



## **COVID-19 Testing Privacy Statement**

### **Ownership of the Personal Data**

To enable the Covid-19 testing to be completed at the 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 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.

All 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 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. It is also required in order to comply with a staff member's contract of employment.

### **For both students and staff taking a test:**

If you decline a test, we will keep a record of your decision 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 either by a health care professional or someone who owes an equivalent duty of confidentiality to that data.

Data Controllership is passed to the Department for Health and Social Care (DHSC) for all data that we transfer about you (including your test results). For more information about what they do with your data please see the Test and Trace [Privacy Notice](#).

The 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
- 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 spreadsheets in school whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. We 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 School 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. Public Health England (PHE) and 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 school for up to 30 days beyond the end of the testing project, 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 will be transferred to DHSC and NHS. PHE and local government 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 30 days beyond the end of the testing project, 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 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.

Please contact us at [jhowkins@bentleywood.harrow.sch.uk](mailto:jhowkins@bentleywood.harrow.sch.uk) or [dataservices@judicium.com](mailto:dataservices@judicium.com) if you wish to make a request.

## Contact

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with [schooloffice@bentleywood.harrow.sch.uk](mailto:schooloffice@bentleywood.harrow.sch.uk) in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the school in the first instance then you can contact the DPO on the details below: -

Data Protection Officer: Judicium Consulting Limited  
Address: 72 Cannon Street, London, EC4N 6AE  
Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)  
Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)  
Lead Contact: Craig Stilwell

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

The ICO's address:

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

Helpline number: 0303 123 1113