

## Privacy Notice

### Coronavirus – Track and Trace

**All schools have an obligation to respond to the Government’s advice on the Coronavirus and the development of the NHS ‘Track and Trace’ scheme is a key part of the Government’s plan to manage Coronavirus.**

As our schools begin to re-open it has been our priority to ensure that the wellbeing and the health and safety of our children, staff and their families has at the heart of our planning in order to ensure that our schools are safe places to return.

Our responsibility extends beyond the school 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 (National Health Service) Track and Trace Workers.

We expect that we will be asked to provide details, including contact details, of any cases of Coronavirus (or a suspected case) that may arise within any of our schools within Transform Trust. 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 any and all individuals 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 Public Health NHS Track and Trace system. Any information we share, we will keep a record of what has been shared.

This Privacy Notice should be read alongside other General Data Protection Regulation (GDPR) and Data Protection information on our website.

#### **NHS Test and Trace – the Law**

The law on protecting personally identifiable information, known as the GDPR allows Public Health England to use personal information collected by NHS Test and Trace. The section of the GDPR 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 NSH 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.

### The Right of Access to Personal Data

Employees and children have the right to request access to their personal data that we hold. Details of how to make a request, along with how to *object, rectify, restrict the processing of or transfer* personal data is given in our Data Protection Policy.

To make a request to access personal data or to exercise any of the above rights, an individual should first contact the School's Data Controller Mr Andrew Sharp who will inform the Trust's Data Protection Officer (DPO): Jill Wilkinson at Transform Trust, 11 Kirtley Drive, Castlebridge, Nottingham NG7 1LD.

The law does not oblige either the Trust or the School to comply with all requests. If the Trust or School does not intend to comply with the request, then the individual will be notified in writing of the reasons why.

### Concerns

If you are concerned about how we use personal data, then we ask that you contact your School's Data Controller Andrew Sharp by email at [a.sharp@peartreej.derby.sch.uk](mailto:a.sharp@peartreej.derby.sch.uk) and the Trust's Data Protection Officer: Jill Wilkinson at [dataprotection@transformtrust.co.uk](mailto:dataprotection@transformtrust.co.uk)

To contact the Trust Data Protection Officer: [dataprotection@transformtrust.co.uk](mailto:dataprotection@transformtrust.co.uk)

An individual may also contact the Information Commissioner's Office:  
<https://ico.org.uk/concerns>.

### Contact

Should you wish to discuss anything in this Privacy Notice, please contact:

Jill Wilkinson, Transform Trust Data Protection Officer: [dataprotection@transformtrust.co.uk](mailto:dataprotection@transformtrust.co.uk)