



## **THE ROSE LEARNING TRUST**

# **PRIVACY NOTICE FOR CORONAVIRUS (COVID-19)**

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<b>Prepared by</b>	<b>DPO</b>
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## **Privacy Notice for Coronavirus (COVID-19)**

This Privacy Notice has been written to inform pupils, parents, and staff of the Rose Learning Trust about how we are using your information in light of the measures that have been introduced in response to the Coronavirus (Covid-19) pandemic. This Privacy Notice should be read in conjunction with our:-

- Privacy Notice for Pupils and Parents
- Privacy Notice for Staff

### **Who are we?**

The Rose Learning Trust is a 'Data Controller' as defined by Article 4 (7) of the GDPR. This means that we determine the purpose for which, and the manner in which, your personal data is processed. We have a responsibility to you and your personal data and will only collect and use in ways which are compliant with data protection legislation

The Rose Learning Trust collects uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws.

Our Data Protection Officer can be contacted via [DPO@roselearning.co.uk](mailto:DPO@roselearning.co.uk)

### **What information are we collecting?**

The categories of information that we collect, hold and share include the following:

- Basic personal information (e.g. name, pupil number, DOB, and address) (Pupils, parents, and staff)
- Safeguarding information (pupils)
- Job role and evidence of employment in this role (parents)
- Attendance information (pupils and staff)

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data including:

- Information which identifies children that are 'vulnerable' (those who have a social worker such as children in the care of the Local Authority and those children with education, health, and care (EHC) plans
- Relevant medical information (pupils and staff)

We may also ask you for information to help us identify and understand about those suffering with, or at risk of suffering with, COVID-19; information about incidents of exposure to COVID-19 and the management of outbreaks of or the risk of COVID-19 including locating, contacting, screening, flagging and monitoring such incidents and collecting information about and providing services in relation to testing, diagnosis, self-isolation, fitness to work, treatment, medical and social interventions and recovery from COVID-19.

Additionally, at this time, we may seek to collect and process information from you, which is above and beyond what would ordinarily be collected. This is necessary to ensure your safety and well-being, however we will ensure that this will be limited to what is proportionate and necessary for us, in accordance with Government guidance, to manage and contain the virus and enable us to effectively keep people safe, put contingency plans into place to safeguard those who are vulnerable and to aid business continuity.

### **Why do we process your personal data?**

We are processing this information to facilitate the provision of care for vulnerable children and the children of critical workers.

This involves:

- Processing pupil information to facilitate their learning and meet any care requirements that they have
- Processing parents' employment information to confirm their status as a critical worker
- Processing the information of staff members who have been redeployed in order to meet resourcing needs

Any personal data that we process about our pupils and parents is done so in accordance with Article 6 and Article 9 of GDPR:

### **Legal Basis for Processing Data**

The legal basis for processing your data is that it is in the public interest for us to deal with the outbreak of COVID-19.

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)(d) GDPR** - processing is necessary in order to protect the vital interests of the data subject or another natural person.
- **Recital 46** adds that "some processing may serve both important grounds of public interest and the vital interests of the data subject as for instance when processing is necessary for humanitarian purposes, including for monitoring epidemics and their spread".

- **Article 6(1)(e) GDPR** – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- The processing of special categories of personal data, which includes data concerning a person’s health, are prohibited unless specific further conditions can be met as follows:
- **Article 9(2)(i) GDPR** – processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health.
- **Schedule 1, Part 1(3) Data Protection Act 2018** – processing is necessary for reasons of public interest in the area of public health, and is carried out by or under the responsibility of a health professional, or by another person who in the circumstances owes a duty of confidentiality under an enactment or rule of law.
- **Article 9(2)(g) GDPR** – processing is necessary for reasons of substantial public interest, on the basis of Union or Member State Law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguarding the fundamental rights and the interests of the data subject

Please refer to our standard Pupils and Parents and Employees Privacy Notices for further information about the lawful basis we rely upon to process your data.

#### **Who do we obtain your information from?**

Much of the information we process will be obtained directly from you. We will also process information received from:

- Department for Education (DfE)
- Local Education Authority. If your child is attending our school as a result of the COVID-19 pandemic response and your child’s previous school was in a neighbouring LEA, then we may need to obtain information from this LEA.
- Previous schools attended

#### **Who do we share your personal data with?**

In this current pandemic, we may share your data internally within our Trust as well as externally with other public authorities, emergency services, and other stakeholders, as necessary and proportionate to do.

We are obliged to share attendance data with the Department for Education during this time. The following information will be shared:

- The names of all children who are in attendance on each day
- If the child is not enrolled at your school, the name of the school where the child is enrolled
- Where the child is present on each day
- Whether the child has parents who are critical workers
- If the child is vulnerable e.g., they have an education health and care plan (EHCP), have a social worker (CiN) or are looked after children]

- If the child is on an EHCP
- If the child has a social worker
- The time the child signed into the school
- The time the child signed out of the school
- The number of children or staff members that are ill, isolating, shielding and where there is a suspected or confirmed case of COVID-19
- The number of children or staff members who have been asked to self-isolate by the NHS Test and Trace system
- The number of children or staff members living with a clinically extremely vulnerable person

We will only keep your information for as long as it necessary, taking into account Government advice and the on-going risk presented by Coronavirus. As a minimum the information outlined in this privacy notice will be kept for the duration of the COVID-19 response.

Where possible we will anonymise your personal data so that you cannot be identified. When the information is no longer needed for this purpose, it will be securely deleted. We will not retain a copy of the evidence that you have provided to us to prove that you are a critical worker.

### **Further information**

The Information Commissioner's Office has published FAQs on coronavirus:

<https://ico.org.uk/global/data-protection-and-coronavirus-information-hub/>

### **Complaints**

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we have done something wrong.

You can make a complaint at any time by contacting our Data Protection Officer, [DPO@roselearning.co.uk](mailto:DPO@roselearning.co.uk)

You can also complain to the Information Commissioner's Office in one of the following ways:

- Online: <https://ico.org.uk/concerns>
- Call: 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact Us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection officer Deborah Temperton [DPO@roselearning.co.uk](mailto:DPO@roselearning.co.uk)