



## Privacy Notice (How we use contact tracing information)

This Privacy Notice sets out what you need to know about how St Alban's RC Primary School will use your information for tracing and contacting people who may have come into contact with persons displaying symptoms of Coronavirus connected to our school. St Alban's is committed to meeting its data protection obligations and handling your information securely. You should make sure you read and understand this notice before submitting your information to us.

All schools have an obligation to respond to the Government's advice on the Coronavirus and the development of the NHS 'Track and Trace' scheme is a key part of the Government's plan to manage Coronavirus.

As our schools begin to re-open it has been our priority to ensure that the wellbeing and the health and safety of our children, staff and their families is at the heart of our planning in order to ensure that our schools are safe places to return.

Our responsibility extends beyond the school gates and we have a duty to respond to the Government's guidance. We hold a lot of data and it may be necessary for us to share this data, when requested to do so, with the Public Health NHS (National Health Service) Track and Trace Workers.

We expect that we will be asked to provide details, including contact details, of any cases of Coronavirus (or a suspected case) that may arise within St Alban's. We have an obligation to share this, and any other health data, as part of our Public Duty as set out below.

We will endeavour to contact any and all individuals directly so that we can manage the information and sharing of their data. However, in some cases we may be required to provide this to the new Public Health NHS Track and Trace system. Any information we share, we will keep a record of what has been shared. This Privacy Notice should be read alongside other General Data Protection Regulation (GDPR) and Data Protection information on our website.

### **NHS Test and Trace – the Law**

The law on protecting personally identifiable information, known as the GDPR allows Public Health England to use personal information collected by NHS Test and Trace. The section of the GDPR applies is:

Article 6(1)(e): "processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller".

As information about health is a special category of personal information, a further section of the GDPR applies:

Transform Trust Coronavirus Privacy Notice June 2020 v1 Article 9(2)(i) :  
"processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare".



Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without people's consent where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from Coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

If a person in a school has COVID-19 or symptoms of the virus they will be sent home, as will other people in school who have had contact with this individual and who may be at risk. In a school setting, it would be most unusual for any one person to know the details of everyone else who may be affected. It is only the school that will have that data. We would notify individuals about a risk, and in many instances that will be sufficient.

However, the Department for Education guidance goes on to say: 'As part of the national test and trace programme, if other cases are detected within the child or young person's cohort or in the wider education or childcare setting, Public Health England's local Health Protection Teams will conduct a rapid investigation and will advise schools and other settings on the most appropriate action to take.' Therefore, in this situation it is not a matter of giving consent to share data; there is a Public Duty to do so. As a school, we will co-operate with such requests. Schools are under an obligation to share data. Although at no point will we share data without a sound legal basis, please be aware that we will share data where necessary.

### **Requesting access to your personal data**

Under data protection legislation, staff, visitors, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, contact:

**Mr M Smith or Miss A Hunter**

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 contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Contact**

**If you would like to discuss anything in this privacy notice, please contact:**  
**Mr M Smith or Miss A Hunter**