

## Privacy Notice for Local Test and Trace



### Nottingham City Council Information Compliance

Directorate: Public Health  
PN-186

August 2021

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Public Health are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

The Council work closely with Public Health England (PHE) in responding to the COVID-19 pandemic. This includes sharing information about positive cases. PHE are an executive agency of the Department of Health and Social Care (DHSC) who are also data controllers for your personal data.

Nottingham City Council's local COVID-19 contact tracing response consists of two stages.

- **Stage one** involves the Customer Hub attempts to reach the case by telephone over a period of 24-hours to conduct a tracing questionnaire and provide access to welfare advice. This information is fed back directly into the national Contact Tracing Advisory System (CTAS). If no contact is made within 24-hours, the case is referred to the doorstep trace service if there is a full address for the case. If a full address has not been provided, a text message will be sent to the case's telephone number asking them to contact the Customer Hub.
- **Stage two** involves passing your data to our trained partners who will attempt to make contact with the case by visiting the property. If unsuccessful, they will

post you a letter inviting you to engage, and then make a further attempt to contact you.

We will use your personal information for purposes relating to the COVID-19 pandemic. This includes:

- To determine whether the case is self-isolating and remind an individual of their legal obligation to self-isolate to encourage compliance with those legal obligations;
- To use existing locally held information that we have about you to improve the effectiveness making successful contact with you. This may include matching data with council tax records, social care records, and the open electoral register;
- To provide public health advice to self-isolate and to check whether you need support to do this;
- To assess if the case and/or other household members require any humanitarian support and to signpost these individuals to that support, if required; and
- To provide information if the case is not available and/or arrange a contact tracing telephone call.

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

The Council will have received some of your personal information from Public Health England (PHE) for the lawful and agreed purposes related to the response to the COVID-19 pandemic. Further information about how PHE process your personal data can be found here: <https://www.gov.uk/government/publications/nhs-test-and-trace-privacy-information/test-and-trace-overarching-privacy-notice>

The Council are working with 'FreeWheelers' who are a recognised charity to assist in contact tracing efforts. FreeWheelers process personal data as a data processor of the Council and will only use personal data for lawful and/or pre agreed purposes relating to their functions in assisting the Council.

### **What personal information will the Council process?**

The information that we collect about you to fulfil the purposes, objectives, or to deliver the services outlined above relates to your:

- Name;
- CTAS ID Number;
- CTAS Account number;
- Test type;
- Date of test;
- Priority Group (this includes all contacts);
- Age (and date of birth);
- Address;
- Primary Contact Number; email address other contact details;
- Number of contact attempts;
- Basic details of the contact attempt; and
- Locally held information such as council tax, social care and open electoral register records. We will only use information from here that is relevant to making successful contact with you.

The information may include the following ‘special categories of personal data’:

- Physical or mental health (COVID-19 status is regarded as health data).

### **Lawful basis for processing**

The basis under which we use your personal information for these purposes is that this is **necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council.**

The condition under which we process ‘special categories of personal data’ is that such use is **necessary for reasons of substantial public interest in the area of public health** and that it is **necessary for reasons of substantial public interest** in

accordance with the provisions of the UK General Data Protection Regulation and the Data Protection Act 2018.

The Secretary of State for Health and Social Care (the Health Secretary) has issued a notice under regulation 3(4) of the **Health Service (Control of Patient Information) Regulations 2002** (COPI), which requires the Council to process confidential patient information for COVID-19 purposes. These purposes are outlined in the COPI Notice <https://www.gov.uk/government/publications/coronavirus-covid-19-notification-of-data-controllers-to-share-information/coronavirus-covid-19-notice-under-regulation-34-of-the-health-service-control-of-patient-information-regulations-2002-general--2>

The Council are also exercising powers contained within the **Localism Act 2011** and **Local Government Act 2000** in conducting activities relating to its COVID-19 response.

The Council may need to use other locally held information that we have about you to enable us to make a successful contact. When using this existing information for these new purposes, the Council will rely on an exemption under **schedule 2, part 1, paragraph 2 of the Data Protection Act 2018**. This will apply when we process personal data for the prevention or detection of criminal offences.

It is a criminal offence for an individual not to self-isolate, when they have been notified by a specified person (including NHS Test and Trace, and the Local Authority) that they must self-isolate. This requirement is contained in **The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020**.

### **Will my information be shared with other organisations or used for other purposes?**

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In relation to this service, the Council will share your personal information with:

- **FreeWheelers** – Who work with the Council to assist with local contact tracing. These individuals may have contacted you at your property.
- **Public Health England** – NCC may share the results of our attempts at contacting you with PHE via their CTAS system.

The information provided by you may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

### **Do I have to provide the information?**

You are **not** obliged by statute to provide some of the information that is specified here. You may have already been obliged to provide some of the information that we are processing, for example information relating to Council Tax.

However, not providing any further information to us will not enable us to provide you with any assistance if it is required. The information that we already have and use for these purposes has been lawfully passed to us by Public Health England.

### **How long will the Council retain the data for?**

Your personal data will be kept for **21 days**. The Council will only keep PHE data for this period of time, then delete it. A unique identifier will be retained for a longer period of time. It is not known for how long this identifier will be retained due to nature of the pandemic. However, NCC will comply with data protection legislation and will only keep the data for as long as is necessary, and only when it is lawful to do so.

FreeWheelers will not have access to your personal data after they have attempted to contact you.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

### **Information Rights**

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request erasure of your data known as ‘the right to be forgotten’
- A right to in certain circumstances to request restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to processing of data in certain circumstances
- A right regarding automated decision making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

### **Data Protection Officer**

The Data Protection Officer is Naomi Matthews. You can contact the data protection officer at:

Loxley House,  
Station Street,  
Nottingham,  
NG2 3NG

or at [data.protectionofficer@nottinghamcity.gov.uk](mailto:data.protectionofficer@nottinghamcity.gov.uk) .

**Information Commissioner's Office**

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at [www.ico.org.uk](http://www.ico.org.uk). You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,  
Water Lane  
Wilmslow,  
Cheshire  
SK95AF

[www.ico.org.uk](http://www.ico.org.uk)

**Further Information**

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .