

Pathology Delivery Board

Privacy Information Notice

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Introduction

1. This notice is provided in accordance with data protection legislation which incorporates the General Data Protection Regulations (GDPR) and has been created following the guidance issued by the Information Commissioner's Office and in consideration of additional guidance material generated by the Home Office.
2. This notice sets out how those statutory obligations relating to the management of personal data will be addressed on behalf of the Pathology Delivery Board, by the civil servants in the Forensic Pathology Unit within Home Office Science Secretariat, Pathology, Regulation and Services.
3. There are various elements of legislative requirements which have relevance to the management of personal data. Primarily these are the Data Protection Act 2018, GDPR, and EU Law Enforcement Directives. For the purposes of this document they will be collectively referred to as 'data protection legislation'.
4. This notice will be made available on Home Office website accessible via the following link:
<https://www.gov.uk/guidance/forensic-pathology-role-within-the-home-office>
5. Information will be provided in the language in which it is held, or in such other language that is legally required. Where there is a legal requirement for the Pathology Delivery Board to translate any information, it will do so within reasonable timescales. Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be addressed when providing information in accordance with this scheme.

Who we are and what we do

6. The Pathology Delivery Board supported by the Forensic Pathology Unit is a Home Office body that oversees the provision of forensic pathology services to the police and coroners in England and Wales. The Pathology Delivery Board was established in 2006 under the 'Royal Prerogative' as the successor to the Home Office Policy Advisory Board for Forensic Pathology, which was instituted in 1991 "to oversee the provision of forensic pathology services in England and Wales, to establish best practice for the speciality and to encourage the development of the profession through the training of practitioners and the support of academic departments and relevant research". For further details on the Pathology Delivery Board's remit please see:
<https://www.gov.uk/government/publications/constitution-of-the-pathology-delivery-board>
7. The Pathology Delivery Board has members constituted from various stakeholders relevant to the delivery of forensic pathology services and supported in its function by the Forensic Pathology Unit which consists of a small number of civil servants. Your personal information, supplied for the purposes of the Pathology Delivery Board, will be held and processed by the Forensic Pathology Unit. In this context, the Home Office is the 'data controller' with the Forensic Pathology Unit as the processor of this information. The role of data controller also includes when the information is collected or processed by third parties on our behalf.

How and why the Pathology Delivery Board uses your information

8. The Forensic Pathology Unit processes and shares personal information on behalf of the Pathology Delivery Board to enable it to carry out its functions, in particular, oversight and management of the Home Office Register of Forensic Pathologists, trainee forensic pathologists and certain sub-speciality organ-specific pathology experts and paediatric pathologists willing to engage in providing expert evidence to support the criminal justice

system in England and Wales. The Pathology Delivery Board / Forensic Pathology Unit is only allowed to process your data where there is a lawful basis for doing so. This falls within the definition of “Public Task” processing within Article 5a of the General Data Protection Legislation which is processing undertaken in the exercise of official authority which covers public functions and powers that are set out in law.

What we do with your data?

9. The Pathology Delivery Board performs a role under the provisions the Royal Prerogative, and also a statutory role in respect of revalidation of forensic pathologists on the Home Office register by virtue of the [Medical Profession \(Responsible Officers\) \(Amendment\) Regulations 2013](#) and therefore has a responsibility to record information received to demonstrate legitimacy and transparency of the functions it undertakes in support of the public interest.

Sharing of information

10. We will not share your personal data without first seeking and securing your informed consent unless there is a basis in law and a legitimate reason for us to do otherwise in connection with the business and responsibilities of the Pathology Delivery Board.

Storing your information

11. We will record and store your personal information in secure circumstances and thereafter ensure that we retain your data for no longer than is necessary. All electronic based information which is received by the Pathology Delivery Board / Forensic Pathology Unit is recorded and retained on Home Office systems. Emails and communications data are stored on secure Home Office electronic systems which are password protected and subject to internal review processes in consideration of our data retention policy (see below at 18).
12. Hard copy documentation is scanned on to Home Office electronic systems and then either returned to the originator (for example: original certificates) or shredded using a cross-cutting shredder machine. The scanned copy is subject to internal review processes in consideration of our data retention policy (see below at 18).
13. Your personal information will be held for as long as necessary for the purpose for which it is being processed and in line with Pathology Delivery Board’s data retention policy (see below at 18).

What is our lawful basis for the processing of your data?

14. The role of the Pathology Delivery Board was created by Royal Prerogative in 2006. The Pathology Delivery Board has a responsibility to record information received, and to process it and retain it where to do so is necessary for the Pathology Delivery Board to discharge its legal functions and to demonstrate legitimacy and transparency of those functions it undertakes in support of the public interest.
15. ‘Public Task’ is the relevant lawful basis for the Pathology Delivery Board processing personal data under the terms of data protection legislation covered within Article 5a of the General Data Protection Legislation. Processing (i.e., any operation or set of operations which is performed on personal data or sets of personal data) is undertaken in the exercise of official authority which covers public functions and powers that are set out in law.

16. There is a small amount of stakeholder information described above that is collected for the sole purpose of sharing Pathology Delivery Board information such as new publications. This information is collected based on consent and is reviewed regularly under our data retention policy.
17. The Pathology Delivery Board / Forensic Pathology Unit has no involvement with processing operations that constitute automated decision making (i.e. decisions involving the processing of personal data that involve decisions taken through automated processes).

Sources and categories of information

Data Retention Policy

18. The table below sets out our data retention policy for types of personal data obtained by the Pathology Delivery Board and Forensic Pathology Unit, and the retention periods for such data:

Category	Personal Data	Retention Period
Home Office Register of Forensic Pathologists and trainee forensic pathologists	Personal contact details of pathologists, including the protocol, and documents supplied in support of application. Emails in relation to issues which are ongoing or which may impact on issues in the future.	Whilst a member of the register or a trainee and for a 10-year period thereafter (to assist the criminal justice system in relation to historical cases).
Sub specialist and organ specific experts including paediatric pathologists entered on to the National Crime Agency register of experts	Personal contact details. Emails in relation to issues which are ongoing or which may impact on issues in the future.	Duration that the specialist remains on the National Crime Agency database.
Members of the Pathology Delivery Board and its sub committees	Personal contact details. Emails in relation to issues which are ongoing or which may impact on issues in the future.	Duration that the member remains on the Pathology Delivery Board.
Complaints against Home Office registered forensic pathologists and trainees	Various data specific to the individual complaint, including letters and electronic communications, witness statements, solicitor's letters and communications from the complaint subject.	In accordance with the Suitability Rules 2012 (as amended); https://www.gov.uk/government/publications/suitability-rules-for-forensic-pathologists-2013
Correspondence from any person (including members of the public; coroners or coroner's representatives; fellow pathologists; courts	Information contained within the communication in relation to issues which are ongoing or which may impact on issues in the future.	One year unless the communication is in relation to an ongoing issue or an issue which may re-emerge in the future, in which case as long as the matter

and legal representatives and the police.		remains un-resolved.
Enquiries from members of the public.	Telephone, letters and email correspondence.	Until the purpose of the communication is resolved which would usually mean deletion as soon as the matter is dealt with.
Historical record of the Home Office Register of Forensic Pathologists	Name, Group Practice and date of registration on the Home Office Register.	Indefinitely, to ensure to assist the criminal justice system in historical cases.
Internal emails /communications data within Home Office.	Emails and internal communications.	12 months. These are high volume messages which facilitate the administration of the Pathology Delivery Board and support functions.

19. There will inevitably be exceptions to the above which out of necessity may arise from a legal responsibility or significant public interest.

Data Protection Officer

20. Since personal data processed by the Pathology Delivery Board is done by Home Office officials within the Science Secretariat, Pathology, Regulation and Services Unit, we work closely with the Home Office Data Protection Officer. The Science Secretariat, Pathology, Regulation and Services Unit also has trained Data Protection Practitioners within the team.
21. The contact details of the Home Office Data Protection Officer
- Email: dpo@homeoffice.gsi.gov.uk
 - Postal address: Office of the DPO, Peel Building, 2 Marsham Street, London SW1P 4DF
 - Telephone number: 020 7035 6999

Requesting access to your personal data

22. You have the right to request access to the personal information the Pathology Delivery Board holds about you. Details of how to make the request should be submitted to:
- Home Office Science Secretariat, Pathology, Regulation and Services Unit
14th Floor (long corridor), Lunar House
40, Wellesley Road
Croydon
CR9 2BY
ScienceSupportFOI@homeoffice.gsi.gov.uk

Other rights

23. In certain circumstances, you have the right to:

- i. object to and restrict the use of your personal information, or to ask to have your data corrected.
- ii. (where you have explicitly consented to the use of your personal data and that is the lawful basis for processing) the right to withdraw your consent to the processing of your data and the right to data portability (where processing is carried out by automated means).

Questions or concerns about personal data

- 24. If you have any questions or concerns about the collection, use or disclosure of your personal information please contact the Home Office via ScienceSupportFOI@homeoffice.gsi.gov.uk.
- 25. You have the right to complain to the Information Commissioner's Office about the way the Pathology Delivery Board is handling your personal information. You can contact the ICO on 0303 123 1113 or via email by accessing the following link in their website <https://ico.org.uk/global/contact-us/email/>. Alternatively, you can write to the ICO at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Forensic Pathology Unit
Science Secretariat, Pathology, Regulation and Services
Security, Science and Innovation Directorate
Capabilities and Resources Group
Home Office
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