

R U N S H A W C O L L E G E

DOCUMENT TITLE: Privacy Notice – COVID-19 Lateral Flow Testing & Processing

APPROVED BY:

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DOCUMENT OWNER:

Director of Facilities

POSITION:

Data Protection Officer

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1 Introduction

- 1.1 Runshaw College values the rights and privacy of all staff, students, parents/guardians, volunteers, contractors, suppliers, consultants and visitors who are directly affected by its activities or sites.
- 1.2 This privacy notice sets out how the College may collect and use the personal information collected from the arrangement and processing of COVID-19 Lateral Flow Tests.
- 1.3 In accordance with the General Data Protection Regulation 2016 and the Data Protection Act 2018, the College aims to:
 - Be open with people about how we use their information.
 - Keep information no longer than is necessary.
 - Make sure information is accurate.
 - Ensure that information is held, and processed securely.
 - Understand the information it holds, and what can be done with it (such as sharing)
 - Recognise a Data Breach and handle it accordingly.

2 Categories of Personal Information

- 2.1 The college may collect or acquire information relating to Staff and Students roughly categorised as:
 - Personal Information (such as name, date of birth, address).
 - Service Usage (such as participation or refusal to participate).
 - Special Category Personal Information (Gender, Ethnicity, Medical Information .e.g. Positive/Negative Result)
 - Close Contact Details (such as names and contact information)

3 Why We Collect and Use Information

- 3.1 Staff and Students
 - For Safeguarding and Security purposes.

4 The Lawful Basis for Which We Carry Out Processing

- 4.1 In order to comply with the General Data Protection Regulation, we will inform Staff and Students where they are required to provide certain information or whether there is choice.
- 4.2 Personal data relating to tests for students is collected in reference to Section 175 of the Education Act 2002.
- 4.3 Personal Data relating to staff is processed under the legitimate interest of the College 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.
- 4.4 If you decline a test, we record your decision under the legitimate interest of the College in order to have a record of your decisions and to reduce unnecessary contact with you regarding testing.
- 4.5 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 by a health care professional OR someone who owes an equivalent duty of confidentiality to that data.

5 Ownership of the Personal Data

- 5.1 To enable the Covid-19 testing to be completed, we need to process personal data for staff and students taking part, including sharing of personal data where we have a legal obligation. Runshaw College is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the college to ensure we meet our public health and safeguarding legal obligations.
- 5.2 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 College remains the Data Controller for the data we retain about you.

6 Personal Data involved in the process

- 6.1 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)
- 6.2 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.

7 How we store your personal information

- 7.1 The information will only be stored securely on local spreadsheets in school/college 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.

8 Processing of Personal Data Relating to Positive test results

- 8.1 The member of staff, 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.
- 8.2 We will use this information to enact their own COVID isolation processes without telling anyone who it is that has received the positive test.
- 8.3 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.
- 8.4 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.
- 8.5 This information will be kept by the school/college for up to 14 days and by the NHS for 8 years.

9 Processing of Personal Data Relating to Negative test results

- 9.1 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.
- 9.2 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.
- 9.3 This information will be kept by the school/college for up to 14 days and by the NHS for 8 years.

10 Processing of Personal Data relating to declining a test

- 10.1 We will record that you have declined to participate in a test and this information will not be shared with anyone.

11 Data Sharing Partners

- 11.1 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.

12 Security

- 12.1 The security of the College's systems which process and store data are regularly reviewed in accordance with the requirements set out in the Information Security Policy. This can be found at:

<https://www.runshaw.ac.uk/college-policies/>

13 Withdrawing Consent

- 13.1 Where information has been provided on the basis of consent, you have the right to withdraw that consent.
- 13.2 Staff and Students wishing to withdraw consent should consult the Programme Office or HR who will direct the request to the relevant team.
- 13.3 In all other instances those wishing to withdraw their consent should contact the Data Protection Officer, whose details can be found below.

14 Third Country Transfers

- 14.1 The College does not normally transfer your personal information to third-countries, however should the need arise for this to take place we will endeavor to inform you along with information related to safeguards in place.

15 Data Controller

- 15.1 The Data Controller for information we process is Runshaw College unless otherwise stated.

- 15.2 Our postal address is:

Runshaw College
Langdale Road
Leyland
PR25 3DQ

16 Questions or Concerns about Personal Data

- 16.1 If you have any questions or concerns about the College's collection, use, or disclosure of personal information, please email the College's Data Protection Officer:

DataProtectionOfficer@runshaw.ac.uk

- 16.2 You can also contact the College's Data Protection Officer by writing to:

The Data Protection Officer
Runshaw College
Langdale Road
Leyland
PR25 3DQ

17 Data Protection Policy

- 17.1 Further information regarding the College's use of student information can be found by reviewing the Data Protection Policy.

- 17.2 The College's Data Protection Policy can be found at:

<https://www.runshaw.ac.uk/college-policies/>

18 Your Rights

- 18.1 Under the General Data Protection Regulation, subjects have under certain circumstances a number of rights.

18.2 Subjects may have the right to:

- Access information held about them by the College.
- Object to processing of personal data that is likely to cause, or is causing, damage or distress.
- Prevent processing for the purposes of direct marketing.
- Object to decisions being taken by automated means.
- Have inaccurate data rectified, blocked, erased or destroyed.
- Claim compensation to damages caused by a breach of the General Data Protection Regulation.

18.3 In order to exercise your rights regarding personal information, please contact the College's Data Protection Officer using the details found above.

19 Complaints

19.1 If you have a complaint about the way the College is collecting or using personal data, we request that you raise your concern with the College's Data Protection Officer in the first instance.

19.2 Alternatively, you may follow the guidance available in the Complaints Policy which can be found by visiting:

<https://www.runshaw.ac.uk/college-policies/>

19.3 Alternatively, you can contact the Information Commissioner's Office at:

<https://ico.org.uk/concerns/>

20 Further Information

20.1 To find out more about the data collection requirements placed on us by the Department of Health & Social Care, please visit:

<https://www.gov.uk/government/publications/phe-privacy-information/covid-19-privacy-information>

21 Children

21.1 The college does not knowingly solicit information from children under the age of 13 or send them requests for personal information.

22 Changes to This Privacy Notice

22.1 From time to time, the College may review the contents of this Privacy Notice. The latest version of this Privacy Notice should always be found by visiting:

<https://www.runshaw.ac.uk/college-policies/>

23 Related Policies

Data Protection Policy
Information Security Policy
Archive and Retention Policy
Privacy Notice – Staff
Privacy Notice – Students
Child and Vulnerable Adult Policy
Pandemic Policy
Covid-19 Risk Assessments

Document Control

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Distribution List

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David Sharrock	Director of Facilities	Facilities
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Tanya Meredith	Quality Director	QMIST/SMT
Data Protection Working Group		DPWG

Version History

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0.1	IM-53213	18/08/2018	Nicky McIlwraith / DHSC	Initial template provided by NHS Test & Trace.
0.2	IM-53213	02/01/2021	Alex Harding	Merged into Runshaw Policy Format & Draft Completed
1	IM-53213	19/01/2021	Alex Harding	Approved SMT IMT 19/01/2021