



Privacy Notice: Coronavirus COVID-19

Introduction

This privacy notice is to make it easier to understand and provide you with more information about how Capenhurst Primary School may seek to collect and hold information about you in relation to the unprecedented challenges we are all facing during the Coronavirus pandemic (COVID-19).

Capenhurst Primary School may seek to collect and process your personal data in response to the recent outbreak of Coronavirus, which is above and beyond what would ordinarily be collected from its staff and their dependents as well as pupils and their families, to ensure their safety and well-being.

Such information will be limited to what is proportionate and necessary, taking into account the latest guidance issued by the Government and health professionals, in order to manage and contain the virus. It will enable the Capenhurst Primary School to effectively fulfil our functions to keep people safe, put contingency plans into place to safeguard those vulnerable and allow the school to continue to operate.

Where the information is to be used to make organisational decisions, steps will be taken to anonymise the data and general statistics/numbers used, wherever possible.

What personal data is being collected?

Personal data is being collected to enable the Capenhurst Primary School to identify any staff (or those closely linked to staff/dependents) or pupils (and those closely linked to those pupils) who are in any of the high-risk categories and would be considered vulnerable, if infected with Coronavirus.

In addition, we will collect data relating to whether individuals demonstrate any symptoms or have tested positive to COVID-19.

All such data will allow us to comply with the government advice '[Coronavirus \(COVID-19\): implementing protective measures in education and childcare settings](#)' to allow for effective infection and protection control.

Additional data may be collected as part of the government's planned contact tracing programme, but information as to what this may be is not currently available.

Who will you share my data with?

We will not share your information with anyone else unless required to do so under additional legal requirements, for example to assist the government in containing the spread of COVID-19. This may be where we are required to do so by law, to safeguard public safety, and if there was risk of harm or in emergency situations.

We will only share your information with other partner organisations as part of the response to the COVID-19 outbreak and as directed by appropriate government agencies or support bodies. This may include:

- Cheshire West and Chester Council
- The emergency services including the NHS, Police, Fire
- Officially sanctioned COVID-19 response partner or another designated civil emergency group.

Any information which is shared will only be shared on a need to know basis, with appropriate individuals. Only the minimum information for the required purpose will be shared.

What is our lawful basis for processing your personal data?

The legal basis for processing the data is that it is in the public interest for us to deal with the outbreak of COVID-19.

The General Data Protection Regulation requires specific conditions to be met to ensure that the processing of personal data is lawful. These relevant conditions are below:

- Article 6(1)(d) – is necessary in order to protect the vital interests of the data subject or another natural person.
- Recital 46 adds that “some processing may serve both important grounds of public interest and the vital interests of the data subject as for instance when processing is necessary for humanitarian purposes, including for monitoring epidemics and their spread”.
- Article 6(1)(e) – 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.
- Section 8(c) of the Data Protection Act sets out that such a task must be necessary for the performance of a function conferred on a person by an enactment or rule of law.
- The processing of special categories of personal data, which includes data concerning a person’s health, are prohibited unless specific further conditions can be met. These further relevant conditions are below:
 - Article 9(2)(i) – is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health.
 - Schedule 1, Part 1(1) – is necessary for the performance or exercising obligations or rights which are imposed or conferred by law on the controller

or the data subject in connection with employment, e.g. Health and Safety at Work Act 1974.

- Schedule 1, Part 1(3) – is necessary for reasons of public interest in the area of public health, and is carried out by or under the responsibility of a health professional, or by another person who in the circumstances owes a duty of confidentiality under an enactment or rule of law, e.g. Governmental guidance published by Public Health England

Am I required to provide my personal data under a statutory or contractual requirement, or am I obliged to provide it?

Whilst the provision of data cannot be mandated, you are strongly advised that it is in the best interests of all to provide this information.

The information will be managed in confidential manner. All information will be held securely and processed on a 'need to know' basis by only a limited number of people. If there is a need to disclose outside of this, the minimal amount of personal data will be used.

How long will my personal data be retained by the Capenhurst Primary School?

Capenhurst Primary School will only keep your information for as long as it necessary, taking into account of Government advice and the on-going risk presented by Coronavirus. At a minimum the information outlined in this privacy notice will be kept for the duration of the COVID-19 response.

Information provided by staff in relation to this outbreak of Coronavirus will not be used for any other purpose, including to be held within personnel files 'just in case' it may be needed again.

When the information is no longer needed for this purpose, it will be securely deleted.

Your rights

If you are not happy about the way your personal data is being processed you can complain directly to the School's Data Protection team by contacting SchoolDPO@cheshirewestandchester.gov.uk

You also have the right to complain to the Information Commissioner's Office.

- Website: [Information Commissioner's Office \(ICO\) website](https://ico.org.uk)
- By post: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Telephone: 08456 30 60 60 or 01625 54 57 45

Further advice and guidance from the ICO on this issue can be found:

<https://ico.org.uk/for-organisations/data-protection-and-Coronavirus/>