



Joseph Leckie Academy

COVID-19 Testing Privacy Notice Staff and Students

This policy is reviewed annually

History of Document

Approved by Governors: September 2020
Review date for Document: September 2021

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

Personal data relating to 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 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 you decline a test, we record your decision under the legitimate interest of the Academy 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 a health care professional OR someone who owes an equivalent duty of confidentiality to that data

Data Controllershship 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 Academy 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/carers 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 the Academy whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. The Academy 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, student or parent (depending on contact details provided) will be informed of the result by the Academy 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 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-19 related purposes.

This information will be kept by the Academy for up to 1 month after the national testing programme ends 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-19 related purposes.

This information will be kept by the Academy for up to 1 month after the national testing programme ends 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.

To make a subject access request and receive a copy of your personal information, contact:

Miss C Stroud (Data Protection Lead)
Joseph Leckie Academy
Walstead Road West, Walsall, WS5 4PG

email: JLAGDPR@josephleckieacademy.co.uk

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 JLAGDPR@josephleckieacademy.co.uk if you wish to make a request.

How to complain

Joseph Leckie Academy's Data Protection Officer (DPO) is Paul Withers. If you have any questions about your rights under the Data Protection Act 2018 and GDPR, how the Academy uses your information, or you wish to make a complaint about how we have processed or utilised your data, Paul Withers will be able to help. How to contact our DPO:

Office of the DPO

Resources & Transformation

Civic Centre 3rd Floor (HR Suite)

Walsall Council
Darwall Street, Walsall, WS1 1TP

Email Address: Informationmgmt@walsall.gov.uk

Contact Telephone Number: 01922 650970

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