

Privacy Notice COVID-19 Track and Trace

All schools have an obligation to respond to the government's advice on COVID – 19 and the development of the NHS Track and Trace scheme is a key part of the government's plan to manage the COVID-19 pandemic.

As our academies have re-opened, our priority is 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 our 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 Track and Trace team.

We expect that we will be asked to provide details, including contact details, of any cases of COVID-19 (or a suspected case) that may arise within any of the Federation's academies. 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 all individuals concerned 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 Track and Trace system. Please be assured that we will keep a record of information that we share.

NHS Test and Trace and the law

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.

Where data needs to be shared with Health Officials we will:

- limit the data shared to minimum necessary
- only share with the appropriate authorities
- share via secure methods
- verify the identity of the persons requesting the information
- keep a copy of the data shared at the school
- notify the individuals that their data has been shared if practicable

This Privacy Notice should be read in alongside the other GDPR and Data Protection on our website.

if you require any further information and/or clarification please do not hesitate to contact the academy.