

COVID-19 TESTING PRIVACY STATEMENT ARCHERS BROOK SEMH RESIDENTIAL SCHOOL

Ownership of the Personal Data

To enable COVID-19 testing to be completed at Archers Brook SEMH Residential School, we need to process personal data for staff and pupils taking part, including sharing personal data where we have a legal obligation. Archers Brook 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 that we meet our public health and safeguarding legal obligations.

Personal data relating to tests for pupils: Section 175 of the Education Act 2002 for maintained schools.

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 to 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 the 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 highlighted in Section 9.2(i) of the 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.

Data controllership is then passed to the Department for Health and Social Care (DHSC) for all data that we transfer to them about you and your test results. For more information about what they do with your data please see the NHS Test and Trace Privacy Notice. Archers Brook School 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

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- 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)

How we store your personal information

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. Schools/colleges 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 and 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/college for up to 28 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, and the 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.

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This information will be kept by the school/college for up to 28 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.

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 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 within reason. If you make a request, we have one month to respond to you.

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Please contact Mrs J Sedgwick via admin@archersbrook.cheshire.sch.uk or on 0151 338 2141 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 the Schools Data Protection Officer

Schools Data Protection Officer
Cheshire West and Chester Council
HQ, 58 Nicholas Street
Chester
CH1 2NP
Email: schoolDPO@cheshirewestandchester.gov.uk

If you remain dissatisfied, you have the right to report your concern to the Information Commissioner's Office (ICO).

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

Telephone: 08456 30 60 60 or 01625 54 57 45
<https://ico.org.uk>