

Privacy Notice for the Birmingham and Solihull Coroner's Service

Birmingham and Solihull Coroners service ("The Coroner") is the data controller for the purposes of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) which means that it determines the purposes for which your data is collected and how it is used. The purpose of this privacy notice is to tell you about what information is collected about you when you use our service, how that information is used, with whom it is shared and how long it is kept.

The Coroner is supported by an Area Coroner and team of Assistant Coroners who are data controllers in their own right.

What data we collect and the lawful basis for processing it:

The Coroner will only process your personal data when there is a lawful basis to do so (Article 6 GDPR).

The Coroner typically processes personal data in two ways:

- Judicial processing (when acting in a judicial capacity)
- Non-judicial processing (when acting in a non-judicial capacity)

Judicial processing makes up the vast majority of the Coroner's processing of personal data.

We may process data such as personal details, family details, lifestyle and social circumstances, financial details, and employment and education details.

We also process special categories of data including criminal offences and alleged offences, physical or mental health details, racial or ethnic origin, religious or other beliefs, sexual orientation, and criminal proceedings, outcomes and sentences.

When we are processing for a judicial function our lawful bases are:

- To perform a task in the public interest or exercise our official function (the administration of justice)
- To comply with a legal obligation

When we are processing for a non-judicial purpose our lawful bases are:

- Consent
- To perform a task in the public interest or in the exercise of lawful authority
- Legitimate interests

When processing special category personal data we are also required to identify a further condition under Article 9 of the GDPR and this will be either Article 9(2)(f) (judicial processing) or when it is necessary for the administration of justice (DPA 2018, schedule 1, part 2 para.7);

Where we receive your data from:

We primarily receive data directly from you when you engage with our service. However, data will be also received from third parties, such as GP's, the NHS and the police along with others.

Why we need to collect your data:

Birmingham and Solihull Coroners service must investigate all deaths which are violent or unnatural; where the cause of death is unknown; deaths in custody or state detention.

In addition Birmingham and Solihull Coroners service, when carrying out their investigations, may commission

- Post mortems – context, background and supporting information, which may include personal and special classes of data about living people, is processed to assist in the determination of the cause of death.
- Inquests – context, background and supporting information, which may include personal and special classes of data about living people, is processed to assist in the determination of how the death occurred including in some cases the wider circumstances.

Who we share your data with:

Birmingham and Solihull Coroners service may share data with the following organisations:

- Birmingham City Council and Solihull Council
- Chief Coroner
- West Midlands Police
- Pathologists
- Funeral directors
- Cemeteries and Crematoria
- Assistant Coroners
- Birmingham and Solihull Clinical Commissioning Group
- NHS Hospital Trusts
- Public Health England
- West Midlands Police and Crime Commissioner
- Ministry of Justice
- West Midlands Fire & Rescue Service
- Crown Prosecution Service
- Health and Safety Executive
- GP's
- Families affected
- Birmingham Register Office staff
- Other organisations which from time to time are involved with an investigation and who are required to provide evidence or assistance to the Coroner

No personal information is routinely sent or held outside of the EEA. Should the transfer of personal information outside of the EEA become necessary, it will only take place if permitted by law, and then only where there are appropriate safeguards in place to protect the information.

How long do we keep your personal data?

We will stop using your information after the case is closed. Your information will be deleted after 15 years for deaths which do not proceed to an inquest, after two years for information relating to Treasure inquests and will be held indefinitely for information relating to deaths which proceed to an inquest.

Your rights as a data subject:

You have certain rights regarding the data we hold about you. The exact nature of those rights depends on whether your data is being processed for a judicial or non-judicial purpose.

There is an absolute exception from the various data subject rights and the obligations under the GDPR and Data Protection Act 2018 where personal data is processed by a coroner acting in a judicial capacity.

If your information is being processed in respect of a non-judicial activity then then it will be dealt with in accordance with the requirements of the applicable legislation.

Should a data breach occur the Coroner Service will follow the Data Breach Handling and Notification Policy for the Birmingham and Solihull Coroner's Service. The Senior Coroner will also inform the Chief Coroner within 72 hours.

Who to contact:

Our contact details are: Birmingham and Solihull Coroners service, 50 Newton St, Birmingham, B4 6NE.

You may make a request to the Coroner regarding any data held via [**Coroner@Birmingham.gov.uk**](mailto:Coroner@Birmingham.gov.uk). How your request is dealt with will depend on the purpose for which your data is being processed, if we cannot agree to your request then we will explain the reasons why

The Information Commissioner's Office (ICO) does not have competence over the processing of personal data when it is carried out by Coroners acting in their judicial capacity. Supervision of judicial processing is carried out by the Judicial Data Protection Panel. If you have concerns about how your personal data was processed by us exercising our judicial functions please contact the Data Protection Officer at the Ministry of Justice at [**data.compliance@justice.gsi.gov.uk**](mailto:data.compliance@justice.gsi.gov.uk)

If anything in this notice is not clear, or if you have further queries, please contact the Coroner Service on the details provided above.