

Felsted School - COVID-19 Testing Privacy Notice

Ownership of the Personal Data

To enable the Covid-19 testing to be completed at Felsted School, we need to process personal data for staff and pupils taking part, including sharing of personal data where we have a legal obligation. Felsted School 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 tests for pupils is processed under paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014. Personal Data relating to staff is processed under the legitimate interest of the data controller to ensure we can minimise the spread of COVID in a timely manner and enable us to continue to deliver education services safely and securely.

The following paragraph is relevant to both pupils and staff taking tests:

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 it 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.

Personal Data involved in the process

We use the following information to help us manage and process the tests:

- Name
- Date of birth (and year group)
- Gender
- Ethnicity
- Home postcode
- Email address
- Mobile number
- Unique barcode assigned to each individual test and which will become the primary reference number for the tests
- Test result

- Parent/guardians contact details (if required)

We will only use information that is collected directly from you specifically for the purpose of the tests, even if you have previously provided us with this information.

How we store your personal information

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

Processing of Personal Data Relating to Positive test results

The member of staff, 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 enact our own COVID 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, 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 up to 14 days and by the NHS for 8 years.

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 up to 14 days and by the NHS for 8 years.

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.

Data Sharing Partners

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 statistic 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.

Your Rights

Under data protection law, you have rights 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, we have one month to respond to you.

Please contact us if you wish to make a request.

Rachel Earle
Compliance Manager
Felsted School
Felsted
Essex
CM6 3LL
Email: compliance@felsted.org

The School's Privacy Notices, Data Protection Policy and Record Keeping Policy are available to view on the School website: www.felsted.org/parents/policies-school-information

How to complain

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

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

Data Protection Frequently Asked Question for parents – COVID testing in Schools and Colleges.

How can you use my child's data? What is the difference between consenting to the test and consenting to you using my child's data?

You will need to give medical consent for your child to take the test (if they are under 16), if you want your child to be tested, you will also need to understand that as part of testing we process their personal data. This processing of their data is allowed under data protection legislation, known as UK GDPR and the Data Protection Act 2018.

We are responsible for the processing of the test and ensuring all the personal data relating to the test is properly managed in accordance with their legal obligations.

Before we can use any personal data in the administration of taking the test and processing the results, we must tell you the lawful basis for why it is necessary to process personal data and it must be in one of 6 reasons which are allowed in UK data protection legislation. For the purpose of COVID-19 we are using Public Task where it is necessary to process personal data to ensure we meet our obligations in education legislation to safeguard and promote the wellbeing of pupils.

Public Health legislation also allows the sharing of personal data with DHSC, Local Government, Test and Trace and the NHS.

You can find details of the specific legislation in the privacy notice or ask your school's data protection officer for more details:

Rachel Earle
Compliance Manager
Felsted School
Felsted
Essex
CM6 3LL
Email: compliance@felsted.org

The School's Privacy Notices, Data Protection Policy and Record Keeping Policy are available to view on the School website: www.felsted.org/parents/policies-school-information

What Personal Data will you be asking for?

When you register for a test you need to provide us with your child's

- Name
- Date of birth (and year group)
- Gender
- Ethnicity
- Home postcode
- Email address
- Mobile number
- Unique barcode assigned to each individual test and which will become the primary reference number for the tests
- Test result
- Parent/guardians contact details (if required)

This allows us to register your child for a test and to process the results. Once your child is registered for a test they will be assigned a unique barcode which will be used to identify the test without the need for sharing a lot of personal data.

Once the test has been completed, we will also record the results.

Do you process any personal data if I refuse the test?

We will record that you have been offered and rejected a test so that we do not keep asking you to agree to a test. **We will not tell any unauthorised person that is not directly involved in the recording of tests who has refused a test. Schools and Colleges will not share refusals with other parents or pupils.**

What Personal Data is used in getting test results?

We will use the personal data you provided when you register your child for the test to send the result to the named parents/guardians of children who test positive for coronavirus on the day of the test. You will not be informed of a negative test.

Who are results shared with?

In the event of a positive result, in addition to sharing with the parent/guardian, we will only share the result with appropriate contacts such as the head teacher and named nominated person in the school to allow us to start their own COVID isolation processes. **We will not tell any unauthorised person (that is anyone not involved in the recording of test results) who has received a positive result. Schools and Colleges will not share positive results with other parents or pupils.**

In the event of a negative result, we will only share the result with appropriate contacts such as the head teacher and named nominated person. **We will not tell any unauthorised person (that is anyone not involved in the recording of test results) who has received a negative result. Schools and Colleges will not share negative results with other parents or pupils.**

All results - both positive and negative - are shared by us with the Department for Health and Social Care (DHSC).

DHSC will share results with the NHS to offer advice and support. Results will also be sent to your GP so they can support you. If you have tested positive, a notification will be sent to Public Health England to enable them to contact people who have been in close contact with your child

Will you tell people connected with my child if they have had a test?

No. We will not tell anyone that is not directly involved with administering the test who has had a test and who has not had a test, or what any of the result

If we have to advise other parents that their child has to isolate due to another pupil receiving a positive test, we will not identify any individual positive results and you do not have any rights to know who may have tested positive.

Will my child's personal data be used for research and statistical purposes?

Yes. However, data used for research and statistical purposes by DHSC/NHS will not use any personal data that can identify your child. Aggregate level data that will not identify individuals will be used. This is lawful under UK data protection legislation.

How will my child's data be used?

Your child's details will be used to complete testing. As part of testing, details of pupils and their parents or guardians, as well as staff, may be used for:

- registering your child and recording their participation in the testing
- matching your child's contact details with health data stored by the NHS
- communicating with you about testing
- contacting you if you are the parent or guardian of someone who is participating in the Programme
- contacting you with your child's test results by text message/email
- contacting you relating to your child's positive or inconclusive result to collect other medical information about your child's health relating to COVID-19
- phoning you to gather feedback to inform improvements that could be made to a full end-to-end testing process.

How long will my child's data be kept for?

We will keep the data used for testing for up to 14 days.

Your child's information will be passed on to the DHSC who will share this information with NHS who will keep it for as long as it is required to provide your child with direct care and to support NHS initiatives to fight COVID-19.

Information held for direct care purposes are stored in line with the Records Management Code of Practice for Health and Social Care 2016. This means such information will be held for up to 8 years before it is deleted.