

General Data Protection Regulations (GDPR)

Privacy Notice - COVID-19 Contact Tracing and Testing Annex

Status of this Privacy Notice Annex

This Annex should be read in conjunction with [Privacy Notices](#) published on the Cornwall College Group website in relation to staff, students, applicants, and visitors (e.g. commercial suppliers, parents / guardians, organisations) to sites. The Privacy Notices above describe the legal basis on which we collect and use an individual's personal information, including special category data.

The following information is specifically concerned with the extra processing required in response to the ongoing COVID-19 pandemic and Government requirements.

As part of the ongoing measures relating to COVID-19 we are:

- assisting contact tracing activity (NHS Test and Trace) by identifying employees, students or visitors who may be experiencing COVID-19 symptoms and notifying individuals to self-isolate as required in response to positive cases.
- from January 2021, conducting onsite COVID Testing activity.

The activities above may involve processing and sharing personal data and special category data (particularly health and ethnicity data) about individuals.

Legal Basis

The processing 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.

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.

Personal data relating to tests for pupils [Section 175 of the Education Act 2002 for maintained schools OR paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014 applicable to academies OR paragraphs 3 and 14 of the Schedule to the Non-Maintained Special Schools (England) Regulations 2015 applicable to Non-Maintained Special Schools.

The use of your data in relation to COVID-19 activity

The information contained within this Annex will be relevant to all processing involved in relation to COVID-19 requirements as set out by the Government, but details relating to specific activities are provided under separate sections below.

The College is committed to only processing data that is necessary to undertake an activity to meet the requirements of the Government.

It may be necessary to share some personal data with external organisations, for example, the NHS or Public Health England (PHE), but this will be if it is required by those organisations and only the minimum data necessary will be shared via secure electronic means.

Contact Tracing

In the event of the College becoming aware of a positive COVID-19 case PHE will be informed and staff / students / visitors will be notified as appropriate and advised as soon as possible of actions to be taken in response. Details of the individual who has contracted the virus will only be discussed with appropriate staff directly linked with them, or COVID Site Leads to enable COVID isolation processes and will therefore not be released as part of any wider internal notification process.

The College may be required to provide information to the NHS Test and Trace service (if contacted by that organisation), regarding someone who has attended the College and who has tested positive for COVID-19.

Staff and students:

- If requested, we will provide details relating to staff and students e.g. name and contact details, dates and times of attendance on site (where this is known from timetables and registers, working hours).
- Contact details of individuals with whom that member of staff may have had contact may be provided if requested.

Contractors and visitors:

The following data will be collected from contractors and other visitors to college sites for the purposes of providing this data to the NHS Test and Trace programme if required, in line with Government requirements:

- Name of the individual, leader of a group (including number of individuals in the group)
- Contact telephone number (mobile and landline)
- Date of the visit, time of arrival and departure time
- Details of staff member/s visited

The data, where not ordinarily held by the college in relation to normal operating practices for our provision, will be held for 21 days under secure, access-controlled conditions on College systems and will be securely deleted when the data is no longer needed. If it is necessary for information to be collected in a paper format – e.g. Reception areas, this will be held securely in locked cabinets and shredded after 21 days. After this timescale data may be anonymised for use for statistical analysis or research purposes, but individuals will not be identifiable.

COVID-19 Testing

To enable the Covid-19 testing to be completed at Cornwall College, we may need to process personal data for some learners taking part where they are not able to complete registration with the NHS Test and Trace Portal themselves. In this instance, Cornwall College is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the college to ensure we meet our public health and safeguarding legal obligations.

The following paragraph is relevant to both pupils and staff taking tests:

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

Personal Data involved in the process

Staff and learners will be required to register on the NHS Test and Trace Portal, associating themselves with the College as their Test Centre.

Data Controllorship is passed to the Department for Health and Social Care (DHSC) for all data held regarding testing following registration on the NHS Test and Trace Portal. For more information about what they do with your data please see the [DHSC Test and Trace Privacy Notice](#).

The following information is used to manage and process the tests through registration on the NHS Test and Trace Portal:

- Name
- Date of birth
- Gender
- Ethnicity
- Whether currently showing any COVID-19 symptoms
- 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

If for any reason we assist you in physically registering your details on the NHS Test and Trace Portal we will ask your parent / guardian to sign a Consent Form completed specifically for the purpose, even if you have previously provided us with this information.

How we store your personal information

There will be no requirement for the College to hold any data relating to COVID-19 testing as all staff and learners will register with the NHS Test and Trace Portal in their own right.

In the event that you complete a Consent Form for the reason described above it will be retained by the college in a secured area for a minimum period of 14 days and be destroyed within one month of the testing programme ending.

Processing of Personal Data Relating to Positive test results

Members of staff trained specifically to support COVID-19 testing will input the test result onto the NHS Portal. Shortly after, the member of staff, learner or parent (depending on mobile telephone number provided) will be informed of the result by the NHS Test and Trace Portal and advised how to book a confirmatory test.

Within the College, this result will only be discussed with appropriate staff and COVID Site Lead directly linked with the member of staff or learner testing positive to enable further action in support of COVID isolation processes.

The NHS will retain this information for 8 years.

Processing of Personal Data Relating to Negative test results:

Members of staff trained specifically to support COVID-19 testing will input the test result onto the NHS Portal. Shortly after, the member of staff, learner or parent (depending on mobile telephone number provided) will be informed of the result by the NHS Test and Trace Portal.

The NHS will retain this information 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 provided to the NHS Test and Trace Portal 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.

This Annex will be updated as often as necessary but if you have any questions which are not answered here in relation to how your data may be processed in relation to COVID-19 please send an email to the dpo@cornwall.ac.uk mailbox.

The main [Privacy Notices](#) to which this Annex is associated with contains information on how to contact the Information Commissioners' Office should you wish to make a complaint.