



# EAST GRINSTEAD TOWN COUNCIL

Council Offices, East Court, College Lane, East Grinstead, West Sussex, RH19 3LT

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## COVID-19 TEST & TRACE PRIVACY NOTICE

### About Test and Trace

COVID-19 is an infectious disease affecting the whole of the country. The virus that causes COVID-19 is a coronavirus. Infectious diseases present a serious and ongoing threat to public health. If not controlled, they can infect large numbers of people and, depending on the disease and other factors, can result in ill-effects ranging from relatively minor symptoms to early death.

Contact tracing is an important way of controlling the spread of infectious diseases. It involves identifying and tracing all the people who have been in contact with a person who has been infected. Depending on the nature and duration of the contact, these contacts may require advice or treatment to prevent the disease spreading further.

This privacy notice explains what personally identifiable information is collected by East Grinstead Town Council. It also explains how this information is used, how it is protected, how long it is kept, who it is shared with, who shares it with us, what your rights are, and how you can find out more.

For information about how Public Health England is handling your information for Test and Trace see their privacy notice <https://www.gov.uk/government/publications/privacy-notice-for-maintaining-records-of-staff-customers-and-visitors-to-support-nhs-test-and-trace/privacy-notice-for-maintaining-records-of-staff-customers-and-visitors-to-support-nhs-test-and-trace>

The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows East Grinstead Town Council to use the personal information collected for the purpose of Test and Trace (COVID-19).

### Why we may ask for your information

- To enable contact tracers to manage the process of tracing these Contacts to find out if they have any COVID-19 symptoms and if so, to provide advice on how to seek help
- To enable the necessary sharing of personal information to third party organisations using minimum data
- To enable the planning, management and containment of local outbreaks
- To enable the Districts and Boroughs to assist with tracking delivering their statutory Environmental Health/Food Safety obligations.

### How we store your information

We will only keep your information for as long as it is necessary. We will consider Government guidance and the on-going risk presented by the Pandemic. Current guidance (June 2020) advises that information obtained to assist Test & Trace should be retained for a period of 21 days. When the information is no longer needed for this purpose it will be securely disposed of. Your personal data will only be kept for as long as necessary.

### The Lawful Basis for Processing Personal Data

The Council will process this information in line with pre-existing guidelines by Information Commissioner, the Government and other regulatory organisations. The Government and NHS have also issued guidelines to take into account the processing of data in as a result of the Pandemic.

The General Data Protection Regulations require specific conditions to be met to ensure that the processing of personal data is lawful, these are:

- processing is necessary for compliance with a legal obligation (Article 6(1) (c));
- processing is necessary in order to protect the vital interests of the data subject or another natural person (Article 6(1) (d));
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority (Article 6(1) (e))

There are also additional conditions controlling the use of Special Category which includes data concerning health and related information:

- processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law (Article 9 (2) (b) );
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent (Article 9 (2) (c));
- processing is necessary for reasons of substantial public interest (Article 9 (2) (g) );
- processing is necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health and social care treatment or the management of health and social care systems and service (Article 9 (2) (h));
- processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health (Article 9(2) (i) )

The legislation, policies and guidance that relate to this service include, but are not limited to:

The Coronavirus Act 2020 - is emergency legislation in response to the exceptional circumstances that have arisen. This Act provides the Government and Local Authorities with new powers whilst also modifying other duties to ensure the public sector can respond to the current crisis.

The Civil Contingencies Act 2004 and (contingency planning) Regulations 2005 Allows the local authorities continue to exercise its functions in the event of an emergency.

The Local Government Act 2000 - give powers to local authorities to promote economic, social and environmental well-being.

Care Act 2014 - legal framework for local authorities support an individual's 'wellbeing'.

### **Changes to this Privacy Notice**

We keep this Privacy Notice under regular review and we will place any updates on this web page [<http://www.eastgrinstead.gov.uk/>]. This Notice was last updated in July 2020.

### **How to Contact Us**

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, East Grinstead Town Council, East Court, College Lane, East Grinstead, RH19 3LT or e-mail [towncouncil@eastgrinstead.gov.uk](mailto:towncouncil@eastgrinstead.gov.uk)

We have a Data Protection Officer (DPO) who is responsible for informing and advising the Council on its data protection obligations and monitoring the Council's internal compliance. If you have any concerns please telephone 01342 323636 and ask to speak to the Compliance Manager.

### **Where can I get independent advice?**

For independent advice about data protection you can contact the Information Commissioner's Office at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5A email [casework@ico.org.uk](mailto:casework@ico.org.uk) or call 0303 123 1113 or 01625 545 745