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Maintained Schools Privacy Notice for COVID Lateral Flow Tests

Information Governance (IG) Services.

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Introduction

The school should review the Privacy Notice below to ensure that it meets the requirements of what it is being asked to do, in line with the COVID-19 National Testing Programme published by the NHS. Where text is highlighted in red, the school should replace this text as appropriate.

A copy of the Privacy Notice should then be published on the school website and it is recommended that where the school uses a consent form a copy of the Privacy Notice is included, or a link to the Privacy Notice on the website is provided so that parents can review it. It can also be linked to should the school wish to use electronic consent collection methods.

Privacy Notice – Lateral Flow Testing

This document is to read in conjunction with the NHS Test and Trace Privacy Notice available here: <https://www.gov.uk/government/publications/coronavirus-covid-19-testing-privacy-information>.

No testing will be undertaken without permission being sought in the first instance to undertake the testing procedure. Once the test has been undertaken, personal data will be processed in order to progress the results and manage the process.

Ownership of the Personal Data

To enable the Covid-19 testing to be completed within *Summerhill School*, we need to process personal data for staff and students taking part, including sharing of personal data where we have a legal obligation. The *Summerhill School* is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by our schools to ensure we meet our public health and safeguarding legal obligations. All data is processed by maintained schools under the safeguarding powers specified under Section 175 of the Education Act 2002. Data Controllorship is then passed to the Department for Health and Social Care [DHSC] at the point that we transfer data to them.

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]
- Unique barcode assigned to each individual test and which will become the primary reference
- Number for the tests
- Test result

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 in an electronic format at each school whilst it is needed. It will also be entered directly onto DHSC digital services for the 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 test results

The member of staff, student or parent will be informed only if the result is positive by the staff or students' home school and advised how to book a confirmatory test.

Each school will use this information to enact their 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. 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 each school for up to 14 days and by the NHS for 8 years.

Processing of Personal Data Relating to Negative test results

Each school will record a negative result and the information will be 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 each school for up to 14 days and by the NHS for 8 years.

Data Sharing Partners

The personal data associated with test results will be shared with DHSC, NHS, PHE and local government to ensure they take the necessary actions they need to complete under their legal obligations.

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 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 at the address below if you wish to make a request.

Vicki Poole Business Manager
Summerhill School
Lodge Lane
Kingswinford
DY6 9XE

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us by contacting the school at the above address. 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 1111