

PRIVACY NOTICE (COVID testing at home)

Under data protection law, individuals have a right to be informed about how the Trust and its schools use any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **staff and pupils** in relation to **conducting COVID-19 mass testing through home testing**. It should be read in conjunction with the general privacy notices available at <https://www.northernambition.org.uk/data-protection/>

We, Northern Ambition Academies Trust, are the 'data controller' for the data required for administering the tests and undertaking any actions which are needed to ensure we meet our public health obligations.

Our data protection officer is Anastasia Byard (see 'Contact us' below).

The categories of information we collect, hold and share for this purpose

- Name
- Date of birth
- Unique code assigned to each individual test and which will become the primary reference number for the tests
- Test result

Why we collect and use this information

Personal data relating to consenting to testing

We will record that you have consented to participate in a test for the purpose of administering the tests to the relevant individuals. You provide this consent by accepting a pack of LFD tests and using these to test yourself at home. This information will be shared with DHSC, NHS, PHE and Local Government by virtue of submission of your test results on their online portal.

We will not share personal data relating to anyone who has not consented to testing. All staff and pupils will be recorded as not having consented until written consent is received.

Personal data relating to positive test results

We will use the data to inform any individuals with a positive result that they must isolate and seek a confirmatory PCR test. We will also use this data to notify any close contacts that they must isolate, without identifying the person who received the positive test result.

Information about positive tests will be transferred to DHSC when an employee or parent of a pupil enters their test result on the online portal, who will share this with the NHS, GPs, PHE and Local Government for wider test and trace activities as well as statistical and research purposes.

Personal data relating to negative test results

We will record a negative result on our internal spreadsheet to confirm no isolation protocols need to be enacted. This information will be transferred to DHSC, NHS, PHE and Local Government for statistical and research purposes when an employee or parent of a pupil records their test result on the DHSC portal.

Personal data relating to void test results

We will record a void result on our internal spreadsheet to identify any recurring issues with batches of LFT devices. The information will be transferred to DHSC, NHS, PHE and Local Government for statistical, quality assurance and research purposes when the employee or parent of a pupil records their test result on the DHSC portal.

The lawful basis on which we use this information

Personal data relating to tests for staff and pupils is collected in accordance with the GDPR under the following articles:

- Necessary to perform a task carried out in the legitimate interests of the data controller (GDPR Article 6, 1f)
- Necessary for reasons of public interest in the area of public health (GDPR Article 9, 2i)
- Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross border threats to health. (DPA 2018, Schedule 1, Part 1(3))

If you consent to the testing process, we record your decision under the legitimate interests of the Trust in order to have a record of your decision.

The 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 and shared 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, in this case individuals appointed by the Trust to manage the testing process.

Data controllership is passed to the Department for Health and Social Care (DHSC) for all data that we transfer to them about you and your test results. For more information about what they do with your data please read the [Test and Trace Privacy Notice](#).

Collecting your information

The school will maintain a test kit log which will record your name, signature and details of the testing kit which has been provided to you. This constitutes your consent to participate in testing. We will ask you for this information whenever you are issued with a new pack of testing kits. The school will also record your name, date of birth, date of test and test result on an internal test result spreadsheet each time you report a test result.

As part of the testing process, anyone being tested is also required to record the outcome of their results on the DHSC website. You will need to enter your personal data directly onto this system.

Storing your data

Personal information (name, date of birth etc) is already stored on the Trust's management information systems and is covered under the general privacy notices for staff, pupils and parents available at <https://www.northernambition.org.uk/data-protection/>

Information relating to consent and details of the test kits which have been issued to staff and pupils will be retained for as long as the testing system is required to be in operation. It will be deleted 12 months after the last log entry or earlier if advised by DHSC.

Information relating to test results will be stored securely on spreadsheets in school whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. Schools will not have access to the information on the digital service once it has been entered. Information relating to test results will be kept by the school for 14 days and by the NHS for eight years. After 14 days the school will delete information relating to test results.

Who we share your information with and why

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.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information that we hold about you or your child.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

To make a request for your personal information, please contact your school's Business Manager in the first instance.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you would like to discuss anything in this privacy notice, please contact:

Anastasia Byard

Data Protection Officer

Tel: 01977 664555

Email: dataprotection@northernambition.org.uk

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