

Privacy Notice – Contact Tracing & Lateral Flow Device (LFD) Testing

Introduction

NWRC (“the College”) recognises and respects the importance of your privacy and is committed to treating your personal information responsibly and in compliance with all relevant data protection legislation.

We are currently experiencing a public health emergency as a result of the coronavirus (COVID-19) pandemic. It is therefore critical that the College takes a range of measures to protect the health and wellbeing of all students, staff and visitors on Campus.

One of the key measures put in place by the College is the collection of information for the purpose of supporting the Public Health Agency (PHA) Contact Tracing Service in Northern Ireland, which notifies individuals that they may have been exposed to the virus.

The College will also be participating in the ATS and Workplace Collect Testing programmes for individuals willing to take lateral flow device tests. This includes testing onsite at a College facility and home testing.

The purpose of this Privacy Notice is to advise you of the information that the College is required to collect and how it will be used for the purposes of contact tracing and lateral flow device testing. All data processed for the above purposes will be proportionate and necessary, and will be managed in full compliance with the College’s obligations to the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018.

The College’s Data Protection Officer is Eoin Coyle.

ATS Testing - Ownership of the Personal Data

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

The processing of special category personal data is processed under the provisions Section 9.2(i) of the UK 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 of Health and Social Care (DHSC), when we transfer your personal data, 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 College remains the Data Controller for the data we retain about you.

Lawful Basis

The College is permitted to process personal data where there is a lawful basis to do so. The UK GDPR 'lawful basis' for our processing will be the following:

- **Article 6.1 (a)** – the data subject has given consent to the processing
- **Article 6.1 (e)** - processing is necessary for the performance of a task carried out in the public interest of in the exercise of official authority vested in the controller

Our lawful basis for processing Special Category information in relation to these requests are:

- **UK GDPR Article 9(2)(b)** – processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law.
- **UK GDPR Article 9(2)(g)** – processing is necessary for reasons of substantial public interest.
- **UK GDPR Article 9(2)(i)** – processing is necessary for reasons of public interest in the area of public health.

Data Protection Act (2018) Schedule -

- Data Protection Act (2018) Schedule 1 (Part 1 (1)) - Employment, social security and social protection.
- Data Protection Act (2018) Schedule 1 (Part 2 (6)) - Statutory etc and government purposes

Categories of Personal Data

The College will only collect the information we need to allow us to fulfil our obligations to risk mitigation.

In the event of a positive case notification the College will collect the following data:

- Name
- Date of birth
- Address
- Covid Test Data (test date and result)
- Vaccination Status

In the event of a close contact notification, the College will collect the following data:

- Name
- Date of birth
- Address
- Contact telephone number
- Name of those identified in College as potential close contacts

Personal data captured for at home Lateral Flow Device testing:

- Name
- Address
- Date of birth
- Contact details (Address/Contact number/Email)
- Result of test

In order to facilitate ATS testing, the below categories of personal data will be used to help us manage and process the tests:

- Name
- Date of birth
- 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

Please note, the above lists are not exhaustive. The College will only collect the information we need to allow us to fulfil our obligations to risk mitigation.

Who will have access to my information, or who will you share it with?

This information will be recorded and stored securely and will only be accessed on a needs only basis.

The information you provide us with will be shared with the PHA if a visitor, staff or student has a positive test result. The PHA has a privacy notice to explain how they use your information and can be accessed via <https://www.publichealth.hscni.net/privacy-notice>

The College will share your information with the Department of Health and Social Care (“DHSC”) for the purposes of the Workplace Collect Testing and ATS Testing. A copy of this Privacy Notice is available via the below links:

<https://www.gov.uk/government/publications/coronavirus-covid-19-testing-privacy-information/testing-for-coronavirus-privacy-information-quick-read--2>

<https://www.publichealth.hscni.net/covid-19-coronavirus/testing-and-tracing-covid-19/privacy-information>

The information will only be stored securely on local spreadsheets whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. The College will not have access to the information on the digital service once it has been entered.

<https://www.publichealth.hscni.net/covid-19-coronavirus/testing-and-tracing-covid-19/privacy-information>

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.

ATS: Processing of Personal Data Relating to Positive Test Results

Individuals will be informed of the result by the College and advised how to book a confirmatory test.

The information will be transferred to DHSC, who will share this with the NHS, GPs. Public Health England (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.

The results register will not be shared with any third parties and will be retained for a minimum of 14 days and up to a month after the last entries are made by the College into them.

ATS: Processing of Personal Data Relating to Negative and Void test results

We will record a negative or void result and the information is 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.

The results register will not be shared with any third parties and will be retained for a minimum of 14 days and up to a month after the last entries are made by the school into them.

Retention Period

The COVID 19 Global pandemic was an unforeseen event, and so the collection of this personal data is not typical to College business. The information we are required to gather will be retained only for as long as is necessary, and then securely disposed of. The College will be guided by relevant statutory authorities and legislation in regard to retention and disposal timeframes.

Personal Data processed under the Lateral Flow Device testing scheme will be retained for a period of two years from the date of collection.

DHSC will retain information for up to eight (8) years. For more information about what the DHSC do with your data please see their [COVID-19 Privacy Notice](#).

Further Information

For full details on our Privacy Notice and your Rights, please visit <https://www.nwrc.ac.uk/data-protection>

The Information Commissioner's Office (ICO) have also provided additional information regarding contact tracing on their website - <https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/>

Appendix 1: Test Kit Privacy Notice

Privacy Notice Summary

It is important that you read this document before collecting your test kit

The NHS Test & Trace Programme in England is run by the Department of Health and Social Care. This makes us the Data Controller.

NHS Test & Trace uses your personal data in several ways to help keep the public safe.

This privacy information summary briefly covers how we process personal data and is in support of the NHS Test & Trace Programme privacy notice.

You can access the full privacy notice for more in depth details on how long we store your data by category and who we share your data with on the link below. *

Why do we collect your data?

Your personal data is helpful in our efforts to defeat the virus.

We ask for your information for three main reasons:

1. 'TEST': to identify people with COVID-19 including those who have previously had the virus
2. 'TRACE': to identify people who may have been exposed to the virus through close contact with others who have tested positive, and
3. 'CONTAIN': to inform where we collect research data to help us stop the spread of COVID-19

What data do we collect?

To meet requirements set out by the Medicines and Healthcare Products Regulatory Agency (MHRA), we will need to collect the following information from you before you can collect a home test kit from this site:

- Your first name and surname
- Your contact telephone number

Who else can access your personal data?

Your personal data is confidential. We take extensive security measures to protect it.

Data protection laws mean we can't share your data with anyone else unless it is necessary to do so.

We may need to share some of your personal data with partnering organisations, for example those who help us deliver testing kits to home addresses.

We will not share the data you give us today with your GP or contacts.

How long do we keep your personal data?

How long we keep data depends on what it is used for. Typically, we keep data in the programme for up to 8 years. This is reviewed periodically and could change.

What are your rights?

Your personal data is yours.

You have the right to get copies of the information we hold about you, update it if you think it is inaccurate, and limit or object to how we use your data. You also have the right to have personal data removed in certain circumstances.

It is also your right to complain about our use of your data to the Information Commissioners Office who are our regulator but please contact us first to try and resolve any problems.

If you want to make a request about your data email data_protection@dhsc.gov.uk.

Your personal data helps the NHS Test and Trace programme combat COVID19.

Access the full privacy notice using the link below:

* <https://www.gov.uk/government/publications/nhs-test-and-trace-privacy-information/test-and-trace-overarching-privacy-notice>

Further background on MHRA requirements

To satisfy Medicines and Healthcare products Regulatory Agency (MHRA) requirements we will require the test site to collect your first name, surname and contact telephone number before you collect a self-test kit. This is so we can contact you in order to fulfil our regulatory requirement to MHRA in the event of a batch recall, or adverse incidents investigation, or issuing of a field safety notice. We will only use this data to contact you.