



COVID-19 Testing Privacy Notice

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COVID-19 Testing Privacy Notice

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

Wigan Council collects, stores and processes personal and sensitive information in relation to COVID-19 Testing. This information enables us to provide a local test centre.

We recognise the need to treat personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.

Our core obligations under the General Data Protection Regulation (GDPR) and commitments in relation to Public Health Services and COVID Track and Trace are set out in the [Council’s Public Health Privacy Notice](#).

This notice provides additional privacy information for:

Those people who have agreed to a COVID-19 antigen test, or who have proactively provided their information to put themselves forward to receive the test.

It describes how we collect, use and share personal information about you:

- Before, during and after your relationship with us ends and
- The types of personal information we need to process, including information the law describes as ‘special because of its sensitivity’.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

Purpose(s):

The Department of Health and Social Care has given Wigan Council authority to open its own test facility and hence Wigan Council is the Controller for the purposes of data protection legislation in regards to the booking system, the undertaking of the test, collection of the results, and sharing these results with people who have undertaken the test. However, the Department of Health and Social Care instructs us as to what information is required from you in order to undertake the test and what information has to be passed to them and to Public Health England.

[Find further information about the testing process and data sharing by the Department of Health and Social Care on GOV.UK.](#)

The main purposes for processing your personal information are:

- To confirm the appointment to the local test site
- To confirm you are entitled to a test at the local test site, due to your home or work address
- Performing a security and ID verification at the local test site
- Receiving and processing your test and any communications/queries from you relating to it
- Returning your results to you
- Contacting you (if you test positive) as part of the government contact tracing programme
- Undertaking quality assurance of the testing process (for example, clinical process assurance)
- For analysis to support operational decisions to improve the full end-to-end testing process such as day-to-day use (for example, whether someone attended their appointment)
- To inform test site staff of improvements to the testing process (for example, manage capacity or throughput)
- Support end-to-end logistics planning
- To monitor and assess workplace/environmental impact and risk.

Categories of personal data:

- First and last name
- Date of birth
- Biological sex
- Mobile phone number
- Landline phone number
- Email address
- Address (including postcode)
- Work postcode (where you do not live in Wigan)
- Vehicle registration number
- Occupation
- Other household members' first and last names (when a positive test result is confirmed)
- Employer details/work location, if you work in a complex setting e.g. health, educational or community setting

Special category data

- Test sample
- Type of symptoms
- Test result (organism code)
- Ethnicity

The legal bases we rely on for processing your personal information are:

- GDPR 6(1)(e) 'processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller.'

The testing system has been developed in line with the correspondence received from the Department of H&SC regarding the COVID-19 Notice under regulation 3(4) of the Health Service Control of Patient Information Regulations (2002). Within this there is a responsibility to ensure information is shared for the management of patients with or at risk of COVID-19 including: 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.

- For processing Special Category Data: (e.g. health): GDPR 9(2)(h) 'processing is necessary for the purposes of preventive medicine, the provision of health care, and the management of health or social care systems.'

Your test result will be sent to you and to a central database, along with other information relating to COVID-19, to enable organisations to respond to COVID-19. This database is held by NHSX (which is an organisation made up of NHS England and Department of Health and Social Care (DHSC) staff) and controlled by NHS England (on behalf of all UK countries). All information in this database is held securely and access to this information is tightly governed, in line with Data Protection requirements.

Automated decision-making

All the decisions we make about you involve human intervention.

Cookies

To find out how we use cookies [please see our cookie notice](#).

Data sharing

Completed tests are sent to the laboratory for analysis. The laboratory analyses the sample and provides your test result to the Council. The lab does not receive any of your personal data, only the barcode from the test kit and the lab attaches the result to the barcode. The laboratory does not have access to any personally identifiable data. Scripts on council servers automatically match the barcodes to the booking so that we can inform you of your result.

There is a mandatory requirement to send data to the national systems, CTAS for Test and Trace, and SGSS for information. Results are therefore shared in this way with Public Health England (if you live in England) to help plan and respond to COVID-19 and with NHS Digital to analyse data in relation to COVID-19.

Your test result will also be sent to your GP so they can update your health record. This will enable your GP to be informed of your test result without you needing to do anything

We will not inform your employer if you test positive for COVID-19 but would strongly recommend that you do so because they will need to take action to support you and manage any impact on the organisation (such as inviting others you work closely with to be tested).

If there is evidence to suggest you are not complying with the duty to self-isolate without reasonable justification, we may pass this information on to local Police to investigate further. This may lead to enforcement action being taken against you, which could include you being fined.

Data retention and security

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

Information that identifies you is stored securely and processed in the UK. We have ensured that there are appropriate security safeguards including strong cyber security. Information that does not, and cannot, identify you may be stored and processed outside of the UK. For example, information purely about the number of tests conducted, or the number of outcomes from tests.

Data will be stored in line with the Records Management Code of Practice for Health and Social Care 2016. This means that we will keep your information for up to 8 years but will dispose of your data sooner if it is appropriate to do so.

Your information used for other purposes

Your information may also be used for different purposes that are not directly related to your health and care. Wherever possible, this will be done using information that does not identify you (anonymous data).

These include:

- planning of services or actions in response to COVID-19
- monitoring the progress and development of COVID-19
- monitoring and responding to outbreaks

Information provided by you, and collected about you, in relation to testing for COVID-19 will not be used for any purpose that is not linked to the control and prevention of COVID-19.

Whenever possible, information that does not directly identify you will be used for these purposes, but there may be times when it is necessary for your personal data to be used. Any releases of information that identify you will be lawful and the minimum necessary for that purpose.

NHS Digital is required, under law, by DHSC and NHS England to collect, analyse and share information and data relating to COVID-19, when this information is requested by other health and care organisations or researchers. This information may be collected from us and may be given to other health and care organisations responding to COVID-19. If you want to know more about how NHS Digital uses your information, then you can visit their website.

Rights of access, correction, erasure, and restriction

You have the right to ask for your information or make a request regarding your data and there will not be a charge for you to do so. This is known as a [subject access / GDPR rights request](#).

To do this you can visit our website where you can [make a subject access / GDPR rights request online](#) or write to us at: Information Governance, Wigan Council, PO Box 100, Wigan WN1 3DS.

As part of a subject access / GDPR rights request, you have the right to:

- Ask for access to your information
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or removed where there is *no need* for us to continue processing it. (right to be forgotten)
- To ask us to restrict the use of your information.
- To object to how your information is used.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Further details are contained within the [Council's Primary Privacy Notice](#) and should be read in conjunction with this document.

Data protection officer

If you wish to raise a concern about your data, or how your data has been handled, please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioners Office \(ICO\)](#) at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

Changes to this privacy notice

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.