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**Contact Details:**

Please check Blaenau Gwent County Borough Council's website for individual school contact details:

<https://www.blaenau-gwent.gov.uk/en/resident/schools-learning/>

**Privacy Notice Name:**

COVID 19 – Test Trace Protect – Arranging a COVID-19 test via Blaenau Gwent County Borough Schools

**Description of Privacy Notice:**

This Privacy Notice will explain how each school within the Blaenau Gwent County Borough will use personal data in respect of the arrangement of a COVID-19 test via the school.

## How we will use your information

### Purpose and legal basis for using your information

#### Purpose of processing

The Test, Trace and Protect strategy aims to minimise transmission of COVID-19 in communities in Wales through early identification of positive cases and isolation of their contacts.

There has been a high demand for COVID-19 tests through these established testing pathways with many pupils and their families are unable to access tests in a timely manner. This results in prolonged absence from school for symptomatic children in self-isolation who are awaiting a negative test result before their return to school. Another consequence is a delay in the identification of positive cases and early isolation of their contacts to keep school communities safe.

#### Arrangement of COVID-19 tests

Aneurin Bevan University Health Board (ABUHB) will facilitate the swabbing of pupils who fulfil the possible case definition for COVID-19 and are unable to access testing through established pathways.

The school will support parents/carers and pupils (if age appropriate) to determine:

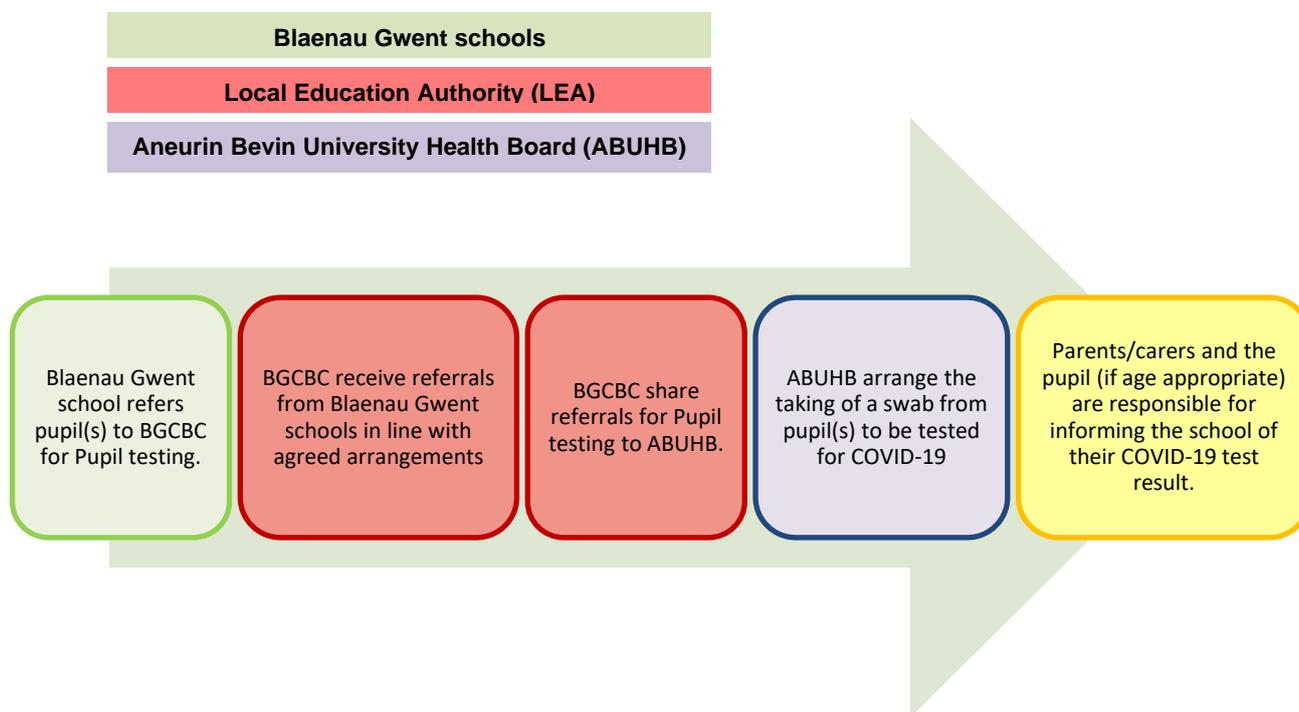
- ❖ whether they fulfil the national Public Health Wales (PHW) criteria for a possible case of COVID-19;

- ❖ are eligible for testing as a result; and
- ❖ the appropriate method of administering the test (e.g. testing at Rodney Parade or a home test)

If the eligibility criteria are met, the school will make a referral to Blaenau Gwent County Borough Council (BGCBC) for a test for COVID-19 to be carried out.

## Flow diagram on the processing of personal data for School Pupil Testing for Covid-19

### Key of organisations:



Please follow the below link for further information on how the school will use your information for educational purposes: [\[INSERT LINK TO SCHOOL PRIVACY NOTICE\]](#)

For further information on how ABUHB will use your information, please follow this link: [www.abuhb.nhs.wales/files/information-governance/privacy-notice-general/](http://www.abuhb.nhs.wales/files/information-governance/privacy-notice-general/)

For further information on how PHW will use your information, please follow this link: [www.phw.nhs.wales/use-of-site/privacy-notice/](http://www.phw.nhs.wales/use-of-site/privacy-notice/)

### Non-attendance of a COVID-19 test appointment

Those who do not attend their arranged COVID-19 test appointment will receive a welfare call by either the school or BGCBC to check on the reason for non-attendance. If the pupil is not coping at home with symptoms, or is getting worse, the NHS may be contacted for further advice / assistance.

## COVID-19 test results

Parents/carers and the pupil (if age appropriate) are responsible for informing the school of their result. The school can also request this information from PHW or BGCBC.

This information will be used by the school to ensure that those pupils with a positive COVID-19 test do not attend school during the designated isolation period (for the safety of other pupils and staff) and to ensure that those pupils with a negative COVID-19 test return to school as promptly as possible.

If you receive a positive COVID-19 test you will enter the NHS Wales Contact Tracing process, further information on this process is available here:

[www.wales.nhs.uk/documents/NHS%20Wales%20Test%20Trace%20Protect%20-%20Privacy%20Notice.pdf](http://www.wales.nhs.uk/documents/NHS%20Wales%20Test%20Trace%20Protect%20-%20Privacy%20Notice.pdf)

## **Legal basis for processing**

The legal basis for processing this personal data is legitimate interest. However, the school will not make a referral for a COVID-19 test without the agreement of the parent/carer or pupil (if age appropriate).

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

- (f) *processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.*

Data Protection legislation provides extra protection for certain classes of information called 'special category personal data'. If any information falls within the definition of special category personal data (such as health data) then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

- (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 health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy*

In respect of the above Article 9 condition, an additional condition from Schedule 1 of the Data Protection Act 2016 must also be identified, as outlined below:

- (3) *This condition is met if the processing—*
  - (a) *is necessary for reasons of public interest in the area of public health, and*
  - (b) *is carried out—*
    - (i) *by or under the responsibility of a health professional, or*
    - (ii) *by another person who in the circumstances owes a duty of confidentiality under an enactment or rule of law.*

## Source and type of information being processed

### Information your school may share with other organisations

If you require a COVID-19 test, and meet the criteria, your school will share the following information with BGCBC:

- Name, and date of birth
- Address, postcode and contact mobile no
- School attending and Year Group
- Your symptoms
- Whether a home test is necessary

The information shared is obtained from Pupil Records held or directly from parents/carers and pupil (if age appropriate) through the referral process.

BGCBC collate information from all schools within the Blaenau Gwent County Borough and share this information with ABUHB to arrange for a swap to be taken for the purpose of testing for COVID-19.

### Information your school may receive from other organisations

- If you did not attend your COVID-19 test appointment:

This information, if obtained, would have been provided to the school by BGCBC, who would have obtained this information from ABUHB / PHW.

- Your COVID-19 test results:

This information may be obtained from your parent/carer (and/or pupil if age appropriate) or from PHW or BGCBC.

## Who will have access to your information

### Identity of Data Controller and Data Protection Officer

The Data Controller for your information is the school you, or your child, attends.

The Data Protection Officer is contracted by the school to Blaenau Gwent County Borough Council. You can contact the school Data Protection Officer on 01495 355080, or by email at [dataprotection@blaenau-gwent.gov.uk](mailto:dataprotection@blaenau-gwent.gov.uk)

### Details of main users of your information

The main user of your personal data is the school you, or your child attends. Your personal data will be shared with other organisations, with the agreement of the parent/carer (or pupil if age appropriate), for the purposes outlined in the Purpose of Processing section.

### Requests for information

All recorded information held by a school may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection legislation.

If the information you provide is subject to such a request, where possible the school will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

## How long will we retain your information

### Details of retention period

Blaenau Gwent schools hold personal data securely for the set amount of time documented in our data retention schedule. Personal data initially collected for educational purposes is retained by each individual school in line with guidance from the *Information Management Toolkit for Schools* created by the Information and Records Management Society:

<https://irms.org.uk/page/SchoolsToolkit>

## Your Rights (including Complaints Procedure)

### Your rights under data protection law

Data Protection laws give data subjects (those who the information is about) a number of rights, which include:

- **Right to be informed** how personal data is collected, stored, managed, protected, and processed.
- **Right of access** to request a copy of personal information held of yourself. However, please be aware that information can sometimes be legitimately withheld.
- **Right to rectification** of inaccurate or incomplete personal data.
- **Right to erasure** where you have the right to have your personal data erased in certain circumstances. This does not include any personal data that must be retained by law.
- **Right to restriction**, which allows you to limit the way we use your personal data in some circumstances.
- **Right to portability** gives an individual the right to receive copies of data provided to a controller in a portable format.
- **Right to object** to the processing of ones personal data; and the final one is the
- **Rights in relation to automated decision making and profiling.**

Children and young people have the same rights under data protection legislation. Therefore, a parent/carer who wishes to enact these rights on behalf of a child will need to provide proof of ID and Parental Responsibility. Where a child or young person is aged 12 years of over, they are normally deemed to be mature enough to enact these rights themselves. As a result, the parent/carer will also need proof of consent from the child or young person to enact these rights on their behalf.

To enact your rights, please contact the school directly as detailed at the top of this document. A copy of any individual right request and your response will be kept for 3 years.

### Complaints Procedure

If you have any concerns about our use of your personal information, you can make a complaint by contacting the relevant organisation, as detailed above.

If you remain unhappy, you can contact the schools Data Protection Officer on 01495 355080 [dataprotection@blaenau-gwent.gov.uk](mailto:dataprotection@blaenau-gwent.gov.uk)

You also have the right to ask the Information Commissioner, who enforces and oversees the Data Protection Act in the UK, to assess whether or not the processing of personal information is likely to comply with the provisions of our legislative responsibilities. Further information on your rights is available by visiting [www.ico.org.uk](http://www.ico.org.uk)

You can contact the Information Commissioner's Officer using the following address:

Information Commissioner's Office – Wales 2nd Floor  
Churchill House  
Churchill Way  
Cardiff  
CF10 2HH

Telephone 0330 414 6421

Email: [wales@ico.org.uk](mailto:wales@ico.org.uk)