

Privacy Notice

To enable the COVID-19 testing to be completed at Esher Sixth Form College, we need to process personal data for staff and pupils taking part, including sharing of personal data where we have a legal obligation. Esher Sixth Form College is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the College to ensure we meet our public health and safeguarding legal obligations.

Personal data relating to tests for students is processed using the students' explicit consent.

Personal Data relating to staff is processed under the legitimate interest of data controller to ensure we can minimise the spread of COVID-19 in a timely manner and enable us to continue to deliver education services safely and securely.

If you decline a test, we record your decision under the legitimate interest of the College in order to have a record of your decision.

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-19 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 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
- 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
- The date and time the test was carried out
- Parent/guardian contact details (if required)
- Timetabling and availability information

How we store your personal information

The information will be stored securely on the College Database whilst it is needed. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. The College will not have access to the information on the digital service once it has been entered.

Processing of Personal Data Relating to Positive test results

You will be informed of the result by the College and advised how to book a confirmatory test.

We will use this information to enact COVID-19 isolation processes without telling anyone who it is that has received the positive test. However, it may be possible for people to infer who has tested positive from the actions we take.

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.

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 1 month after the testing programme has finished 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 will be 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 1 month after the testing programme has finished and by the NHS for 8 years.

Processing of Personal Data relating to declining a test

We will record that you have declined to participate in a test and this information will not be shared with anyone.

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 dataprotectionofficer@esher.ac.uk 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:

The Data Protection Officer
Esher Sixth Form College
Weston Green Road
Thames Ditton
KT7 0JB

Email: dataprotectionofficer@esher.ac.uk

Telephone: +44 208 398 0291

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