

# Privacy Notice: Durham County Council

## Covid 19

This Privacy Notice tells you about what information we collect about you, how we use that information and who we share it with.

### 1. Who we are and what we do

This notice describes how Durham County Council may use your information to protect you and others during the Covid –19 Outbreak

For the purposes of Data Protection, Durham County Council is the Data Controller

### 2. What type of personal information do we collect and how do we collect it?

We may use the following information about you to make sure that we provide you with the right service, advice or support. We will only use the minimum amount of information necessary to do so and will take every reasonable step to ensure the information is accurate.

#### **Individuals who are clinically extremely vulnerable to COVID-19 and their representatives:**

Personal data:

- Name
- Identification number
- Location data
- One or more factors specific to the physical identity of a natural person
- One or more factors specific to the economic identity of a person
- One or more factors specific to the cultural identity of a person
- One or more factors specific to the social identity of a person

Special categories of personal data:

- Racial or ethnic origins
- Religious or philosophical beliefs
- Data concerning health

#### **Volunteers:**

Personal data:

- Name
- D.O.B.
- Contact telephone number and email address
- Identification number
- Location data inc. place of birth
- One or more factors specific to the economic identity of a person
- One or more factors specific to the cultural identity of a person
- One or more factors specific to the social identity of a person

Special categories of personal data:

- Racial or ethnic origin
- Religious or philosophical beliefs
- Data concerning health
- Criminal convictions and offence

## **Residents of County Durham**

Personal data:

- Name
- Location
- Email address

## **People who have been tested for COVID-19**

Personal data:

- Unique record identifier
- Patient sex
- Patient age in years
- Patient place of residence postcode
- Patient occupational group
- Patient key worker status

Special categories of personal data:

- Patient ethnic group (not initially included, pending a quality / completion review)
- Date of Covid-19 test or specimen test
- Covid-19 test location type (laboratory, mobile testing station, home test)

## **Visitors to our services (NHS Test and Trace)**

- the name of the customer or visitor. If there is more than one person, then you 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 customer or visitor, or for the lead member of a group of people
- date of visit, arrival time and, where possible, departure time
- if a customer will interact with only one member of staff (e.g. a hairdresser), the name of the assigned staff member should be recorded alongside the name of the customer

## **Participants in the (DEFRA) initiative to helping non shielding individuals secure access to food**

- Forename
- Surname
- Addresses and post codes
- Mobile and landline telephone numbers(optional)
- Email addresses
- Unique Property Reference Number (optional)

## **How we collect this information.**

With regard to volunteers who do not have a current Disclosure and Barring Service (DBS) check we obtained your personal data regarding any criminal convictions and offences from the Police.

In relation to residents of County Durham we obtained your contact details from other Council services.

We receive information regarding individuals who have been tested for COVID-19 from Public Health England.

Information gathered to support NHS Test and Trace is provided by the individual on a voluntary basis. While we encourage all visitors to our establishments to provide this information if you opt out, we will not share your information used for booking purposes with NHS Test and Trace. Please inform the member of staff making your booking/requesting your details if you would like to opt out.

Information collected as part of the DEFRA initiative to help non shielding individuals secure access to food is provided by those individuals wanting to access the scheme.

In cases where your personal data was obtained we will inform you of the origin of the information within 1 month, unless that information is being used to contact you, in which case, that information should be provided to you at the latest, upon first communication with you. However, it is not necessary to provide that information in cases where you already possess the information, where recording or disclosure is expressly laid down in law or where provision of the information proves impossible or would involve disproportionate effort.

### **3. What is our lawful basis to obtain and use your personal information?**

The law on protecting personal information, known as the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, allows us to use your personal information to help control and prevent the spread of coronavirus.

We process both personal data and special categories of personal data, particularly data about your health and ethnic group, for this purpose. The sections of the GDPR and the Data Protection Act that apply are:

- GDPR Article 6(1)(e) 'processing is necessary for the performance of a task carried out in the public interest'
- GDPR Article 9(2)(i) 'processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health'
- Data Protection Act Schedule 1 Part 1 (3) 'public health'

The Secretary of State has served notice under Regulation 3(4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI) to require organisations to process confidential patient information in the manner set out in Regulation 3(1) of COPI for the period of the pandemic. Further information is available on the [GOV.UK](https://www.gov.uk) website.

### **4. What is your personal information used for?**

We use the information about you to enable the Council to deliver its Public Health functions and discharge our duties as a Category One responder in accordance with the Civil Contingencies Act 2004.

This includes providing services to those who are clinically extremely vulnerable to COVID-19 and to co-ordinating volunteers as part of The Hub, communicating important public health messages, making and maintaining plans, warning and informing, business continuity during an emergency, supporting NHS Test and Trace and contributing to the Department for Environment, Food & Rural Affairs (DEFRA) initiative to helping non shielding individuals secure access to food.

The lawful basis we are relying on to process the personal data is processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

In relation to special categories of personal data the condition for processing we are relying on is processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of healthcare and of medicinal products or medical devices.

#### **5. Will your personal information be shared?**

Durham County Council may share your information with members of the Local Resilience Forum (LRF) including the NHS, emergency services, with food industry partners (TESCO), DEFRA and the voluntary and community sector (VCS)

#### **6. How do we keep your information secure?**

The security of your personal information is important to us. The records we keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

Anyone who receives information from us is also under a legal duty to only use the information for the purposes agreed and keep the information secure and confidential.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or what's called a 'cypher'. The hidden information is said to then be 'encrypted'
- Pseudonymisation, meaning that we'll use a different name so we can hide parts of your personal information from view. This means that someone outside of the Council could work on your information for us without ever knowing it was yours
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches)

#### **7. How long will we keep your personal information?**

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service you receive will determine how long we have to keep your information. Our [corporate retention guidelines](#) show how long we keep information for different services and we will also refer to COPI guidelines.

Information collected for track and trace will be held for 21 days.

#### **8. Personal information processed outside of the European Union (EU)**

We do not process your personal data outside of the EU

## **9. Marketing**

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

## **10. What are your information rights?**

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- request a copy of the personal information the council holds about you
- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing;
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To exercise your rights, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at [inforights@durham.gov.uk](mailto:inforights@durham.gov.uk)

To learn more about these rights please see the [ICO website](#).

## **11. Further Information**

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at [DPO@durham.gov.uk](mailto:DPO@durham.gov.uk) or write to:

DPO  
Floor 4 Room 143-148,  
Durham County Council  
County Hall,  
Durham County Council  
DH1 5UF

If we have not been able to deal with your query, you can also contact the Information Commissioner's Office:

Information Commissioner's Office  
Wycliffe House  
Water Lane Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 0303 123 1113 (local rate) or 01625 545 745