

Ownership of the Personal Data

To enable the Covid-19 testing to be completed at Wirral Metropolitan College, we need to process personal data for staff and pupils taking part, including sharing of personal data where we have a legal obligation. Wirral Metropolitan College 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.

The legal basis for collecting your data is the College's Public Task to safeguard pupils by reducing the level of covid infection within the College by performing Covid test and providing you with the result of those tests and where such test provides a positive result undertaking tasks to ensure student safety.

The tests are not compulsory and you, or your appropriate parent/guardian where you cannot provide informed consent, must consent for your data to be collected and processed for the purposes of conducting the test, informing you of the outcome and to provide the Department of Health of the outcome. We cannot conduct a test for you unless we have the appropriate consent. We will not perform a test upon anyone who indicates to us that they do not wish to be tested.

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. Again tests are not compulsory and we will not record if you do not wish to be tested.

If you have consented to testing but subsequently decline a test, we will record your decision under the legitimate interest of the College in order to have a record of your decisions and to reduce unnecessary contact with you regarding testing. We may contact you in this circumstance to ask if you wish to continue to be tested and you can ask to be removed from the testing schedule at any time.

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 <https://contact-tracing.phe.gov.uk/help/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 College whilst it is needed, which will be for a minimum of 14 days and within 1 month of the completion of testing. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. We will not have access to the information on the NHS 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/college and advised how to book a confirmatory test. We will seek to advise you in person ahead of your notification by the NHS track and trace service. However, should not you be contactable within a reasonable period of time you may receive test confirmation by NHS Track and Trace ahead of our notification (for example if you have already left the College). In those circumstances we will also attempt additional contact measures such as attempting to phone you to notify you of a positive result.

We will use this information to enact our own COVID isolation processes without telling anyone else who it is that has received the positive test. However, you should be aware there will only be a short period of time (just over half an hour) between your test and notification of the result.

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. We may also need to share your information in order to arrange transport for you from the College to your home if you are not able to arrange this yourself.

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 College 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 College for up to 14 days and by the NHS for 8 years.

Processing of Personal Data relating to declining a test

Once you have consented to participating in the testing programme we will assign you test appointments that will typically be within your lessons. You will often be released from your lessons to attend your test and we will record if you have not turned up for your allocated test appointment. Where a test is not attended, your attendance on the day will be confirmed for the purposes of determining if you were released from your lesson and should have attended your test. Your participation in the testing programme is not compulsory and you may choose not to participate at any point. However, you may not leave class for a testing appointment and not attend the appointment you must decline your test with your tutor.

If you do not feel comfortable doing this within class, on your release from the class you should confirm with the College that you no longer wish to participate in the testing programme.

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 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

Will Jerram

Data Protection Officer

Will.Jerram@wmc.ac.uk,

Europa Boulevard, Birkenhead, CH41 4NT

0151 551 777

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.

Will Jerram

Data Protection Officer

Will.Jerram@wmc.ac.uk,

Europa Boulevard, Birkenhead, CH41 4NT

0151 551 777

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

The ICO's address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Helpline number: 0303 123 1113