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University of Chichester

**PRIVACY NOTICE – COVID-19**

**Approved by the Deputy Vice-Chancellor (Student Experience): 3 August 2021**

**on behalf of the Vice-Chancellor’s Group:**

#### This privacy notice relates to personal data that may processed in relation to visitors, staff and students as part of the COVID-19 NHS Test and Trace Service and Public Health England (PHE) COVID-19 outbreak control measures.

#### It should be read in conjunction with the University’s over-arching Privacy Standard and privacy notices accessible here: <https://www.chi.ac.uk/about-us/policies-and-statements/data-protection> and the University’s COVID-19 Secure Policy accessible here: <https://www.chi.ac.uk/about-us/policies-and-statements/health-and-safety>.

#### Introduction

##### Under the Health Protection (Notification) Regulations (2010)[[1]](#footnote-2) and the Public Health (Control of Disease) Act 1984[[2]](#footnote-3), Universities are required to work in a supportive way with local Public Health services to help minimise and manage the transmission of notifiable communicable diseases including COVID-19. Under the Health & Safety at Work etc Act 1974[[3]](#footnote-4), the University also has a duty of care to its staff, student and visitors.

##### As COVID-19 is a notifiable communicable disease the University is required by Public Health England to report all known positive cases amongst the University community (staff and students) to Surrey and Sussex Health Protection Team (South East) (SSHPT) and to the West Sussex County Council Public Health Team (WSCC Public Health).

##### “University positive case” means any member of the University community who lives in student accommodation (halls or local student housing), or who has recently (within 2 days of symptoms starting) been on either of the two campuses, including attending scheduled sessions or Students’ Union (SU) arranged activities.

##### In addition, where a student is living with other current University students (halls or local student housing), Public Health England requires the University to officially notify all members of the student’s household to self-isolate where the student has tested positive for COVID-19 or has reported symptoms of COVID-19.

##### Similarly, the University is also required to identify and officially notify to self-isolate all students and staff who may have been in close contact with a positive case as a result of attending a scheduled teaching session or a SU arranged activity.

##### The University provides guidance and support to all students who notify that they have been required to self-isolate by NHS Test and Trace or by the NHS COVID-19 app.

##### Under its duty of care, the University will regularly telephone all students living in Halls accommodation or local student housing who have been notified to self-isolate. The calls will not be made if this is requested by the student.

##### We therefore ask all staff and students to notify the University if they have tested positive or have COVID-19 symptoms, or if they have been notified to self-isolate by NHS Test and Trace or the NHS COVID-19 app.

##### The University also actively encourages all visitors, staff and students to engage with NHS Test and Trace, both through the use of the NHS COVID-19 app and with the ‘check into a venue’ QR codes located in all public spaces. It should be noted that the University does not collect or process data for this purpose.

##### The University takes both its obligations under data protection and its health and social protection responsibilities seriously. This privacy notice explains what personal data we will collect, how this information will be used, how we will ensure that this data is store separately for this purpose and securely, our retention periods, legal bases for processing, your rights and contact information in the event of any privacy concerns you may have.

#### What data we will collect

##### For students who have tested positive or have COVID-19 symptoms we will ask for name, address, contact details, course and year, housemates’ names, when symptoms started and any test taken, details of attended sessions (teaching, practical or recreational eg SU) within the 48-hour period of symptoms starting, and names of close contacts who are students or members of staff. Students can provide this information using our electronic COVID-19 reporting form (<https://covidreport.chi.ac.uk/>) or by email to the [CovidReport@chi.ac.uk](mailto:CovidReport@chi.ac.uk) resource email account

##### For students who have been asked to self-isolate we ask for their name, address and contact details and their expected end-date for isolation.

##### Staff who have tested positive or have COVID-19 symptoms are asked to inform their line manager and HR, and to provide information about when they were last on campus. If reporting a positive test, they are asked to provide the test type and date, and asked about potential close contacts if they have recently been on campus (eg in scheduled sessions with students).

#### What other data we may use

##### We may also have to interrogate our University systems and registers, to trace individuals who may have come into contact with confirmed cases of COVID-19 so they can be notified of the need to self-isolate. In particular the following personal data may be processed:

###### Information from our Timetabling system to identify groups of students/staff who may have been in close contact

###### Attendance data from card swipes into teaching spaces to identify groups of students/staff who may have been in close contact

###### Manual registers of attendance taken at teaching or any other campus events

###### Registers of attendance at SU arranged events and activities, provided by the SU under our Data Sharing Agreement.

#### How we will use your data

The University will use the information you provide for these purposes:

##### Disclosure to WSCC Public Health and SSHPT

If you have tested positive, we will disclose information about you to West Sussex Public Health and SSHPT as part of our statutory requirement to notify them of confirmed cases. Our assistance enables WSCC Public Health and SSHPT to discharge their duties related to managing COVID-19 and its potential outbreak, as well as ensuring the University meets duty of care obligations to all students and staff.

The information we disclose to SSHPT and WSCC Public Health is:

* Name (SSHPT) or initials (WSCC Public Health) and date of birth of the positive case
* Course and year (if a current student)
* Residential setting (Halls Block or Street name)

Disclosed information will be used by West Sussex Public Health and SSHPT to undertake assessments to determine what action needs to be taken to prevent further infection/spread and to provide advice and guidance to the University and help in case of possible outbreak.

As appropriate the University will have data sharing agreements in place with third parties with whom your data may be shared.

##### Other purposes

###### In order to send notifications to self-isolate to housemates/flatmates of students who have tested positive or who have reported symptoms.

###### In order to send notifications to self-isolate to close contacts of a positive case resulting from teaching sessions or SU events and activities.

###### In order to contact students and staff affected by COVID-19, or who may have come into contact with someone who is a suspected or confirmed case, in order to provide support in terms of health and wellbeing.

###### In order to minimise risk to students and staff members who may be clinically vulnerable or extremely clinically vulnerable.

###### In order to assess the level of impact of COVID-19 on the University community and respond in a timely manner.

###### In order to ensure students are appropriately supported to manage any impact on their studies.

###### In order to identify any steps that should be taken to help ensure a safe environment for staff and other students. These might include additional cleaning, further risk assessment of particular activities and notifying students and/or staff that they have been in contact with someone who has tested positive.

###### In order to inform the wider University community and visitors to our website, total numbers of student and staff cases are regularly updated on the University website.

###### Anonymous statistical information will be used by the University’s senior management to inform important University business and any further University response in relation to COVID-19. The total number of active cases within the University community (students and staff) is published on the University Novel Coronavirus webpage:

###### <https://www.chi.ac.uk/search/course-search/support-health-wellbeing/novel-coronavirus>

###### Anonymous statistical information may be shared with the Government if required to aid them in their statistical modelling and planning.

#### How we will ensure the security of your data

##### All personal data collected for the purposes set out in this privacy notice will be will be stored on secure University systems and will have restricted role-based permissions for access.

#### How long will we retain your data?

##### Your personal data will be retained only for the purposes stated in this privacy notice and will be held by us for the duration of the current COVID-19 Pandemic. When no longer required for the purpose your personal data will be securely deleted.

#### Legal basis for processing

##### Under data protection law, the University has various lawful bases that allow us to collect and process personal information in the context of COVID-19 and most likely in this context are:

* For compliance with a legal obligation to which the University is subject (specifically health and safety legislation);
* For disclosure as part of NHS Test and Trace and wider public health measures, necessary for the performance of a task carried out in the public interest, i.e. the public task of the NHS and public health authorities in controlling the spread of COVID-19;
* Necessary for the performance of our public task as a university, which includes providing a safe learning and teaching environment to facilitate the education of our students;
* Necessary for legitimate interests, i.e. ensuring health and safety within the university environment. We consider that the scope of data being processed and the way in which we will process it means that our approach is proportionate and the legitimate interests are not outweighed by any negative impacts on the rights of the individuals (see below);

##### If we need to process any health information (special category data) about you we also have to satisfy an appropriate condition, under data protection legislation, for such processing. In this context, and where the explicit consent of the individual is not appropriate, the conditions we are most likely to rely on are:

* For the purpose of carrying out the obligations and exercising specific rights of the University or of individuals in the field of employment and social security and social protection law (specifically in this context this relates to the health and well-being of employees);
* Statutory and government requirements i.e. this condition applies when processing special category data in the substantial public interest e.g. public health, where the University is fulfilling obligations under UK legislation which impact our staff, students and visitors;
* Public health i.e. the processing is necessary for reasons of public interest and carried out under the responsibility of a health professional or another person who owes a duty of confidentiality under enactment or rule of law.

#### Your rights

##### Data subjects have the following rights under data protection legislation (although there are exceptions or exemptions that may be applied) including:

###### Right to request access to your data as processed by the University and information about that processing [“subject access request”]

###### Right to rectify any inaccuracies in your data

###### Right to request erasure of your data from our systems and files unless legal basis for data processing public task or legal obligation

###### Right to place restrictions on our processing of your data

###### Right to object to the processing of your data unless legal basis for data processing is public task or legitimate interests

###### Right to data portability: where we are processing data that you have provided to us, on the basis of consent or as necessary for the performance of a contract between us, you have the right to ask us to provide your data in an appropriate format to you or to another controller.

##### More information can be found in the University’s Privacy Standard (link above). Further information is available on the Information Commissioner’s Office website:

##### <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/exemptions/>

#### Who to contact if you have any privacy concerns

The University of Chichester Data Protection Officer can be contacted at [DPOfficer@chi.ac.uk](mailto:DPOfficer@chi.ac.uk).

To find out more about your rights as a data subject and how the University complies with data protection legislation please visit: <https://www.chi.ac.uk/about-us/policies-and-statements/data-protection>.

If you wish to complain about any aspect of our information rights practice you may do so by contacting the Information Commissioner’s Office via [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns).

1. <http://www.legislation.gov.uk/uksi/2010/659/contents/made> [↑](#footnote-ref-2)
2. <http://www.legislation.gov.uk/ukpga/1984/22> [↑](#footnote-ref-3)
3. <https://www.legislation.gov.uk/ukpga/1974/37/contents> [↑](#footnote-ref-4)