



Maintaining records of staff, customers and visitors to support NHS Test and Trace

Coronavirus (COVID-19) Privacy Notice

The UK is currently experiencing a public health emergency as a result of the coronavirus (COVID-19) pandemic. It is therefore critical that organisations take a range of measures to keep everyone safe.

The easing of social and economic lockdown measures following the COVID-19 outbreak is being supported by NHS Test and Trace. The Town Council assists this service by keeping a temporary record of our visitors for 21 days, in order to provide NHS Test and Trace with that data if needed to help contain clusters or outbreaks.

This privacy notice is to explain and provide you with information on how we collect and hold information about you in relation to the Test and Trace service.

You can view the [Felixstowe Town Council Privacy Notice](#) which contains more information on how we collect, use and protect personal data generally, as well as your rights as a data subject.

What information do we collect and how will we use it?

In order to meet our obligations as a venue operator during COVID-19 it is necessary to collect the following basic details:

Staff

- The names of staff who work at the premises
- A contact phone number for each member of staff
- The dates and times that staff are at work

Visitors

- The name of the visitor. If there is more than one person, then we can record the name of the 'lead member' of the group and the number of people in the group
- A contact phone number for each visitor, or for the lead member of a group of people
- Date of visit, arrival time and, where possible, departure time
- If a visitor will interact with only one member of staff, the name of the assigned staff member will be recorded alongside the name of the visitor.

No additional data should be collected for this purpose.

Test and Trace. What is the lawful basis for processing personal 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 safeguard the fundamental rights and the interests of the data subject.

Who are we likely to share this information with?

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

Storing your information

To support NHS Test and Trace, we will only hold these records for 21 days. This reflects the incubation period for COVID-19 (which can be up to 14 days) and an additional 7 days to allow time for testing and tracing. After 21 days, this information will be securely deleted.

Records which are made and kept for other business purposes do not need to be disposed of after 21 days. The requirement to dispose of the data relates to a record that is created solely for the purpose of NHS Test and Trace. All collected data, however, will comply with the General Data Protection Regulation and should not be kept for longer than is necessary.

When the information is no longer needed for this purpose, it will be securely deleted.

Further information

The [Government had published guidance on the records that should be maintained](#) for the purposes of Test and Trace.

The [Information Commissioner's Office has published its own FAQs](#) on data handling during the pandemic.

If you would like further information, or if you have any concerns or additional questions about how we manage your personal data please see the [Felixstowe Town Council Privacy Notice](#)

You can also contact us, via the details above, or the Information Commissioners Office: casework@ico.org.uk Tel: 0303 123 1113.