

Privacy Notice for Coronavirus (COVID-19)

This Privacy Notice has been written to inform pupils, parents and staff of Pontefract Academies Trust about how we are using your information in light of the measures that have been introduced to the Coronavirus (COVID-19) pandemic. This Privacy Notice should be read in conjunction with our standard Pupils and Parents, and Employees Privacy Notices.

Who we are

Pontefract Academies Trust is a ‘Data Controller’ as defined by Article 4 (7) of GDPR. This means that we determine the purpose for which, and the manner in which, your personal data is processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The Pontefract Academies Trust has appointed Veritau Ltd to be its Data Protection Officer (DPO). The role of the DPO is to ensure that the Pontefract Academies Trust is compliant with GDPR and to oversee data protection procedures. Veritau’s contact details are:

Schools Data Protection Officer
Veritau Ltd
County Hall
Racecourse Lane
Northallerton
DL7 8AL

schoolsDPO@veritau.co.uk

01609 532526

Any correspondence with the DPO must include the name of our Trust and the name of the school within our Trust if relevant.

What information we collect

The categories of information that we collect, hold and share include the following:

- Basic personal information (e.g. name, pupil number, DOB and address) (pupils, parents and staff)
- Safeguarding information (pupils)
- Job role and evidence of employment in this role (parents)
- Attendance information (pupils and staff)

We will also process information which may include ‘special category’ data about our pupils including:

- Information which identifies that children are ‘vulnerable’ (those who have a social worker, such as children in the care of the Local Authority and those children and young people up to the age of 25 with education, health and care (EHC) plans)
- Relevant medical information (pupils and staff)

Why do we collect your personal data?

We are processing this information to facilitate the provision of care for vulnerable children and the children of critical workers.

This involves:

- Processing pupil information to facilitate their learning and meet any care requirements that they have
- Processing parents’ employment information to confirm their status as a key worker
- Processing the information of staff members who have been redeployed in order to meet resourcing needs

Any personal data that we process about our pupils and parents is done so in accordance with Article 6 and Article 9 of GDPR:

Article 6 (c) Legal obligation

Article 6 (d) Public task

Article 6 (b) Contract (for staff)

Article 9 (b) Employment, social security and social protection (for staff)

Article 9 (g) Reasons of substantial public interest

Please refer to our standard Pupils and Parents and Employees Privacy Notices for further information about the lawful basis we rely upon to process your data.

Who do we obtain your information from?

Much of the information we process will be obtained directly from you. We will also process information received from:

- Department for Education (DfE)
- Local Education Authority. If your child is attending a school within our trust as a result of the COVID-19 pandemic response and your child’s previous school was in a neighbouring LEA, then we may need to obtain information from this LEA.
- Previous schools attended

Who do we share your personal data with?

We are obliged to share attendance data with the Department for Education during this time. The following information will be shared:

1. The names of all children who are in attendance on each day
2. If the child is not enrolled at your school, the name of the school where the child is enrolled
3. Whether the child is present each day
4. Whether the child has critical workers
5. If the child is vulnerable e.g. they have an educational health and care plan (EHCP), have a social worker (CiN), or are looked after children
6. If the child is on an EHCP
7. If the child has a social worker
8. The time the child signed into the school
9. The time the child signed out of the school
10. The number and names of children or staff members that are ill, isolating, shielding and whether there is a suspected number or confirmed case of COVID-19
11. The number and names of children or staff members who have been asked to self-isolate by the NHS Test and Trace system
12. The number and names of children or staff members living with a clinically extremely vulnerable person

We may also be required to share information with neighbouring Local Education Authorities if your child is attending a school within our Trust as a result of the COVID-19 pandemic response and your child's previous school was in a neighbouring LEA.

For further details about who we share information with, please see our full Pupil and Parents and Employees Privacy Notices.

NHS Test and Trace

All UK schools have an obligation to respond appropriately to the Government's advice regarding coronavirus. In order to aid the Government in fighting COVID-19 (coronavirus) and to help keep everyone safe as children return to school, the school will take part in the NHS "Test and Trace" service.

If there is a suspected or confirmed case of COVID-19 then we may be required to share staff, students, parents and visitor's personal data with NHS Test and Trace, who act as a Data Controller in their own right.. This information may include:

- Your full name
- Your date of birth
- Your contact details
- Relevant medical information

We will keep a record of any information shared.

If the NHS Test and Trace service contacts you, the service will use text messages, email or phone.

All information which we share through this service is shared in accordance with Article 6 and 9 of the GDPR:

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’

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’

For more information about the service please see the Government guidance and Public Health England’s privacy notice:

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

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

COVID-19 Testing

Ownership of the personal data

To enable the Covid-19 testing to be completed at Pontefract Academies Trust we need to process personal data for staff and pupils taking part, including sharing of personal data where we have a legal obligation. [Pontefract Academies Trust is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the school / college to ensure we meet our public health and safeguarding legal obligations. All data is processed under Section 3 of the Non-Maintained Schools Regulations 1999 for non-maintained schools]. Data Controllership is then passed to the Department for Health and Social Care (DHSC) at the point that we transfer data to them.

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/form group)
- Gender
- 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)

Even if you have previously provided us with this information, we will collect it again directly from you specifically for the purpose of the tests’.

How we store your personal information

The information will only be stored securely on local spreadsheets in the school whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. Schools 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, pupil, 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 their own COVID isolation processes without telling anyone who it is that has received the positive test.

The information will be transferred to DHSC, who will share this with the NHS. PHE and the Local Government will use this information 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

The school will record a negative result and the information will be transferred to DHSC, NHS. PHE and the Local Government who will use the information 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/college for up to 14 days and by the NHS for 8 years.

How long do we keep personal data for?

We will only retain your data for as long as it is necessary to do so. In respect of parents, we will not retain a copy of the evidence that you provide to use to prove that you are a critical worker.

For further details about retention of your data, please refer to our full Pupils and Parents and Employees Privacy Notices.

What rights do you have over your data?

Under GDPR data subjects have the following rights in relation to the processing of their personal data:

- To be informed about how we process your personal data. This notice fulfils this obligation.
- To request access to your personal data that we hold, and be provided with a copy of it
- To request that your personal data is amended if inaccurate or incomplete
- To request that your personal data is erased where there is no compelling reason for its continued processing
- To request that the processing of your personal data is restricted
- To object to your personal data being processed

Contact

If you have any concerns about the way we have handled your personal data or would like any further information, then please contact our DPO on the address provided above.

If we cannot resolve your concerns you may complain to the Information Commissioner's Office (the Data Protection Regulator) about the way in which the school has handled your personal data. You can do so by contacting:

First Contact Team
Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow Cheshire
SK9 5AF
caserwork@ico.org.uk // 0303 123 1113

Further Information

If you would like to discuss anything in this privacy notice, please email dpo@patrust.org.uk.