

Privacy Notice

Supplementary Information for pupils, staff, governors, volunteers and visitors.

NHS Test and Trace Scheme

The development of the NHS Test and Trace scheme is a key part of the government's plan to manage Coronavirus.

The NHS Test and Trace service:

- Ensures that anyone who develops symptoms of coronavirus (COVID 19) can quickly be tested to find out if they have the virus, and also includes targeted asymptomatic testing of NHS and social care staff and care home residents.
- Helps trace close recent contacts of anyone who tests positive for coronavirus and, if necessary, notifies them that they must self-isolate at home to help stop the spread of the virus.

Further details about the scheme can be found at: www.gov.uk/guidance/nhs-test-and-trace-how-it-works

With WeST¹ settings² now fully open to learners, the safety and wellbeing of our learners, our staff and their families is a priority. Planning to manage a covid-safe environment is in place; however, our responsibility extends beyond the school gates.

Education providers hold a lot of data, and it may be necessary for us to share some of that data on request from NHS Test and Trace workers or public health officials from the local authority. We will do this and will play our part in making this process as effective as possible. It is likely that we will be asked to provide contact details if a case or suspected case of Coronavirus arises in our settings. There is a requirement for public bodies to support the government coronavirus response, settings will provide details as requested in order to comply with these requirements.

The type of data that will be required as part of the NHS Test and Trace programme may include but is not limited to:

- Full name
- Contact details
- Health information
- Location details – i.e. school location
- Travel details – i.e. bus / school transport routes
- Known associates / groups / class details

Education settings are in a very difficult situation. The NHS Test and Trace is made more difficult as settings are public authorities. They have a legal duty to protect and promote the welfare of pupils and a duty of care to staff. As a private individual, compliance with the scheme is optional, i.e. you cannot at the present time be forced to provide details. With schools, it is more complicated. If a person in a school or individual setting has COVID-19 or symptoms of the virus they will be sent home. The setting will be advised about what action to take as far as other people who have had contact with this individual and who may be at risk. In a school setting, it would be most unusual for any one person to know the details of everyone else who may be affected, however much of this information will be held on school management information systems.

Department for Education guidance states:

As part of the NHS Test and Trace programme, if other cases are detected within the child or young person's cohort or in the wider education or childcare setting, Public Health England's local Health Protection Teams will conduct a rapid investigation and will advise schools and other settings on the most appropriate action to take.

Therefore, in this situation it is not a matter of giving consent to share data; there is a Public Duty to do so. WeST settings will co-operate with such requests made by NHS Test and Trace, education providers are under an obligation to share data that is in the public interest. At no point will WeST settings share any data without a sound legal basis. The law on protecting personally identifiable information, General Data Protection Regulation (GDPR 2016) and Data Protection Act 2018, allows Public Health England to use the personal information collected by NHS Test and Trace. Settings will be sharing data on the basis that this is a task in the public interest and, in the case of any health data requested, it is necessary for reasons in the public interest, as set out below. A record of information that is shared with NHS Test and Trace will be retained by each WeST setting.

The section of the GDPR legislation that 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'

In addition the following update has been made to existing legislation:

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 NHS 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.

This Privacy Notice should be read alongside the other GDPR and Data Protection documents on the WeST website at: www.westst.org.uk

If you would like to discuss anything in this privacy notice, please contact:

WeST Data Protection Officer: DPO-WeST@westst.org.uk

Or in writing to:

Data Protection Officer
Westcountry Schools Trust
Harford Road
IVYBRIDGE
PL21 0JA

Annex A

Westcountry Schools Trust Member	Site Address
Callington Community College	Launceston Road, Callington, Cornwall. PL17 7DR
Coombe Dean School	Charnhill Way, Elburton, Plymouth. PL9 8ES
Dunstone Primary School	Shortwood Crescent, Plymstock, Plymouth. PL9 8TQ
Hele's School	Seymour Road, Plympton, Plymouth. PL7 4LT
Holbeton Primary School	The Square, Holbeton, Devon. PL8 1LT
Ivybridge Community College	Harford Road, Ivybridge, Devon. PL21 0JA
Oreston Community Academy	27 Oreston Road, Plymstock, Plymouth. PL9 7JY
Plymstock School	Church Road, Plymstock, Plymouth. PL9 9AZ
Sherford Vale School	Hercules Road, Sherford, Plymouth. PL9 8FA
Stowford School	Exeter Road, Ivybridge, Devon. PL21 0BG
Wembury Primary School	Knighton Road, Wembury, Plymouth. PL9 0EB
Woodlands Park Primary School	Abbot Road, Ivybridge, Devon. PL21 9TF
Yealmpton Primary School	Stray Park, Yealmpton, Plymouth. PL8 2HF
The Learning Institute	Victoria Beacon Place, Station Approach, Victoria, Roche, Cornwall. PL26 8LG
Boringdon Primary School	Courtland Crescent, Plympton, Plymouth. PL7 4HJ
Chaddlewood Primary School	Hemerdon Heights, Plympton, Plymouth. PL7 2EU
Glen Park Primary School	Glen Road, Plympton, Plymouth. PL7 2DE
Plympton St Maurice Primary School	Plympton Hill, Plympton, Plymouth. PL7 1UB
Woodford Primary School	Litchaton Way, Plympton, Plymouth. PL7 4RR
Ashburton Primary School	Whistley Hill, Ashburton, Newton Abbot. TQ13 7DW
Atrium Studio School	Balland Lane, Ashburton, Devon. TQ13 7EW
Buckfastleigh Primary School	Bossell Road, Buckfastleigh, Devon. TQ11 0DD
South Dartmoor CC	Balland Lane, Ashburton, Devon. TQ13 7EW