



Joint Privacy Notice – Coroners Service

Who Will Be Responsible For My Data Once It Is Collected?

Warrington Borough Council & Cheshire Police have responsibilities for your data once it is collected. In Cheshire, the Coroners are based at Warrington Borough Council. They are supported by a team of administrative staff who employed by Warrington Borough Council as well as a team of Coroner's officers who are employed by Cheshire Police.

Why Do You Need My Information?

The Coroner and Police have responsibilities relating to the investigation and reporting of sudden and unexpected deaths in Cheshire.

These responsibilities include investigating sudden and unexpected deaths, ensuring certain deaths are reported to the Coroner and for the Coroner to hold inquests. Warrington Borough Council take the lead for all responsibilities except cases of a death where there is suspected foul play. This responsibility is led by Cheshire Police.

In order for us to fulfil requirements which are set out in law we may need to use information about identifiable living individuals.

What Allows You To Use My Information?

The use of information about identifiable living individuals is governed by the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA):

- Article 6(1)(e) of the GDPR provides both Warrington Borough Council and Cheshire Constabulary with tasks which are in the public interest relating to Coronial matters. These tasks are supported by The Coroners and Justice Act 2009, The Coroners (Inquests) Rules 2013 and The Coroners (Investigations) Regulations 2013. Common Law also provides an additional lawful basis for Police to assist the Coroner with these tasks.
- Schedule 2, Part 1, paragraph 2 of the DPA provides a crime exemption which allows the Coroner to pass referrals to the Police where there is suspected foul play.
- Article 9(2)(g) of the GDPR provides the lawful basis for using special category data where it is in the Substantial Public Interest. This Substantial Public Interest is further supported by Schedule 1, Part 2, paragraph 6 of the DPA as it is necessary for the exercise of a function of the Crown. It is a statutory duty of the Coroner to accept referrals of unexpected or unnatural deaths, investigate, hold inquests and provide appropriate documentation.
- Article 6(1)(a) of the GDPR also allows us to share next of kin details with a suicide support service where you consent for us to do so.
- Section 35(2)(b) of the DPA allows Cheshire Police to investigate criminal matters where foul play has been suspected. Cheshire Police have law enforcement powers to do this.

What Type of Information Will Be Processed?

In almost every case, we will need a record of at least one close family member/next of kin, containing their full name, home address, phone number(s) and email address. We will only use special category data where it is relevant and proportionate to the case. Examples could include religious beliefs (e.g. in the case of faith-specific funeral requirements), health (e.g. circumstances of death, cause of death, GP and clinical reports) and sex life/orientation if it is relevant to the circumstances of the death.

In the case of a death which occurred as the result of a criminal act there may also be criminal offence data stored relating to living individuals.

Who Will My Information Be Shared With?

Data is shared as required by Chief Coroner's Guidance or as required by Police as part of a criminal investigation. Disclosure of evidence must be issued to the next of kin of the deceased person and, in inquest cases, to properly interested parties as designated by the coroner. In this case, data about living people is redacted before disclosure. Some data concerning the spouse of the deceased (e.g. full name, date of birth, occupation) is also provided to the registrar following an inquest conclusion as it is required for the death certificate. Also, we may share limited details about you to a suicide support service where you agree for us to do this.

Do I Have To Provide This Information And What Will Happen If I Don't?

Legislation, such as the Coroners and Justice Act 2009 permits us to do what we do. Anyone the coroner calls upon to provide information/evidence for an investigation is bound to respond. A failure to respond will result in a Schedule 5 Notice or summons being issued against them. The penalty for failure to respond may result in a fine or imprisonment. You may also need to provide your details where a criminal offence is evident.

How Long Will You Keep This Data For And Why?

Some information will be retained for a minimum of 15 years for the purpose of compliance with Rule 26 of the Coroners (inquests) Rules 2013. Information connected with a criminal investigation will be held by Cheshire Police in line with the Management of Police Information (MoPI) retention guidelines.

How Will My Information Be Stored?

Coronial information will be stored on a secure database held by Warrington Borough Council. Criminal investigations will be stored on a secure system held by Cheshire Police.

What Rights Do I Have When It Comes To My Data?

The GDPR and DPA provide you with rights in respect of your data. Different rights will apply in different situations and each request will be assessed on a case by case basis.

- **Right of Access (Subject Access Request)** – subject to exemptions, you have the right to request a copy of your information and to know what it is used for and how it has been shared.
- **Right to be informed** – as detailed through this Privacy Notice.
- **Right to rectification** – you have the right to have personal data rectified if it is inaccurate or incomplete.

- **Right to erasure** – depending on the legal basis for processing your information, you could have the right to have your personal data erased.
- **Right to restrict processing** – depending on circumstances relating to your information, you may have the right to reduce or stop the processing of your data.
- **Right to object to processing** – where processing your personal information is required for the performance of a public interest task (see above), you have the right to object.
- **Right to change your mind** about the sharing of your details with the suicide support service. Please get in touch with your contact within the Coroner’s Service to do this.

Who Can I Complain To If I Am Unhappy About How My Data Is Used?

If you are unhappy about how your request has been dealt with, or if the information held about you is incorrect, you should contact Warrington Borough Council outlining your concerns.

- Email us at contact@warrington.gov.uk
- Phone us on: 01925 443322
- Write to us at: Warrington Borough Council, East Annexe, Town Hall, Sankey Street, Warrington, WA1 1UH
- Use the [online complaints form](#).

We may pass your concern to Cheshire Police if it relates to information being stored by, or used by them. Their data protection contact email is: data.protection@cheshire.police.uk

If we have been unable to resolve your concern to your satisfaction, you also have the right to complain to the Information Commissioner’s Office.

- Website: <https://ico.org.uk/>
- Telephone: 0303 123 1113
- Address: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Will This Information Be Used To Take Automated Decisions About Me?

No, automated decisions are not made about you.

Will My Data Be Transferred Abroad and Why?

Your data will not be routinely transferred outside of the UK. There may be occasional instances where we need to share data for instances where a Cheshire resident has died overseas, or where the next of kin/family live outside of the UK.