1. Scope and Purpose
This privacy notice tells you about the information we process about you in relation to COVID testing. In collecting this information, we are acting as a data controller and, by law, we are required to provide you with information about us, about why and how we use your data, and about the rights you have over your data. This data privacy notice is in addition to the general privacy notice about information we process about you as a student, member of staff or visitor.

2. Policy Statement
To enable the Covid-19 testing to be completed at Loughborough College, we need to process personal data for staff and pupils taking part, including sharing of personal data where we have a legal obligation. Loughborough 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. The personal data we process for COVID testing includes “sensitive personal data”, as defined in the EU’s General Data Protection Regulation and UK data protection laws, which includes information relating to health, racial or ethnic origin.

All such data will be processed in accordance with the provisions of these laws and Loughborough College’s Policy on Data Protection, which may be amended from time to time. For the purposes of the Act and this notice, the term ‘processing’ includes the initial collection of personal data, the holding and use of the data, as well as access, disclosure, through to final destruction. In certain circumstances, the provisions of the Act and laws permit Loughborough College to process a student’s personal data, and, in certain circumstances, sensitive personal data, without their explicit consent. Further information on what data is collected and the purposes for which it is processed is given below in this notice.

The Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to Loughborough College collecting/processing their personal data.

Loughborough College staff who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject’s attention and their consent to the processing of their data is secured.

3. Equality Impact Assessment
This policy/procedure has been assessed for its impact on equal opportunities and will be informed by the aim to eliminate all forms of discrimination in all strands of the equal opportunities legislation.
4. Privacy Notice

4.1. Who are we?

We are Loughborough College. Our address is Radmoor Road, Loughborough, Leicestershire. LE11 3BT. You can contact us by post at the above address, by email at dataprotection@loucoll.ac.uk or by telephone on +44 (0)1509 618 375.

We are required to have a Data Protection Officer, so any enquiries about our use of your personal data should be addressed to Ian Jones at DPO@loucoll.ac.uk or by using the address or phone number above.

4.2. What is personal data

Under the EU’s General Data Protection Regulation (GDPR) personal data is defined as:

“any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

4.3. How we collect your information

We will collect information about you for COVID-testing purposes:

- from your consent form
- from the result of your COVID test(s)
- for students, from your Individual Learning Record (existing data held by the College)
- for staff, from your existing employment records
- if you decline consent or withdraw consent once given, we will record this information to ensure that testing does not take place

4.4. The types of information we collect

We will collect the following types of personal data about you for COVID-testing purposes:

- Name
- Date of birth (and year group)
- 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
• Unique barcode assigned to consent form in order to record information contained on consent form
• Test result
• A photograph of the completed test
• Parent/guardians contact details (if required)
• sensitive personal data, including:
  o information concerning your health and medical conditions (e.g. COVID positive or negative); and
  o information about your racial or ethnic origin, for Department of Health and Social Care research purposes

4.5. How we use information about our students

The purposes for which we may use personal data (including sensitive personal data) we collect in relation to COVID testing include:

• 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.
• on public health grounds
• other administrative purposes, including:
  o carrying out research and statistical analysis;
  o carrying out audits (e.g. to ensure compliance with our regulatory and legal obligations);
  o providing operational information (e.g. restrictions on campus, or safety advice);
  o dealing with complaints and enquiries.

4.6. The basis for processing your information and how we use it

The primary basis for processing your personal data in relation to COVID testing, including the processing of sensitive personal data, is your express consent (including parental consent where appropriate).

We may also process your personal data because it is necessary for the performance of our tasks carried out in the public interest or because it is necessary for our or a third party’s legitimate interests. In this respect, we may use your personal data for the following:

• to record your decision relating to consent to COVID testing, including any refusal or withdrawal of consent
• for staff and visitors, to ensure we can minimise the spread of COVID in a timely manner and enable us to continue to deliver education services safely and securely
We may also process your personal data for our compliance with our legal obligations. In this respect, we may use your personal data for the following:

- to meet our compliance and regulatory obligations, such as compliance with safeguarding requirements;
- 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 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.

We may also process your personal data where:

- it is necessary for medical purposes (e.g. diagnosis of COVID-19);
- it is necessary to protect your or another person’s vital interests; or

4.7. Sharing information with others

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties in limited circumstances, including:

- our employees, agents and contractors where there is a legitimate reason for their receiving the information, including internal and external auditors.
- parents, guardians, and next-of-kin, where there is a legitimate reason for disclosure;
- the Department for Health and Social Care, 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))

The Department for Health and Social Care (DHSC) then becomes a Data Controller for all data that we transfer to them about you and your test results. For more information about what they do with your data please see the Test and Trace Privacy Notice. The College remains a Data Controller for the data we retain about you.

- The DHSC may then share your data with:
  - NHS and 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

If you decline or revoke consent, we will not share this with anyone other than our employees, agents and contractors.
4.8. International data transfers

We will only transfer your personal data outside of the United Kingdom where we have your explicit consent to do so, which would normally be only where you or your parent/carer/guardian lives outside of the United Kingdom and we need to share the result or other related information with you or them.

5. Accuracy of data

Loughborough College is required to take reasonable steps to ensure that any personal data it processes is accurate and up-to-date. It is the responsibility of the individual student or employee to inform Loughborough College of any changes to the personal data that they have supplied to it in relation to COVID testing by emailing COVID@loucoll.ac.uk. Any changes should also be notified to Student Records or to the HR department as required under the general privacy notice for students or staff, as appropriate.

6. Retention period

A copy of your consent form, or the fact of your decision to refuse or revoke consent, will be stored by the College until the end of your course (for students) or the end of your employment (for staff members), or for a period of 12 months, whichever is shorter.

The personal data in relation to your COVID test will otherwise only be stored securely on local spreadsheets in school/college for a period of 3 months after the date of test. 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. The DHSC will retain the information for 8 years.

7. Individuals Rights

Under data protection legislation, you have the right to request access to information about you that we hold. At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- **The right to be informed** - under transparency requirements in the new laws, you are informed about the collection and use of personal data
- **Right of access** – you have the right to request a copy of the information that we hold about you.
- **Right of rectification** - you have a right to correct data that we hold about you that is inaccurate or incomplete.
- **The right to erasure** - in certain circumstances you can ask for the data we hold about you to be erased from our records
- **The right to restrict processing** - where certain conditions apply to have a right to restrict the processing of personal data
- **The right to data portability** - you have the right to have the data we hold about you transferred to another organisation
- **The right to object** - you have the right to object to certain types of processing such as direct marketing
- **Rights in relation to automated decision making and profiling** - you also have the right to be subject to the legal effects of automated processing or profiling
8. Requesting access to your personal data

To make a request for your personal information, contact Ian Jones (Data Protection Officer) at DPO@Loucoll.ac.uk. If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner’s Office at https://ico.org.uk/concerns/ or write to them at:

   Information Commissioner's Office
   Wycliffe House
   Water Lane
   Wilmslow
   Cheshire
   SK9 5AF

9. Further information

If you would like to discuss anything in this privacy notice, please contact: Ian Jones (Data Protection Officer) at DPO@Loucoll.ac.uk or the data protection advisor at Data.Protection@Loucoll.ac.uk. For further information about COVID testing, please contact COVID@loucoll.ac.uk