

Data Privacy Statement

COVID-19 Testing in Schools and Colleges

The Potteries Educational Trust is committed to protecting your privacy. This privacy statement explains how we collect, use and share your personal information, and your rights in relation to the personal information we hold.

This privacy notice concerns anyone who is asked to participate in the COVID-19 lateral flow testing process being operated by the academies within Potteries Educational Trust.

To enable the Covid-19 testing to be completed at each of our academies, we need to process personal data for staff, students and pupils taking part, including sharing of personal data where we have a legal obligation.

What data do we collect and use?

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.

Why do we collect and use your information?

The Potteries Educational Trust is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the school / college to ensure we meet our public health and safeguarding legal obligations. Personal Data relating to employees is processed under the legitimate interest of The Trust as 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.

If you decline a test, we record your decision under the legitimate interest of the Trust in order to maintain a record of your decisions and to reduce unnecessary contact with you regarding testing. Your decision to decline a voluntary test will not affect your access to work or education.

The processing of special category personal data is processed under the provisions Section 9.2(i) of GDPR, 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 someone who owes a duty of confidentiality to that data.

How long is your data stored for?

The information you provide will only be stored securely in school/college whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. Our 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 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 will be kept by the school/college for up to 14 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 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/college for up to 14 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 and this information will not be shared with anyone.

Will your information be shared?

Information is shared with and 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 their published Test and Trace Privacy Notice. The Potteries Educational Trust remains the Data Controller for the data we retain about you.

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.

How do we protect your data?

Your data is held securely on the Trust's network or in a secure cloud location provided by one of our IT partners. Our databases are accessible to those staff who need to use information in their day-to-day activities or as part of our arrangements to keep students safe. All staff have completed the Trust's data protection training and receive regular updates to keep their knowledge and understanding up to date.

What are your rights?

The Data Protection Act (2018) and General Data Protection Regulations (GDPR) give individuals a number of specific rights in relation to their personal information. You have the right to:

- Be informed of the identity of the controller, the reasons for processing their personal data and other relevant information necessary to ensure the fair and transparent processing of personal data; **We aim to do this through this Privacy Statement**
- Request access to the information we hold about you (Subject Access Request); **You can do this online at potteries.ac.uk/data-protection**
- Object to processing of personal data that is likely to cause, or is causing, damage or distress; **Please contact the Data Protection Officer if you would like to discuss any concerns**
- Prevent processing for the purpose of direct marketing; **We always provide you with a way to stop receiving marketing communications from us**
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and/or
- Claim compensation for damages caused by a breach of the data protection regulations. **Please contact the Data Protection Officer if you would like to discuss any concerns**

Contacting the Trust

You will find up to date information about our Data Protection Officer, how to make a request for your personal information, and other useful information about Data Protection on our website : potteries.ac.uk/data-protection

You can also write to the Data Protection Officer:

The Information Office
The Potteries Educational Trust
The City of Stoke-on-Trent Sixth Form College
Leek Road
Stoke-on-Trent
Staffordshire
ST4 2RU

Where can you find out more information?

If you have a concern about the way we are collecting or using your personal data, we would always ask you to raise your concern with us in the first instance. You can e-mail the Data Protection Officer or ask for a conversation with them at any time. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>