

## COVID-19 Testing Privacy Notice

*This Privacy Notice supplements and should be read alongside the 'Privacy Notice for Staff', 'Privacy Notice for parents/carers: How we use your child's personal data' and 'Privacy Notice for Students', which are available on our website. We **East Midlands Academy Trust, Pyramus House, Roman Way, Grange Park, Northampton NN4 5EA** are the 'data controller' for the purposes of data protection law.*

### Ownership of the Personal Data

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

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

### Our Lawful basis for processing

Personal data relating to Covid testing is processed under Article 6 (1) (e) of the UK GDPR where 'processing is necessary for the performance of a task carried out in the public interest or the exercise of official authority vested in the data controller'

This is based on the School proprietor's official authority for the conduct of the School, Section 175 of the Education Act 2002; and paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014 for independent schools including School Schools and Alternative Provision Academies.

If you decline a test, we record your decision under the legitimate interest of the School so that we have a record of your decisions and to reduce unnecessary contact with you regarding testing.

We will process special category personal data under the provisions of Article 9 (2) (i) of the UK GDPR and Part 1 of Schedule 1(3) of DPA 2018, where processing is necessary for reasons of public interest in the area of public health' to ensure we can minimise the spread of COVID in a timely manner and enable us to continue to deliver education services as safely and securely as possible. 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 Controllership 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 [Privacy Notice](#). The School 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 Covid-19 testing, even if you have previously provided us with this information.

### How we store your personal information

The data will be stored securely on local machines with appropriate security and access controls and will only be accessible to personnel involved in the management of tests and implementing local arrangements in the event of a positive test.

The data will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. The 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 result by the School and advised how to book a confirmatory test.

The school will use this information to enact its COVID isolation processes.

The information will be transferred to DHSC, who will share this with the NHS, GPs, PHE and the Local Government and will be used 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 school 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 will be transferred to DHSC, who will share this with the NHS, GPs, PHE and the Local Government and will be used 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 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 ([Privacy Notice](#))
- NHS ([Privacy Notice](#))
- PHE ([Privacy Notice](#))

– 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** -In certain circumstances, you have the right to ask that we transfer the personal information you gave us to you or another organisation.

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.

To make such a request please contact our data protection officer:

**Name:** Mr Paul Wheeler

**Email:** [paul.wheeler@emat.uk](mailto:paul.wheeler@emat.uk)

### Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our data protection officer.

Alternatively, you may also raise your concern with the Information Commissioners Office (ICO) by following this link <https://ico.org.uk/make-a-complaint/> or write to:

**Information Commissioner's Office**  
**Wycliffe House Water Lane Wilmslow Cheshire**  
**SK9 5AF**

Helpline number: 0303 123 1113