
Issued for: The Smallpeice Trust

Number: CP006

Subject: COVID-19 Privacy Policy

Issue Date: Aug 2020

COVID-19 Privacy Policy

Purpose

This privacy notice explains how The Smallpeice Trust will collect, use and protect personal data specifically with regard to the COVID-19 (Coronavirus) pandemic. This COVID-19 privacy notice supplements our main Privacy Policies.

Process Owner

Company Secretary

Process Parties

Employees
Managers
Heads of Department
Trustees Scope of Policy

Scope of Policy

This policy applies to all staff, including Managers, Heads of Department and Trustees, paid employees, volunteers, programme delivery contractors, agency staff, students or anyone working on behalf of The Smallpeice Trust. The term 'employee' is used for simplicity throughout this document to refer to all of the above. It will be reviewed as and when legislation and Governmental guidance are updated.

1. Introduction

In order to protect the health of employees, visitors and other stakeholders, The Smallpeice Trust may seek to collect and hold additional personal data, beyond what might ordinarily be collected, in response to COVID-19 pandemic. The collection of personal data will be limited to only what is necessary, taking into account the latest guidance issued by the Government and the health authorities.

Personal data will be collected temporarily in order to assist NHS Test and Trace and as such the Trust is required to:

- Keep a temporary record of visitors for a period of 21 days.
- Keep a record of staff Return to Work Questionnaires and Vulnerable Persons Risk Assessments, in line with the Trust's data retention schedule.
- Provide relevant information to the NHS Test and Trace service for contact tracing
- Provide relevant information to Warwickshire Public Health and Public Health West Midlands, if it is identified that the Trust has two or more suspected cases of COVID-19.

2. What personal data will the Trust collect?

We collect the following personal data from visitors:

- Name
- Company details
- Telephone number
- Email address
- Date of visit

The Trust collects personal data from employees to determine whether individuals have experienced or are experiencing COVID-19 symptoms. The Trust also carries out risk assessments for employees who are in any of the vulnerable categories, as these employees could be more at risk to contracting the virus. As part of this process special category data may be collected.

3. Who is processing your data?

The Smallpeice Trust acts as the data controller in respect of the personal data we process.

The Company Secretary is the main point of contact for all personal data enquiries:

Data.Protection.Enquiries@SmallpeiceTrust.org.uk

4. How will the Trust use your personal data?

Information will only be used if the Trust is asked to provide the NHS Track and Trace service with the following details:

- Individuals who have tested positive for COVID-19
- Individuals who have been identified as having symptoms of COVID-19
- Individuals who may have been exposed to COVID-19.

This allows the NHS Test and Trace service to:

- Provide testing for anyone who has symptoms of COVID-19 to find out if they have the virus.

- Contact anyone who has had a positive test result to help them share information about any close recent contacts they have had.
- Alert those contacts, where necessary, to notify them that they need to self-isolate to help stop the spread of the virus.

The Trust will also use personal data to inform Warwickshire Public Health and the Public Health West Midlands health protection team, if it is identified that we have 2 or more suspected cases of COVID-19.

5. The Trusts legal basis for processing your personal data

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:

- Article 6(1)(c) – Legal Obligation in that the Trust has a legal obligation under the Health and Safety at Work Act 1974 to ensure the safety of both employees and visitors and all other stakeholders
- Article 6(1)(e) – Public task in that is necessary for the performance of a task carried out in the public interest. The processing is necessary for humanitarian purposes, including the monitoring of epidemics and their spread.
- Article 6(1)(f) – our Legitimate Interest(s) is to provide the safest possible environment for employees, visitors and all other stakeholders.
- Where an individual notifies the Trust of a positive test or possible symptoms for COVID-19 we will share this data with the NHS Test and Trace service, as qualified by the Data Protection Act 2018.

6. What if I do not want to provide my personal data?

The provision of personal data cannot be mandated, however it is strongly advised that it is in the best interests of everyone to provide this information to the Trust, so that we are able to take the relevant steps to keep you and others safe.

All personal data will be managed in a confidential manner, 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 minimum amount of personal data will be used.

Individuals can choose to opt out of giving their personal, but the Trust would appreciate everyone's support during this extraordinary period.

7. Who will the Trust share personal data with?

Personal information will only be shared with the NHS Test and Trace system, and if we identify 2 or more suspected cases of COVID 19, personal data will be shared with Warwickshire Public Health and Public Health West Midlands. Personal data will not be shared with any other party.

Personal data will be shared as follows:

- On request should NHS Track and Trace contact the Trust and identify an individual who has been tested as positive for COVID-19. We will provide details of contact information for staff and visitors who may have come into contact with the individual.

- We will contact the NHS Track and Trace service should a visitor inform us that they have tested positive for COVID-19. We will provide them with details of the individuals who may have come into contact the visitor.

The Trust will not share personal data 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 in risk of harm or emergency situations.

Personal data will not be shared with other parts of the Trust for any other non-related purposes.

Any personal data which is shared will only be shared on a 'need to know' basis, with the appropriate individuals. Only the minimum personal data needed for the purpose will be shared.

8. How long will personal data be retained by the Trust?

We will only keep visitor contact information for 21 days in order to respond to NHS Test and Trace data requests. This reflects the incubation period for COVID-19 (which can be up to 14 days) and an additional 7 days to allow time for testing and tracing. After 21 days, the personal data will be securely disposed of or deleted.

Employee records will be kept in line with the Trusts retention schedule.

9. Your rights

If you are not happy about the way your personal data is being processed you can complain directly by emailing Data.Protection.Enquiries@SmallpeiceTrust.org.uk