

## **Coronavirus and your information - Updated on 3<sup>rd</sup> August 2020**

This notice describes how we may use your information to protect you and others during the Coronavirus outbreak. It supplements our main Privacy Notice which is available [\[here\]](#).

The health and social care system is facing significant pressures due to the Coronavirus outbreak. Health and care information is essential to deliver care to individuals, to support health and social care services and to protect public health. Information will also be vital in researching, monitoring, tracking and managing the outbreak. In the current emergency it has become even more important to share health and care information across relevant organisations.

Existing law which allows confidential patient information to be used and shared appropriately and lawfully in a public health emergency is being used during this outbreak. Using this law the Secretary of State has required NHS Digital; NHS England and Improvement; Arm's Length Bodies (such as Public Health England); local authorities; health organisations (such as CCGs), and GPs to share confidential patient information to respond to the Coronavirus outbreak. Any information used or shared during the Coronavirus outbreak will be limited to the period of the outbreak unless there is another legal basis to use the data.

During this period of emergency, opt-outs will not generally apply to the data used to support the Coronavirus outbreak, due to the public interest in sharing information. This includes National Data Opt-outs. However in relation to the Summary Care Record, existing choices will be respected. Where data is used and shared under these laws your right to have personal data erased will also not apply. It may also take us longer to respond to Subject Access requests, Freedom of Information requests and new opt-out requests whilst we focus our efforts on responding to the outbreak.

In order to look after your health and care needs we may share your confidential information with other health and care organisations and other bodies engaged in disease surveillance for the purposes of protecting public health, providing healthcare services to the public and monitoring and managing the outbreak.

We will hold your personal information securely and it is subject to strict controls that meet the requirements of data protection legislation.

Where we need to do so, we will not collect more information than we require and we will ensure that any information collected is treated with the appropriate safeguards.

You can find out more about how your information is supporting the Coronavirus response [here](#).

We may amend this privacy notice at any time so please review it frequently. The date at the top of this page will be amended each time this notice is updated.

## Staff Privacy Notice – Coronavirus Testing

<b>What is it</b>	Coronavirus testing of Kirklees residents
<b>Data Controller</b>	NHS Greater Huddersfield CCG, and NHS North Kirklees CCG
<b>Purpose</b>	<p>You have made a request, or had a request made on your behalf, to undertake a coronavirus test because you are currently following government guidelines on self-isolation, and are a resident of Kirklees.</p> <p>The test will confirm whether you currently have coronavirus. This is so that you can:</p> <ul style="list-style-type: none"> <li>• take the right steps to take to look after yourself</li> <li>• protect others</li> <li>• know if you're fit and well to return to work</li> <li>• potentially reduce the amount of time you have to self-isolate for</li> </ul> <p>Testing for coronavirus is being coordinated by Locala Community Partnerships CIC (Locala) across the Calderdale, Kirklees and Wakefield footprint.</p> <p>We will be receiving your information, via an application form which you will complete and return to us by email. Once we have received your application form, we will then then send your details (name, contact telephone/mobile phone number) to Locala in order for them to allocate a time for your test, Locala will contact you on the phone number you provided, to book an appointment with you.</p>
<b>Lawful basis</b>	<p>The CCG's legal basis for processing personal data under GDPR is article 6(1)(e) – public task</p> <p>For the processing of special categories data, the legal basis is article 9(2)(h) – the provision of health treatment and management of a health and social care system</p> <p>Data Protection Act 2018 – Schedule 1, Part 1, (2) (2) (f) – Health or social care purposes</p>
<b>Type of information used</b>	<p>Personal: name, telephone/mobile phone number, email address, the organisation you are employed by (if a key worker).</p> <p>Special Category: whether it is you, or a member of your household that is displaying coronavirus symptoms and requiring testing. We will also ask if you are unable to attend the drive through testing site, in order to facilitate home testing where required.</p> <p>We do not receive test results as these are sent to you directly.</p>
<b>Who we will share the information with (recipients)</b>	We share your information with Locala who are co-ordinating the testing on behalf of the CCG. For details of how Locala will use your information, please see <a href="#">Locala's privacy notice</a> .

	<p>Coronavirus testing is being carried out across England and has been commissioned by The Department of Health and Social Care (DHSC). You can find out how your information will be used by DHSC in their <a href="#">coronavirus privacy notice</a>.</p> <p>We will store the information safely before sending to Locala using secure email.</p>
<b>Do we use any processors</b>	<p>We are not using any data processors.</p> <p>Locala are working in partnership with chosen laboratories to carry out testing and the testing sample will be sent by secure courier to the laboratory.</p>
<b>How we collect (the source) and use the information</b>	<p>You will provide us with your information by completing the application form, and sending to us via email.</p>
<b>How long we will keep the information</b>	<p>Your information will be stored in line with the <a href="#">Records Management Code of Practice for Health and Social Care 2016</a>. This means we will keep your information for up to 8 years before we dispose of it – reference <a href="https://www.gov.uk/government/publications/coronavirus-covid-19-testing-privacy-information/testing-for-coronavirus-privacy-information">https://www.gov.uk/government/publications/coronavirus-covid-19-testing-privacy-information/testing-for-coronavirus-privacy-information</a> .</p>
<b>Your Rights</b>	<p>With regards to this process, under GDPR you have the right:</p> <ul style="list-style-type: none"> <li>• To be informed about the processing of your information (this notice)</li> <li>• Of access to the information held about you</li> <li>• To have the information corrected in the event that it is inaccurate</li> <li>• To restrict or stop processing</li> <li>• To object to it being processed or used</li> <li>• Not to be subject automated decision-taking or profiling</li> <li>• To be notified of data breaches</li> </ul>

## Employee COVID-19 Individual Risk Assessment

<b>What is it</b>	Employee COVID-19 individual risk assessment
<b>Data Controller</b>	NHS North Kirklees CCG
<b>Purpose</b>	<p>Certain groups are more vulnerable to serious illness (and death) due to COVID-19. The evidence about these heightened risk factors is growing as more is understood about the virus.</p> <p>It is important that all employees are supported appropriately in relation to potential risk relating to COVID-19.</p>
<b>Lawful basis</b>	<p>The CCG's legal basis for processing personal data under GDPR is article 6(1)(e) – public task.</p> <p>For the processing of special categories of personal data, the legal basis is Article 9(2)(b) – exercising obligations in connection to employment, along with Schedule 1 condition 1 of the Data Protection Act 2018.</p>
<b>Type of information used</b>	<p>Personal: name, job title, age range, gender.</p> <p>Special Category Data: those staff whose ethnicity is in the Black, Asian and minority ethnic (BAME) group; those staff who have underlying health issues.</p> <p>We will not ask, or collect from you the details of a specific medical diagnosis or reasons of why you or a family member considers themselves to be in a vulnerable category. You may discuss specifics with your line manager but this information will not be stored.</p>
<b>Who we will share the information with (recipients)</b>	This data will be shared with your line manager, limited members of the Human Resources (HR) team and Occupational Health if a referral is required. Non-identifiable data will be shared with Senior Management Team as part of planning work.
<b>Do we use any processors</b>	North of England Commissioning Support (NECS), who provide the Human Resource service for the CCG.
<b>How we collect (the source) and use the information</b>	Data will be collected from you by your line manager and recorded into a risk assessment tool.
<b>How long we will keep the information</b>	Your information will be stored in line with the <a href="#">Records Management Code of Practice for Health and Social Care 2016</a> . This means we will keep this information until your 75th birthday or 6 years after you leave, whichever is sooner.
<b>Your Rights</b>	<p>With regards to this process, under GDPR you have the right:</p> <ul style="list-style-type: none"> <li>• To be informed about the processing of your information (this notice)</li> <li>• Of access to the information held about you</li> <li>• To have the information corrected in the event that it is inaccurate</li> <li>• To restrict or stop processing</li> <li>• To object to it being processed or used</li> </ul>

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