



Sandwell Valley COVID-19 Testing Privacy Statement February 2021

Ownership of the Personal Data

To enable the COVID testing to be completed at our SVS, we need to process personal data for staff and pupils taking part, including sharing of personal data where we have a legal obligation. SVS 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.

Personal data relating to tests for pupils is processed under public task (Article 6.1(e) of the UK GDPR) and our legal obligations (Article 6.1(c) of the UK GDPR) set out in paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014 applicable to SVS.

Personal Data relating to staff is processed under the public task (Article 6.1(e) of the UK GDPR) and to ensure we meet our legal obligations (Article 6.1(c) of the UK GDPR) safeguard children by minimising the spread of COVID in a timely manner and 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 public task (Article 6.1(e) of the UK GDPR) 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 in Article 9.2(i) of the UK 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 by a health care professional or someone who owes an equivalent duty of confidentiality to that data.
- Data Controllorship 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 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 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.

SVS will maintain a test kit log which will record against your name details of the testing kit which has been provided to you. SVS may also record Personal Data about you in its internal COVID-19 test register (SVS COVID-19 test register will not be shared with DHSC). This information will only be stored securely on locally managed systems with appropriate access controls in SVS and will only be accessible to personnel involved in the management of tests and implementing local arrangements in the event of a positive test.

SVS will retain its test kit log and COVID-19 test register for a period of twelve (12) months from the date of the last entries made by SVS into them.

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 and advised how to book a confirmatory test.

We 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, 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 SVS for a period of twelve (12) months and by the NHS for eight (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 related purposes.

This information will be kept by the school for up to 14 days and by the NHS for 8 years before being securely destroyed.

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 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 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 dataprotection@ske.uk.net 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 dataprotection@ske.uk.net.

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