

Privacy Notice: COVID-19 Testing

Under data protection law, individuals have a right to be informed about how Gildredge House uses any personal data that we hold about them. We comply with this right by providing Privacy Notices to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data relating to the COVID-19 testing in school.

Gildredge House is the 'data controller' for the purposes of data protection legislation. Our Data Protection Officer (DPO) is East Sussex County Council (see 'Contact us' below).

Ownership of the Personal Data

To enable the COVID-19 testing to be completed at Gildredge House, we need to process personal data for staff and students taking part, including sharing of personal data where we have a legal obligation. Gildredge House is the 'data controller' for the data required for processing the tests and undertaking any actions which are needed by the school to ensure we meet our public health and safeguarding legal obligations.

Personal data relating to COVID-19 tests for students is processed under Paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014 applicable to academies.

Personal data relating to COVID-19 tests for staff is processed under the legitimate interest of data controller to ensure the spread of COVID-19 is minimised in a timely manner and enable the school to continue to deliver education services safely and securely.

If you decline a test, the school will record your decision under the legitimate interest of the school. This enables the school to reduce unnecessary contact with students and/or parents and staff regarding COVID-19 testing.

The processing of special category personal data is processed under the provisions Section 9.2(i) of GDPR, where it is in the public interest on Public Health Grounds. This data is processed under the obligations set out in Public Health legislation (Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI)) which allows the sharing of data for COVID-19 related purposes and where it is carried out by a health care professional OR someone who owes an equivalent duty of confidentiality to that data.

Data controllership is then passed to the Department for Health and Social Care (DHSC) for all data that the school transfers about you and your test results to the DHSC. For more information about what the DHSC do with your data, please see their Test and Trace [Privacy Notice](#). The school remains the data controller for the data the school retains about you.

Personal Data involved in the process

The school uses the following information to help manage and process the COVID-19 tests:

- Name
- Date of birth
- Year Group (if applicable)
- Gender
- Ethnicity
- Home postcode
- Email address
- Mobile number
- Unique barcode assigned to each individual test (this becomes the primary reference number for the test)
- Test result
- Parent/guardian contact details (if applicable)

How we store your Personal Data

The information will only be stored securely on local spreadsheets in school while it is needed. The information will also be entered directly onto DHSC digital services for NHS Test and Trace purposes. The school will not have access to the information on the digital service once it has been entered.

Processing of Personal Data relating to positive COVID-19 test results

The member of staff, student or parent (depending on contact details provided) will be informed of the result by the school.

The school will use this information to enact their own COVID-19 isolation processes without telling anyone who it is that has received the positive test.

The information will be transferred to DHSC, who will share this with the NHS and GPs. PHE and the Local Government will use this information for wider test and trace activities as well as statistical and research purposes.

This information is processed and shared under obligations set out in Public Health legislation under Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) which allows the sharing of data for COVID-19 related purposes.

This information will be kept by the school for up to 14 days and by the NHS for 8 years.

Processing of Personal Data relating to negative test results

The school will record a negative result and the information transferred to DHSC, who will share this with the NHS. PHE and the Local Government will use this information for statistical and research purposes.

This information is processed and shared under obligations set out in Public Health legislation under Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) which allows the sharing of data for COVID-19 related purposes.

This information will be kept by the school for up to 14 days and by the NHS for 8 years.

Processing of Personal Data relating to declining a test

The school will record that you have declined to participate in a test and this information will not be transferred to DHSC.

Data Sharing Partners

The personal data associated with test results will be shared with the following:

- DHSC, NHS, PHE - to ensure that they can undertake the necessary Test and Trace activities and to conduct research and compile statistic about COVID-19;
- your GP - to maintain your medical records and to offer support and guidance as necessary; and
- Local Government to undertake local public health duties and to record and analyse local spreads.

Your rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including:

- **Your right of access:** you have the right to ask us for copies of your personal information.
- **Your right to rectification:** you have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

- **Your right to erasure:** you have the right to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing:** you have the right to ask us to restrict the processing of your personal information in certain circumstances.
- **Your right to object to processing:** you have the the right to object to the processing of your personal information in certain circumstances.
- **Your right to data portability:** you have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, the school has one month to respond to you.

To exercise any of these rights, please contact the school's Data Protection Manager on dataprotection@gildredgehouse.org.uk

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at dataprotection@gildredgehouse.org.uk.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire
 SK9 5AF

Helpline number: 0303 123 1113

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this Privacy Notice, please contact us on dataprotection@gildredgehouse.org.uk

Our Data Protection Officer is East Sussex County Council - schools.dpo@eastsussex.gov.uk

This notice is based on the Department for Education's model privacy notice for the COVID-19 testing, amended to reflect the way we use data in this school.