
Privacy Notice - Coronavirus Test, Track and Trace

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Document owner: Head Teacher

Responding to the Coronavirus advice from the Government is an obligation on all Schools in England.

The development of the NHS 'Test, Track and Trace' scheme is a key part of the government plan to manage Coronavirus.

As more pupils are returning to School, 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, Track 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 of Coronavirus or a suspected case arises in our school. There is an obligation to support the government planning and we will provide details if requested to do so.

We will be sharing data on the basis that this is a Public Duty (see below) and that in the case of any health data it is necessary for the public interest, as set out. Please be assured that we will keep a record of information that we share.

This Privacy Notice should be read in alongside the other GDPR and Data Protection on our school website. If you have any questions, do not hesitate to contact us.

NHS Test, Track and Trace and the law

The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows Public Health England to use the personal information collected by NHS Test and Trace.

The section of the GDPR that applies is:

Article 6(1)(e) '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'

As information about health is a special category of personal information, a further section of the GDPR applies:

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'.

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without people's consent where this is in the public interest.

This is known as 'Section 251' approval and includes the use of the information collected by NHS Track and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

What are your rights?

Under data protection legislation, individuals have a right to make a '**subject access request**' to gain access to their personal information that the School holds about them.

You also have the right to:

- Be informed about how Fairfield School uses your personal data;
- Request access to the personal data that Fairfield School holds;
- Prevent processing for the purpose of direct marketing;
- Object to decisions being taken by automated means;
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;
- Claim compensation for damages caused by a breach of the Data Protection regulations.

As the sharing of Test, Track and Trace data is a legal obligation for the School, we are not required to gain consent to share the data.

Who to contact?

If you have a concern about the way Fairfield School are collecting or using your personal data, we request that you raise your concern with us in the first instance.

Our Data Protection Officer can be contacted via stevewalsh@fairfieldschool.uk or on 01924 326 103.

Alternatively, the Information Commissioner's Office (ICO) can be contacted on 0303 123 1113, Monday-Friday 9am-5pm or on <https://ico.org.uk/concerns/>.

Where can you find out more information?

For further information on how Test and Trace Works and what the NHS do with the information see - <https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works> .