

# Privacy Notice for Local Test and Trace



## Nottingham City Council Information Compliance

**Directorate: Public Health  
PN-186**

**10/2020**

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Nottingham City Council will use your personal data in response to the public health emergency caused by COVID-19. The Council are working closely with other organisations such as NHS Test and Trace in response to the COVID-19 outbreak, especially to improve contact tracing efforts.

The Council are the data controllers for the personal data that we process about you. NHS Test and Trace is a government funded service under the Department of Health and Social Care (DHSC) and will also be data controllers for some of the information relating to contact tracing and test and trace.

When we process personal data relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

We will use your personal data to enable us to successfully contact you in relation to COVID-19. This will happen when:

- NHS Test and Trace are unable to make contact with you successfully; and
- NHS Test and Trace notify the Council that they have been unable to make contact with you.

When this happens, the Council will:

- Make further attempts to contact you with the contact details that NHS Test and Trace have; or
- Use locally held information that we have about you to make a successful contact. This may include using information contained in:
  - Firmstep customer contacts;
  - Social Care information;
  - The open electoral register;
  - Council Tax information; or

- Other case management systems operated by the Council
- Report the outcome of the attempted contacts by sharing it with the DHSC (including NHS Test and Trace and Public Health England), by updating the Contact Tracing and Advisory Service test results system.

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

#### Lawful basis for processing

The basis under which the Council uses personal data for the purposes of making a successful contact with you 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 Council may need to use other information that we have about you to enable a successful contact (for example, Council Tax information to check your contact details). This information will already be held by the Council. When using this type of information for this purpose, 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 the personal data for the prevention or detection of crime, or the apprehension or prosecution of offenders.**

**Please note; 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 have tested positive for COVID-19 or that they have had close contact with an individual who has tested positive for COVID-19.**

**This requirement to self-isolate, and criminal offence by not self-isolating exists in accordance with *The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020***

The information provided by you may include the following special categories of personal data:

- Physical or mental health (due to the fact that it may relate to a positive test for COVID-19)

Information in this category is used by the Council on the basis that such use is **necessary for reasons of public interest in the area of public health, or is necessary for reasons of substantial public interest** and in accordance with the provisions of the General Data Protection Regulation and the Data Protection Act 2018.

### Do you need to provide the information?

You may have been required to provide the local information that we previously process that we may use to successfully contact you.

### How long will NCC retain the data for?

The information that we process relating to you and COVID-19 will be kept for a period of 21 days.

We will not retain any data relating to COVID-19 or to indicate that we made contact with you relating to COVID-19 for longer than this period.

The data that we use to enable us to make contact with you may have been collected for other purposes, for example, Council Tax purposes. This data will be retained in line with our existing [retention periods](#).

### Can the information be used for any other purpose?

The information provided by you may also be used for the purpose of any other function carried out by the Council. 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.

The 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> .