

## **The Thinking Schools Academy Trust – COVID-19 Testing Joint Privacy Notice**

### **For Saliva Testing at The Portsmouth Academy**

#### **Who we are**

The Department of Health and Social Care (DHSC) has appointed UNIVERSITY HOSPITAL SOUTHAMPTON NHS FOUNDATION TRUST (“UHS”) to establish a sub-regional COVID-19 direct RT-LAMP saliva testing hub and to enable the carrying out of the Covid-19 direct RT-LAMP saliva testing in the School, UHS and the School are required to share limited categories of personal data for the COVID-19 testing programme (‘the Programme’).

This Privacy Notice explains how personal data (information about you and or your child) collected as part of this Programme will be processed (collected, stored, used, and destroyed).

The testing is being taken forward jointly by several organisations and means at different points in the process, different organisations will be processing your/your child’s personal data. All processing of personal data is being done in compliance with data protection legislation. Each organisation will require a different level of information about you/your child, but all will use the minimum necessary to do what they are required to deliver their part of the Programme.

The organisations taking part are:

- The Portsmouth Academy, a school of the Thinking Schools Academy Trust
- The NHS (including University Hospital Southampton NHS Foundation Trust Southampton Primary Care Limited, Southampton City Clinical Commissioning Group,
- NHS Test and Trace and the local Health Protection Team
- Southampton City Council
- University of Southampton

#### **What personal data is being collected**

The details we may collect and process for you are:

- first and last name
- address, including postcode
- mobile phone number
- email address
- date of birth
- sex as registered at your GP
- your test results (forming part of your medical record, by authorised NHS staff, including your GP, the NHS Track and Trace service and the local Health Protection Team to initiate contact tracing)
- your GP surgery
- your NHS Number
- for students, your course details
- for pupils, your parent or guardian’s name, your school and your class

## **How will my personal data be used?**

Your details will be used to:

- register you and or your child and record your or your child's participation in the Programme
- match you and or your child's contact details with health data stored by the NHS
- deliver test packs to you at your home address, if necessary
- communicate with you about the Programme
- contact you if you are the parent or guardian of someone under 16 who is participating in the Programme
- contact you with your test results by text message
- contact your head teacher and named nominated person to share positive results
- contact you relating to a positive or inconclusive result to collect other medical information about your health relating to COVID-19
- contacting confidentially with nominated senior leadership within the School or University if your or your child's test result is positive to initiate contact tracing within the School or University to minimise the spread of the virus
- contact you to resolve any questions you might have about the Programme
- phone you if you consent to being asked about your experiences on the Programme
- phone you to gather feedback to inform improvements that could be made to a full end-to-end testing process

## **Where is my personal data stored?**

You and or your child's data will be stored within the United Kingdom.

## **Is my personal data kept private and secure?**

We have legal duties to keep information about you confidential. Strict rules apply to keep your information safe and comply with Data Protection Act 2018, the EU General Data Protection Regulation (GDPR) and organisational Data Protection policies.

The NHS database used to store your/your child's personal data linked with your health data is held securely on NHS servers and access to this information is tightly governed, in line with Data Protection requirements.

## **How long will my personal data be kept?**

The information on positive results held by schools will be kept for no longer than is necessary to take the necessary steps to initiate contact tracing within the School or University to minimise the spread of the virus.

The information processed by the NHS is kept for as long as it is required to provide you with direct care and to support NHS initiatives to fight COVID-19. Information held for direct care purposes are stored in line with the Records Management Code of Practice for Health and Social Care 2016. This means such information will be held for up to 8 years before it is deleted.

Any personal data gathered as part of this Programme for other purposes will be deleted at the end of the Programme.

### **What are my rights?**

By law, you have a number of rights under data protection legislation, this testing programme does not take away or reduce these rights. You have the right to contact the us to ask for the following:

- to be informed about the data held about you
- to access the data held about you
- to have the data held about you edited or updated where it is inaccurate or incomplete
- to request that data held about you be erased
- to request that the use of your data be restricted
- to object to the use of your data

Further information about your data protection rights appears on the Information Commissioner's website at:

<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/>.

### **Why our use of your personal data is lawful**

In order for our use of your/your child's personal data to be lawful, we need to meet one (or more) conditions in the data protection legislation. For the purposes of this programme, the relevant conditions are:

For processing personal data by the NHS and school:

- Article 6(1)(e) GDPR, to perform a public task as part of our function as a department.

The University's lawful basis for processing your personal data for operational delivery of the Programme is legitimate interests. GDPR Article 6(1)(f).

For processing special category data by the NHS:

- GDPR Article 9(2)(i) – the processing is necessary for reasons of public interest in the area of public health
- Data Protection Act 2018 – Schedule 1, Part 1, (2) (2) (f) – health or social care purposes
- Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) – the processing is necessary for a COVID-19 purpose

### **How can I find out more information or raise a complaint?**

If you would like to raise a complaint about how your personal data is used as part of the Programme, you can phone the Enquiries team at: 0808 1962 282. Depending on your query, it will be forwarded to the relevant Data Controller to resolve your issue.

Please contact each Data Controller if you want to know more about their lawful bases for processing your personal data for their role in delivering the Programme. Links to each Data Controller's privacy policy are below, which contain contact details for their Data Protection Officer.

Queries for the University of Southampton can also be sent direct to [data.protection@soton.ac.uk](mailto:data.protection@soton.ac.uk). More details and the University's Data Protection Policy can be found at: <https://www.southampton.ac.uk/legalservices/what-we-do/data-protection-and-foi.page>.

Queries for Southampton City Council can be sent directly to [dataprotection@southampton.gov.uk](mailto:dataprotection@southampton.gov.uk). More details and the Council's Data Protection Policy can be found at [www.southampton.gov.uk/privacy](http://www.southampton.gov.uk/privacy).

Queries for the Schools can be sent to the Data Protection Officer via [privacy@tsatrust.org.uk](mailto:privacy@tsatrust.org.uk) or the Thinking Schools Academy Trust, Park Crescent, Chatham, ME4 6NR .

You may also complain to the Information Commissioner's Office (ICO) if you believe that your personal data is handled in a way that is not lawful. See its website at [ico.org.uk](http://ico.org.uk).