

Coronavirus (Covid-19) Asymptomatic Testing Privacy Notice

What is the purpose of this document?

Imperial College of Science, Technology and Medicine (the “College” or “Imperial”) is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the applicable data protection legislation the Data Protection Act 2018 and the General Data Protection Regulations (the “GDPR”) and the College’s *Data Protection Policy*.

The College is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to staff and students who volunteer to have a Coronavirus (Covid-19) test conducted by the College as part of its Asymptomatic Testing Program.

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

- If you need College advice on coronavirus please refer to the following website:
<https://www.imperial.ac.uk/about/covid-19/>
- If you need government advice on coronavirus please refer to the government website: <https://www.gov.uk/coronavirus>
- If you need medical advice please refer to the NHS website: <https://www.nhs.uk/conditions/coronavirus-covid-19/>

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection, see 'How we use particularly sensitive personal information' for more information

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- CID number
- Date of birth.

We will also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your health

How is your personal information collected?

We collect most of the personal information about you directly via your application to take part or through automatic data feeds from College systems where such data collection has been explained to you separately.

How we will use information about you and the legal basis for processing your data under the GDPR

We will only use your personal information when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

With your consent*

Where we need to comply with a legal obligation**

Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests***

Situations in which we will use your personal information

We need all the categories of information in the list above (see The kind of information we hold about you) to administer the test, provide the results and depending on the results we will respond accordingly. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties[***], provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- booking an appointment*

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- confirming the appointment to the test site*
- performing a security and ID verification at the test site**
- administering the test***
- undertaking quality assurance of the testing process***
- for analysis to support College decisions to improve and assist with how the College will respond to the pandemic***;
 - day-to-day use (for example, whether someone attended their appointment)
 - to inform improvements to the testing process (for example, manage capacity or throughout)
- Sharing your details where requested / required with Public Health England (PHE) and the NHS as part of its Test and Trace service (if the test is positive)**

You can find details on how NHS Test and Trace uses personal data on the [NHS Test and Trace website](#) and an explanation regarding the legislative framework for reporting notifiable diseases on the [government website](#)

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we will not be able to conduct the test and associated actions

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- Where it is necessary in the context of employment law, or laws relating to social security and social protection. This relates to ensuring the health, safety and welfare of you.
- DPA Schedule: Schedule 1 condition 1 where the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection.

Our obligations

We will use your particularly sensitive personal information in the following ways:

- processing your test

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- returning your results to you
- sharing results with Public Health England (if positive) to help plan and respond to COVID-19
- sharing the results internally (if positive) to provide support / assistance to you as appropriate.

Do we need your consent?

We do not need your consent to process sensitive personal information if we use special categories of your personal information to carry out the aforementioned activities. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Automated decision-making

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data sharing

We may have to share your data with third parties, including third-party service providers and other entities in the College group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my personal information with third parties?

Whilst primarily your data will be collected and processed by College staff (where access to your information will be limited to only those deemed necessary). We may share your personal information with external third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so. These include;

- NHS Track and Trace

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within the College group. The following activities are carried out by third-party service providers:

- MaxApex will host the solution and;
- Acuity Scheduling provides the calendar booking functionality.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the College group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Transferring information outside the EU

We may transfer the personal information we collect about you outside the European Economic Area in order to perform the above actions.

However, to ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measure[s] to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection:

- Implementation of a contract including Standard Contract Clauses
- Encryption and pseudonomisation of data
- Access controls

Data security

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will you use my information for?

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 legal, accounting, or reporting requirements.. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In this case, we expect to retain your personal testing information for up to eight years, in line with healthcare standards and other College requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the College's Data Protection Officer in writing.

No fee usually required

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 clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is

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another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the College's Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Data Protection Officer

We have appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer at:

Imperial College London
Data Protection Officer
Exhibition Road
Faculty Building Level 4
London SW7 2AZ

e-mail: dpo@imperial.ac.uk

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.