



## Privacy Statement

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# COVID-19 Lateral Flow Testing

### Ownership of the Personal Data

To enable the coronavirus (COVID-19) testing to be completed at De Salis Studio College, we need to process personal data for staff and students taking part, including the sharing of personal data where we have a legal obligation. De Salis Studio College is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the College to ensure we meet our public health and safeguarding legal obligations.

Personal data relating to tests for students is used with a view to safeguarding and promoting the welfare of children as stated in Section 175 of the Education Act 2002.

Personal Data relating to staff 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.

If either a student or a member of staff decline a test, we record your decision under the legitimate interest of college 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-19 related purposes and where it is carried out by an operative at the College who owes an equivalent duty of confidentiality to that data.

Data Controllorship is then passed to the Department of Health and Social Care (DHSC) for all data that we transfer about you and your test results. 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 which will become the primary reference number for the tests
- Test result



- Parent/guardian/carer's 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 spreadsheets in college whilst it is needed. It will also be entered directly onto the DHSC's digital services for NHS Test and Trace purposes. The College 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, student or parent, guardian or carer (depending on contact details provided) will be informed of the result by the College and advised how to book a confirmatory test.

We 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 the DHSC, who will share this with the NHS, GPs, and 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 College 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 the 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-19 related purposes.

This information will be kept by the College 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 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.

## Your Rights

Under the 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 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 1 month to respond to you.

Please contact us at [trhat@trhat.org](mailto:trhat@trhat.org) if you wish to make a request.

## How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at [trhat@trhat.org](mailto:trhat@trhat.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

## **Privacy Notice – school or college representative contact details for managing delivery of Covid-19 testing.**

### **Purpose of processing personal data**

To enable Covid-19 testing to be delivered by schools and colleges and supported by the Department for Education (DfE), the DfE needs to process personal data of a designated representative for each school or college.

DfE will only use the personal data that is collected from the school or college specifically for the purpose of supporting the delivery of Covid-19 testing in schools and colleges, including the maintenance of an audit record of delivery.

A school or college should share this Privacy Notice with their designated representative to ensure the individual is informed of the processing of their personal data by the DfE.

### **Personal data involved in the process**

A school or college will supply to DfE the following information about a designated representative for the above purpose:

- Name of individual
- Work email address
- Work mobile telephone number

linked to the identity (Unique Registration Number) of the school or college

### **Lawful basis for processing the personal data**

When the school or college supplies the personal data to the DfE for the above purpose, the DfE becomes a Data Controller of that data. The DfE processes the personal data as part of its legitimate interest, supporting schools and colleges in the delivery of their public health duty. The DfE will only process the minimum of personal data required to meet the above purpose.

### **Data sharing partners**

The personal data is securely shared by DfE with a third-party data sharing partner (SERCO, a delivery partner of the Department for Health and Social Care) who will only process the personal data on behalf of the DfE for the above purpose.

### **How we store the personal information**

The information will only be stored and shared securely with the DfE's third-party data sharing partner for the above purpose. Only a restricted minimum of individuals within DfE and the third-party data sharing partner will access the personal information for the above purpose.

### **How long we process your personal data**

The minimum of personal information will be retained by DfE and the third-party data sharing partner only for as long as necessary to fulfil the above purpose, following which it will securely destroyed. DfE currently anticipates the information being retained for a minimum of 12 months.

## **Your Rights**

Under data protection law, individuals have rights relating to their personal information, 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 as described below if you wish to make a request.

## **Further information and how to make a request or complain**

Further information about how the DfE processes personal data is published in the [DfE's personal information charter](#). If you have any concerns about our use of your personal information or wish to make a request or complaint to the DfE please use the contact details published in our information charter.

You can also complain to the ICO if you are unhappy with how DfE uses your data.

The ICO's address:  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Helpline number: 0303 123 1113