



The Athelstan Trust

Privacy Notice – COVID-19 Test and Trace

About this Privacy Notice

Malmesbury School is part of The Athelstan Trust and is covered by the Trust's Data Protection Policy.

Individuals have a legal right to be informed about how we use their personal information. Our aim is to always provide clear information about the personal information we are using and why we are using it. We have tried to keep the language as simple as possible, however if anything is unclear or if you have any concerns then please contact the headteacher, Malmesbury School

This is a specific privacy notice for COVID-19 Track and Trace and is provided in addition to the school's main 'overarching' privacy notice which can be found

<https://malmesbury.wilts.sch.uk/wp-content/uploads/2021/04/Privacy-Notice-Students-Parents-updated-April-2020.pdf>

COVID-19 Test and Trace

The Purposes for Processing

Schools are considered as public authorities for the tracing process of 'Test and Trace'. They have a legal duty to protect and promote the welfare of pupils and a duty of care to staff.

As a private individual, compliance with the test and trace scheme is optional, i.e. you cannot at the present time be forced to provide details, although certain designated venues in certain sectors must have a system in place to request and record contact details of their customers, visitors and staff to help break the chain of transmission of coronavirus.

However, with regards to schools, we are under a public duty to have active engagement with NHS Test and Trace programme as set out in [The Department for Education \(DfE\) Guidance for full opening \(schools\)](#).

As a school, we will co-operate with this guidance and will provide contact details to NHS Test and Trace, if required to do so, if a case or suspected case of Coronavirus arises in our school. Although at no point will we share data without a sound legal basis, please be aware that we will share data where necessary. Responding to the Coronavirus advice from the Government is an obligation on all schools in England.

The Lawful Basis for Processing

We will be sharing data under the following legal basis:



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Article 6(1)(e): of the General Data Protection Regulation (GDPR); ‘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.’

Additionally, our Special Category condition for processing information relating to health is:

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’.

The Type of Personal Data That We Will Process

The personal data that we will process will be [Name, Date of Birth, Contact Details, NHS Number if available and the fact that the person has Coronavirus].

How Long We Will Keep the Data For

We will retain the data only for the period required to notify the Local Health Protection Team. [A note that the pupil had Coronavirus may be kept as part of their medical history in line with pupil record retention periods].

Where personal data is passed to NHS Test and Trace in the case of a suspected outbreak, this information will be kept for up to 8 years, as part of the standard contact-tracing retention period set out by Public Health England (PHE) (see link below).

How We Share Your Data

The School will share your personal data with the Local Health Protection Team who lead Public Health England’s response to health-related incidents and form part of NHS Test and Trace. Further information about this can be found here;

<https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works>

Their Privacy Notice is also available here:

<https://contact-tracing.phe.gov.uk/help/privacy-notice>

Complaints and Your Data Protection Rights

As this data is processed under a public task **you have the right to object to processing.**



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This right allows you to request that we stop processing your personal data for this and other purposes. This right is not absolute, and we will weigh up whether our own grounds for the processing, override your interests, rights and freedoms regarding your personal data.

If you wish to raise an objection or have any other concern or complaint about the way we are collecting or using your personal data, please raise your concern with us in the first instance admin@malmesbury.wilts.sch.uk

The Information Commissioner's Office, which is the supervisory authority, may be contacted on 0303 123 1113, or via their website, www.ico.org.uk regarding any complaints about how the way that the school handles your data. However, under usual circumstances it may expect you to contact us first to see if we can help to resolve the issues first.

Updates to our Privacy Notice

We may need to update this privacy notice periodically. This version was last updated on 15 June 2021.

This Privacy Notice should be read alongside the Trust's Data Protection policy which is available on our website.

If you have any questions, please contact. admin@malmesbury.wilts.sch.uk

Contact

If you would like to discuss anything in this privacy notice, please contact: admin@malmesbury.wilts.sch.uk or our Data Protection Officer at i-west@bathnes.gov.uk 01225 395959.