

Anglian Learning – COVID-19 Testing Privacy Statement

Under data protection law, individuals have a right to be informed about how Anglian Learning uses any personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data.

This privacy notice explains how we process personal data about individuals that for the purposes of COVID-19 testing.

Who we are

For the purposes of Data Protection legislation, the Academy Trust, Anglian Learning, is the Data Controller and is in charge of the data collected and undertaking any actions which are needed to ensure we meet our public health and safeguarding legal obligations.

The postal address of the Trust is:

Anglian Learning
c/o Bottisham Village College
Lode Road
Bottisham
Cambridge
CB25 9DL

The role of the Data Protection Officer for the Trust is being undertaken by The ICT Service. Our Data Officer at The ICT Service is Paul Stratford who can be contacted on 01480 373229 or dpo@theictservice.org.uk.

In this policy 'we' and 'us' means the Academy Trust.

Ownership of the Personal Data

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

Personal Data relating to pupils is processed under the legal requirement of the data controller as defined within 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 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.

Consent is legally required for medical examinations and procedures and if a member of staff or pupil declines a test, we record the decision under the legitimate interest of

school in order to have a record of the decision and to reduce unnecessary contact regarding testing.

The sharing 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 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 the data please see the Test and Trace [Privacy Notice](#). Anglian Learning 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.

The data is not automatically processed and any decisions are made by human intervention.

How we store your personal information

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. Anglian Learning 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 Anglian Learning 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 Anglian Learning 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.

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 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.

More information about your rights is available in our data protection policy on the Anglian Learning website (<https://anglianlearning.org/financial-documents/data-protection/>)

Please contact us at dpo@anglianlearning.org 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 dpo@anglianlearning.org or our Data Protection Officer at dpo@theictservice.org.uk or by letter at the following address:



Paul Stratford
Speke House
17 Compass Point Business Park
Stocks Bridge Way
St Ives
Cambridgeshire
PE27 5JL

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

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