, please report how many organs, tissue samples, body parts or bodies of fetuses that were miscarried, stillborn, aborted or of children up to one year old you have retained and still have?**

We are currently holding tissue samples from five or fewer baby post mortem case/s.

We are currently holding nine cases of foetal remains pending sensitive interment.

- 3. In how many of these cases of fetuses that were miscarried, stillborn or aborted or of children up to one year old which have been retained and you still have was consent given by the nearest relatives to take, use and dispose of organs or tissue samples or body parts or bodies?**

We have consent for retaining the post mortem tissue. This includes consent for research, education and quality control.

We currently do not obtain consent for foetal remains that are held only pending sensitive interment. All residual tissue including any tissue blocks and slides from foetal remains are disposed of in line with Trust policy, which is currently under review

- 4. In how many of these cases of fetuses that were miscarried, stillborn or aborted or of children up to one year old which were retained but have since been disposed of was consent given by the nearest relatives**

to take, use and dispose of organs or tissue samples or body parts or bodies?

Any foetal remains which are found during the histological process are disposed of by sensitive interment which happens monthly at Weston Mill cemetery in Plymouth. Consent is given by way of the specimen request form.

All residual tissue including any tissue blocks and slides from foetal remains are disposed of in the same way, in line with Trust policy.

The policy has been going through significant review due to new guidance from the Human Tissue Authority. It will mean that future consent on the method of disposal will be sought in all cases of pregnancy termination.

Legal notes

Plymouth Hospitals NHS Trust is confirming in accordance with section 1 (a) of the Act that it holds the information requested and is supplying it in accordance with section 1(b) unless otherwise specified.

Please find the answers to your questions noting that we have redacted an answer where the number was five or fewer. Whilst the Data Protection Act does not apply to information about deceased persons, Plymouth Hospitals NHS Trust takes the view that this information is exempt from disclosure in accordance with section 41(1)(a) and (b) of the 2000 Act - Information provided in confidence.

The reason why the Trust takes this view is that it believes that the information, considered exempt, was provided in confidence and would not be expected to be released to a third party without the consent of the individual concerned or their parent/guardian, were they able to provide it.

We are conscious that other living person's would be likely to be harmed, as described in 40(2) because 40(3) (a) (i) and (ii), if identified. The figure of five or fewer is offered in seeking to assist you whilst seeking to balance rights of all parties under each of the Acts mentioned, whilst avoiding identifying any persons whether alive or deceased and minimising harm and privacy.

Attachments included: Yes –L3 Personal information rationale

If I can be of any further assistance to you please do not hesitate to contact me on ☎ 01752 431058.