

Wraxall Church of England

Privacy Notice – COVID-19 Test and Trace

About this Privacy Notice

Wraxall Church of England is part of Lighthouse Schools Partnership (LSP) and is covered by the LSP Data Protection Policy.

Individuals have a legal right to be informed about how we use their personal information. Our aim is to always provide clear information about the personal information we are using and why we are using it. We have tried to keep the language in this privacy notice as simple as possible, however if anything is unclear or if you have any concerns then please contact office@wraxallprimary.co.uk.

This is a specific privacy notice for COVID-19 Test and Trace and is provided in addition to the school's main 'overarching' privacy notice

COVID-19 Test and Trace

The Purposes for Processing

Schools are considered as public authorities for the tracing process of 'Test and Trace'. They have a legal duty to protect and promote the welfare of pupils and a duty of care to staff.

As a private individual, compliance with the test and trace scheme is optional, i.e., you cannot at the present time be forced to provide details. With schools, this is not the case.

If a person in a school has COVID-19 or symptoms of the virus they will be sent home. As, in the case of a positive test, will other people in school who have had contact with this individual and who may be at risk. In a school setting, it would be most unusual for any one person to know the details of everyone else who may be affected. It is only the school that will have that data. We would notify individuals about a risk, and in many instances that will be sufficient.

However, the Department for Education guidance goes on to say:

'As part of the national test and trace programme, if other cases are detected within the child or young person's cohort or in the wider education or childcare setting, Public Health England's local Health Protection Teams will conduct a rapid investigation and will advise schools and other settings on the most appropriate action to take.'

Therefore, in this situation it is not a matter of giving consent to share data; there is a Public Duty to do so. As a school, we will co-operate with such requests. Schools are under an obligation to share data. Although at no point will we share data without a sound legal basis, please be aware that we will share data where necessary.

Responding to the Coronavirus advice from the Government is an obligation on all schools in England:

The development of the NHS Test and Trace scheme is a key part of the government's plan to manage Coronavirus. As more pupils are returning to our schools, the safety and wellbeing of pupils, staff and their families is a priority. Planning to manage a safe return is in place; however, our responsibility extends beyond the school gates.

We hold a lot of data, and it may be necessary for us to share that data on request from NHS Test and Trace workers. We will do this and will play our part in making this process as effective as possible.

It is likely that we will be asked to provide contact details if a case or suspected case of Coronavirus arises in our school. There is an obligation to support the government planning. We will provide details as requested in order to do this.

The Lawful Basis for Processing

We will be sharing data under the following legal basis;

Article 6(1)(e) of the General Data Protection Regulations (GDPR); 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller'

and additionally, as information relating to the health;

Article 9(2)(i); 'processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare'.

The Type of Personal Data That We Will Process

The personal data that we will process will be Name, Date of Birth, Contact Details, NHS Number if available and the fact that the person has Coronavirus, or has been in contact with someone with Coronavirus.

How Long We Will Keep the Data For

As the data will form part of normal school data collected we will retain the data only for the period required to notify the Local Health Protection Team. A note that an individual had Coronavirus, or had been in contact with someone with Coronavirus, will be kept as part of their medical history in line with pupil record retention periods.

How We Share Your Data

The School will share your personal data with the Local Health Protection Team who lead Public Health England's response to health related incidents and form part of NHS Test and Trace. Further information about this can be found here;

<https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works>

Their Privacy Notice is also available here;

<https://contact-tracing.phe.gov.uk/help/privacy-notice>

Complaints and Your Data Protection Rights

As this data is processed under a public task you have the right to object to processing. If you wish to do so or have any other concern or complaint about the way we are collecting or using your personal data, please raise your concern with us in the first instance

office@wrxallprimary.co.uk.

The Information Commissioner's Office, which is the supervisory authority, may be contacted on 0303 123 1113, or via their website, www.ico.org.uk regarding any complaints about how the way that the school handles your data. However, under usual circumstances it may expect you to contact us first to see if we can help to resolve the issues first.

Updates to our Privacy Notice

We may need to update this privacy notice periodically. This version was last updated on 19.10.2020.

This Privacy Notice should be read alongside the LSP Data Protection policy which is available on the LSP website.

If you have any questions please contact the school office.

Contact

If you would like to discuss anything in this privacy notice, please contact:

office@wrxallprimary.co.uk or our Data Protection Officer at j-west@bathnes.gov.uk

01225 395959.