



Haydon School

COVID-19 Testing Privacy Statement

Ownership of the Personal Data

To enable the COVID-19 testing to be completed at Haydon School ('the Academy'), we need to process personal data for staff and students taking part, including sharing of personal data where we have a legal obligation.

Haydon School is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the Academy to ensure we meet our public health and safeguarding legal obligations.

We are required to support the wellbeing of our students and staff.

Personal data relating to COVID-19 tests for students is processed under paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014 applicable to academies. We are also required to meet our public duties in order to operate and to support the efforts to stop the spread of COVID-19. This means we can use the personal data as part of delivering a task in the public interest. This is covered by Article 6(1)(e) of the GDPR.

Personal data relating to our staff is processed under the legitimate interest of the data controller to ensure we can minimise the spread of COVID-19 in a timely manner and enable us to continue to deliver education services safely and securely. In addition, the Academy has a legal obligation under the Health and Safety at Work Act 1974 to take all steps that are reasonably practical to ensure the health and safety of our staff.

If you decline a test, we record your decision under the legitimate interest of the Academy 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 carried out 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.

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 Academy 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.

Test processors (Academy staff) only: please be advised that we are required to keep a record of the number of positive, negative and void tests that you have processed for our internal training purposes.

COVID site team only: please note that we will keep records of your NHS Test and Trace training certificates for the duration of the testing programme.

How we store your personal information

The information will mainly be stored securely on local spreadsheets in school and school's shared 'COVID-19 Rapid Testing' Google drive whilst it is needed. Parental permission to participate in COVID-19 testing (Medical Test Consent) is recorded and stored on EVOLVE. Permission to participate in COVID-19 tests (Medical Test Consent) for students over 16 who are able to provide informed consent is recorded via Google forms. Staff permission to participate in COVID-19 tests (Medical Test Consent) is recorded via Google forms. The information will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. Haydon School 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 or parent (depending on contact details provided) will be informed of the positive test result by the Academy and advised on 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, 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 Academy for a minimum of 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 will be transferred to DHSC, NHS, PHE and the 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 Academy for a minimum of 14 days and by the NHS for 8 years.

Processing of Personal Data relating to void test results

An unclear, void result means it's not possible to give a result from the test taken this time. This can be for several different reasons. If this happens, you will be advised to have another test.

We will record a void test result and the information will be transferred to DHSC, NHS, PHE and the 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 Academy for a minimum of 14 days and by the NHS for 8 years.

How long will we retain the data

All personal data will be held securely and will only be held for as long as is necessary for the purposes described in this Privacy Statement (for the duration of the testing programme plus one month). It will be disposed of in a safe and secure manner or will be anonymised, so it will not be associated with you and may then be retained for a longer period.

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.

Haydon School DfE representative contact details for managing delivery of COVID-19 testing – COVID site team only

To enable for COVID-19 testing to be delivered by the Academy and in order to receive support by the Department for Education (DfE), Haydon School will share personal data of a designated representative (name, work email address, mobile phone number) with the DfE. In exceptional circumstances and with the explicit consent of the designated representative, personal mobile number will be shared with the DfE in order to facilitate multi-factor authentication logins to the log test site. Please refer to the 'DfE Privacy Notice – school or college representative contact details for managing delivery of COVID-19 testing' for more information (available from the school's DPO).

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

Please contact our DPO at dpo@haydonschool.org.uk 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 by emailing dpo@haydonschool.org.uk.

You can also complain to the ICO if you are unhappy with how we have used your information. The ICO's address: Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF, Helpline number: 0303 123 1113.