



Eskdale Junior School

COVID-19 Privacy Notice

Responding to the COVID-19 advice from the government is an obligation on all schools in England. This COVID-19 Privacy Notice should be read alongside our current Privacy Notices and the Data Protection Policy and the information that is available on our website and in hard copy on request from the school office. It sets out how we may need to share your data in response to government requirements in relation to the COVID-19 pandemic. If you have any questions please contact the school office.

Sharing Information Schools are entitled (and have lawful basis) to share personal data relating to health where necessary, relating to employees, pupils, parents and visitors to school under the General Data Protection Regulations and the Data Protection Act 2018.

The Personal Data of employees, pupils, parents and visitors to school may be shared with NHS/Public Health Agencies where relevant to the COVID-19 pandemic. Where data needs to be shared with health officials we will:

- Limit the data shared to the minimum necessary
- Only share data with the appropriate authorities
- Share via secure methods (e.g. encrypted email)
- Verify the identity of persons making phone calls/sending emails requesting personal data
- Keep a note/copy of the data shared at school
- Notify any individuals whose data has been shared (where this is possible)

NHS 'Test and Trace' The development of the NHS 'Test and Trace' scheme is a key part of the government plan to manage COVID-19. Under the NHS 'Test and Trace' scheme, schools may be required to share the Personal Data of individuals who attend/work at/visit the school. This scheme has a Privacy Notice <https://contact-tracing.phe.gov.uk/help/privacy-notice/>

It is likely that we will be asked to provide contact details if a case, or suspected case, of COVID-19 arises in our school. We have an obligation to share this data. We will be sharing data on the basis that this is a Public Duty and that in the case of any health data it is necessary for the public interest. Although at no point will we share data without a sound legal basis, please be aware that we will share data where necessary. Please be assured that we will keep a record of the information that we share. We will use our best endeavours to notify individuals as soon as we can so that they know to expect a call from the 'Test and Trace' team.

The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows Public Health England to use the personal information collected by NHS Test and Trace.

The section of the GDPR that 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: 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.