

Domestic Homicide Reviews

Privacy Notice

This notice provides additional privacy information in relation to Domestic Homicide Reviews

Sandwell Metropolitan Borough Council respects your privacy and is committed to protecting your personal data.

This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

Purpose(s)

We will use your information in order to;

- protect victims of domestic abuse
- support people who are abusive to change their behaviour
- to safeguard children and vulnerable adults

The information may also support Domestic Homicide Reviews including

- how information is used
- to learn lessons about a death in order to prevent further homicides

This notice sets out what we will do with your personal information and who we may share it with in respect of the above.

General information

Your information might be used to:

- provide information, advice or support in relation to domestic and sexual abuse
- refer you to appropriate services for support
- safeguard you, your children and other vulnerable adults
- prevent and detect crimes
- learn lessons in the event of a domestic homicide

Categories of personal data

For the processing to which this notice relates to be carried out we use the following information:

- personal information - such as: your name, address, telephone number
- special category personal information - such as: your ethnicity, information about your physical and mental health
- details of any crimes that have been committed

- information about your housing situation and details of agencies that you are working with

In relation to Domestic Homicide Reviews, the Council will collect information from agencies who have had contact with those people involved in the death. Family, friends and colleagues of the victim and alleged perpetrator will also be invited to share information as part of the review.

Legal basis for processing

Article 6 1(c) Information required by law

Under law, we are required to process the identified data in order for the Councils to fulfil their duty under the Domestic Violence, Crime and Victims Act 2004 and the Domestic Abuse Act 2021

Under 6 1(c) MARAC referrals, minutes and actions plans, relevant case notes, self-referrals are processed when it is necessary to do so for compliance with a legal obligation to which we are subject.

Article 6 1(e) Public task

Without processing the relevant personal data, we would not be able to perform tasks carried out in the public interest, or in the exercise of official authority.

Under 6 1(e) MARAC referrals, minutes and actions plans, relevant case notes, self-referrals are processed when it is necessary to do so for compliance with a legal obligation to which we are subject.

Special Category data will be processed under Article 9 2(a) and Article 9 2(g) of the UK General Data Protection Regulation. Article 9 2(a) relates to the data subject giving explicit consent to the processing of special category data for one or more specific purposes. Article 9 2(g) refers to special category data being processed where necessary for reasons of substantial public interest, on the basis of domestic la

The legislation underpinning these legal obligations and tasks includes:

- [Domestic Violence, Crime and Victims Act 2004](#)
- [Crime and Disorder Act 1998](#) (preventing crime and disorder, [Section 17](#) – Duty to consider crime and disorder implications, [Section 115](#) – Disclosure of information).

Children Act 2004 ([Section 10](#) – improve wellbeing of children, [Section 11](#) – safeguard and promote the welfare of children). We rely on the following lawful bases on which we collect and use your special categories of personal data:

Article 9 2(g) Substantial Public Interest

Processing is necessary for substantial public interest (for statutory purposes and for the purpose of safeguarding children and individuals at risk).

Article 9 2(j) Archiving, research and statistics

We also rely on condition (4) - research, of Schedule 1 of the Data Protection Act ('DPA') 18, where relying on Article 9(2) (j) to process your special category and criminal offence data.

Information sharing / recipients

We sometimes need to share your data within the Councils, or with other organisations. We will only share your data when necessary and when the law allows us to. We will always share the minimum data required. For matters relating to this privacy notice, we may need to share your personal data with:

- MARAC partners - for high risk victims of domestic abuse (with or without consent)
- West Midlands Police Service for the prevention and detection of crime. We encourage you to always report crimes directly to West Midlands Police service, but if a crime needs reporting to the police to safeguard you, or other people, Council has to share data.
- Specialist providers of domestic abuse services to support victims of domestic abuse and their families

In certain cases, we may also share your personal data with other individuals and organisations. For example, if you made a complaint about a Councillor, or if the sharing would assist with a safeguarding issue; or help prevent a crime. Sometimes we may share your data without your knowledge.

The Council will never sell your data to anyone else.

Automated decisions

For this service all the decisions we make about you involve human intervention.

Data retention / criteria

The Council will retain this information for 20 years.

Rights of individuals

Information about the following is accessible in our section [Your Rights Under the Law](#)

- exercising your rights
- contacting our Data Protection Officer
- raising a concern with us, or
- making a complaint to the Information Commissioner

How to contact us

Please contact the Information Governance Team at Sandwell Council House, Freeth Street, Oldbury, to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

If you are unhappy with how we have used your personal information and would like to make a complaint. You may do so with our regulator Information Commissioner Office, who may be contacted via the [Information Commissioner's Office](#).

Our core data protection obligations and commitments are set out in the [council's primary privacy notice](#).