



TOLWORTH GIRLS' SCHOOL & SIXTH FORM

COVID-19 Addendum for Parents' /Students' Privacy Notice/Fair Processing Notice

This notice describes how we may use personal information to protect students and others during the COVID-19 outbreak. It supplements our main Privacy Notices.

Students' rights in relation to the processing set out in this addendum can be found in our main [Privacy Notice](#). They include the right of access and rectification. If a student or parent has any concerns about our processing of personal data in relation to the COVID-19 pandemic, they should contact 020 88397 3854 or contacttheschool@tolworthgirlsschool.co.uk

Safeguarding the health and safety of our students, members of staff and school community is of paramount importance. During the COVID-19 pandemic we may process personal data in additional ways to ensure we are doing everything we can to protect everyone's health.

This may include:

- Asking whether students (or anyone in their households) are experiencing any COVID-19 symptoms.
- Collecting specific health data when someone tells us they are experiencing COVID-19 symptoms.
- Keeping a record of COVID-19 related health information.
- Analysing personal information already shared with us so we can ensure we are taking all possible measures to keep everyone safe.
- Sharing information with others, for example, with other members of a school 'bubble'/community.

When we process student personal information in this way, we will always abide by data protection law; namely, the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018 (UK DPA 2018).

Our processing will meet the **principles laid down in the GDPR**. This means that we will: Only collect and use the minimum amount of information that is necessary for our purpose of protecting the health and safety of students, and that of others:

- Make sure that any decisions we make about students based on this information are fair and don't discriminate against them.
- Only retain this information for as long as necessary. The retention period will be 12 months, but we will keep this under review.

- Ensure the security of students' personal information by adhering to the procedures laid down in our Data Protection Policy and IT/e-safety policies/user agreements
- Share the minimum amount of personal information necessary for our purpose. We will do this verbally if appropriate, and will always seek not to share an individual's name unless it is absolutely necessary
- Be open and transparent about our processing - through this addendum to our privacy notice and in any communications with students/parents.

Under the GDPR we must have a lawful basis to process personal data as described above.

Our lawful basis is the one of 'public task', being processing that is necessary for our function as a school/ tasks in the public interest.

Due to its sensitivity, health information has extra protection under the GDPR and the UK Data Protection Act 2018 as special category data. This means we have to identify an additional lawful condition for our processing.

Our lawful condition is 'reasons of substantial public interest' under the GDPR and 'safeguarding of children and of individuals at risk' under Schedule 1, Part 2 of the UK DPA 2018.

We are committed to protecting your personal data and being transparent about what data we process about you. This privacy notice applies to all parents and students and it explains how we collect, use, process and share your personal data in relation to COVID19 and your rights regarding your personal data.

We've used a Q&A method to explain:

- What information we collect about you.
- How we may use that information.
- In what situations we may disclose your information to third parties.

Can we ask parents if their child has any symptoms or to notify us if s/he has been diagnosed?

Yes. ICO states that it would be reasonable to ask people if they are experiencing symptoms.

Data about a student's health, including whether or not they are experiencing COVID-19 symptoms, is 'special category' personal data as defined in the GDPR.

As well as requiring a lawful basis for processing under Article 6, schools need an additional exemption to process this data under Article 9.

The relevant legal bases are:

- Compliance with health and safety obligations under employment law (for the safety of staff) (GDPR art 9(2)(b); DPA 2018 sch1, para 1).
- For reasons of public health (GDPR art 9(2)(i); DPA 2018 sch1, para 3).

Do not collect more data than you need - i.e. limit the collection of health data to information that is relevant to COVID-19.

Ensure collection of this data is in the least intrusive way possible.

Make sure you keep the data safe and secure and limit circulation on a 'need to know' basis only.

Can we take students' temperature readings?

Yes, if strictly necessary. ICO guidance does not prevent collecting and recording students' temperatures. However, the government states that parents, carers and settings do not need to take children's temperatures every morning. Routine testing of an individual's temperature is not a reliable method for identifying coronavirus. Educational and childcare settings should reiterate to parents the need to follow the standard national advice on the kind of symptoms to look out for that might be due to coronavirus, and where to get further advice.

Conducting health screening of students needs to be carefully considered and justified in the circumstances.

Can we ask about symptoms in the student's household?

Yes. ICO states that, where necessary, the collection of additional data about those in a student's household may be proportionate. However, the data minimisation principle is key - do not collect more information than needed and ensure it is treated with appropriate safeguards. For example, we recommend not to collect information about specific symptoms about each household member.

Can we keep a record of students who are diagnosed as infected?

Yes. Note that such collection of data would need to comply with data protection principles. In particular, data minimisation and purpose limitation will be important. Therefore, you will need to keep the minimum data that is necessary for your purpose and have a retention period for the list.

Can we notify members of staff about an infected student?

Yes. The ICO has advised that informing employees that a student may have contracted the virus is permitted by virtue of the employer's duty of care and to ensure employees' health and safety.

Such information may, for example, facilitate contact tracing and thereby reduce virus exposure. However, this should be done on an anonymised and need-to-know basis, disclosing the minimum data required.

Can we notify parents of an infected student?

Yes. You can notify parents if the infected student has interacted with their child(ren).

It is unlikely that information about specific individuals will need to be disclosed. However, where identification is required, the processing of health-related personal data can be carried out under GDPR art 9(2)(i) and DPA 2018 sch1, para 3, where it is necessary for reasons of public interest in the area of public health.

How long do we keep your COVID-19 health data?

We will hold your personal data for the duration of the pandemic and then as directed by the government.

Your rights in connection with your and your child's personal information

You have rights in respect of our processing of your personal data which are:

- To request access to your personal data and information about our processing of it. You also have the right to request a copy of your personal data (but we will need to remove information about other people).
- To request we rectify incorrect personal data that we are processing.
- To request that we erase your personal data if:
 - We no longer need it.
 - We are processing your personal data by consent and you withdraw that consent.
 - We no longer have a legitimate ground to process your personal data.
 - We are processing your personal data unlawfully.
- To object to our processing if it is by legitimate interest.
- To restrict our processing if it was by legitimate interest.
- To request that your personal data be transferred from us to another company if we were processing your data under a contract or with your consent and the processing is carried out by automated means.

If you want to exercise any of these rights, please contact us.

If you have any questions or concerns, please contact us as most matters can be resolved informally in the first instance.

You also have the right to lodge a complaint about our processing via the UK's Information Commissioner's Office (ICO).