

Privacy Notice for COVID-19 Testing – How we use your information

2022/23

Who are we?

Learning Today Leading Tomorrow is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Learning Today Leading Tomorrow is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: ZA138738.

You can contact the Academy Trust as the Data Controller in writing at:

Learning Today Leading Tomorrow
Rugby Free Secondary School
Anderson Avenue
CV22 5PE
Or

info@learningleading.org

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Ownership of the Personal Data

To enable the Covid-19 testing to be completed at our schools, we need to process personal data for staff and pupils taking part, including sharing of personal data where we have a legal obligation. LT2 Trust is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the schools to ensure we meet our public health and safeguarding legal obligations.

Personal data relating to tests for pupils paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014 applicable to academies.

Personal Data relating to staff is processed under the legitimate interest of data controller to ensure we can minimise the spread of COVID in a timely manner and enable us to continue to deliver education services safely and securely.

LT2 Privacy Notice Pupils, Parents and Carers

Last Update: September 2022

If you decline a test, we record your decision under the legitimate interest of school in order to have a record of your decisions and to reduce unnecessary contact with you regarding testing.

The processing of special category personal data is processed under the provisions Section 9.2(i) of GDPR, where it is in the public interest on Public Health Grounds. This data is processed under the obligations set out in Public Health legislation (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 and where it is carried out by a health care professional or someone who owes an equivalent duty of confidentiality to that data.

Data Controllorship is then passed to the Department for Health and Social Care (DHSC) for all data that we transfer about you and your test results to them. For more information about what they do with your data please see the Test and Trace [Privacy Notice](#). The establishment remains the Data Controller for the data we retain about you.

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)
- Gender
- Ethnicity
- 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)

We will only use information that is collected directly from you specifically for the purpose of the tests, even if you have previously provided us with this information.

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. The school 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/carer (depending on contact details provided) will be informed of the result by the school and advised how to book a confirmatory test.

We 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, GPs, 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

We will record a negative result and the information 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 for up to 14 days and by the NHS for 8 years.

Processing of Personal Data relating to declining a test

We will record that you have declined to participate in a test and this information will not be shared with anyone.

Data Sharing Partners

The personal data associated with test results will be shared with

- DHSC, NHS, PHE – to ensure that they can undertake the necessary Test and Trace activities and to conduct research and compile statistic about Coronavirus.
- Your GP – to maintain your medical records and to offer support and guidance as necessary
- Local Government to undertake local public health duties and to record and analyse local spreads.

Your Rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at sar@learningleading.org if you wish to make a request.

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at info@learningleading.org sar@learningleading.org or alternatively;

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You can also contact our Data Protection Officer at School DPO Service at Warwickshire County Council at schooldpo@warwickshire.gov.uk

You can also complain to the ICO if you are unhappy with how we have used your data.

<https://ico.org.uk/concerns/>

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Helpline number: 0303 123 1113

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category–additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Information required for Covid-19 testing: Name, Date of birth, year group, Gender, Ethnicity, 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)	<i>para 7 of the Schedule to Education (Independent School Standards) Regulations 2014</i>	<i>Reasons of public interest on public health grounds</i>	Department of Health and Social Care, NHS, Public Health England Your GP Local Authority	Legal Obligation - Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002