

Privacy Notice (Pupil Covid-19 Testing)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'information notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use the personal data for pupil Covid-19 testing and results.

Any organisation who holds, processes and shares personal data is known as a data controller under the data protection laws. We, The Brooksbank School, are the Data Controller for the purposes of the Data Protection Act 2018 (DPA) and General Data Protection Regulations 2018 (GDPR).

This privacy notice sets out the following information:

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The personal data we collect and store for staff Covid-19 testing:

- Pupils full name,
- Date of birth,
- Gender,
- Year Group/Form,
- Ethnicity,
- Home address,
- Contact telephone number,
- Parent/carers contact details,
- Unique barcode assigned to the individual test,
- Any health conditions (special category data),
- Whether the pupil currently has any Covid-19 symptoms (special category data),



- The test result for each test taken (special category data).

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Why We collect and store this data

The purpose of processing the data is to reduce the risk of transmission of the Covid-19 virus in schools. It is to allow pupils to attend school in a safe environment and protect any vulnerable pupils or members of staff (and/or their relatives).

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Our legal basis for using this data

Personal Data relating to pupils is processed under the legitimate interest of data controller to ensure we can minimise the spread of Covid-19 in a timely manner and enable us to continue to deliver education services safely and securely.

Personal data relating to tests for pupils is processed in order to comply with Paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014 applicable to academies. This legislation ensures that pupils are safe and their health and welfare is protected in school.

Testing is currently voluntary and we will be requesting consent prior to testing taking place. Consent is our secondary legal basis for processing the personal data for Covid-19 testing.

If you decline a test, we record your decision under the legitimate interest of school in order to have a record of your decisions and to reduce unnecessary contact with you regarding 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 related purposes and where sharing is carried out by a health care professional **or** someone who owes an equivalent duty of confidentiality to that data.

Data Controllorship is then passed to the Department for Health and Social Care (DHSC) for all data that we transfer about you and your test results to them. For more information about what they do with your data please see the Test and Trace [Privacy Notice](#). The establishment remains the Data Controller for the data we retain about you.

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Collecting this personal data

Whilst we already hold some of the personal information about you, we are collecting this information in order to fulfil our obligations to test pupils in order to try to reduce the transmission of Covid-19.

Initially we will carry out the testing and record the results of that testing process. We will notify you/your parents/carers if the result is positive.

The Government have announced that there may be a move to pupils or your parents/carers testing pupils after a period of time. If that is the case we will ask you to complete the testing process and provide us with the results of the test.

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How we store this data

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

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Data Sharing – who we share any personal data with and why

The personal data associated with test results will be shared with

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

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Processing of personal data relating to positive test results

The pupil, student or parent (depending on contact details provided) will be informed of the result by the school/college and advised how to book a confirmatory test.

We will use this information to ensure that anyone who has been in contact with that pupil is told to isolate for the relevant period, 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, 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 related purposes.

This information will be kept by the school for as long as ongoing testing is required and by the NHS for 8 years.

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Processing of personal data relating to negative test results

We will record a negative result and the information transferred to DHSC, NHS, PHE and the Local Government who will use the 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 related purposes.

This information will be kept by the school for as long as ongoing testing is necessary and by the NHS for 8 years.

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Processing of personal data relating to declining a test

We will record that you have declined to participate in a test and this information will not be shared with anyone.

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Your Rights

Under data protection law, you have the following rights:

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, we have one month to respond to you.

Please contact our Data Protection Officer (see DPO section below) if you wish to exercise these rights.

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How to complain

If you have any concerns about our use of your personal information, you can make a complaint to our DPO at info@thedpadviceservice.co.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

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Data Protection Officer

If you have any questions, concerns or would like more information about anything mentioned please contact our data protection officer, Debbie Pettiford (info@thedpadviceservice.co.uk).

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This privacy notice is based on the Department for Education's model privacy notice for Covid testing.