

Privacy Notice - Public Health COVID-19 Testing data

This notice provides details of how Portsmouth City Council Public Health collects and uses information about COVID-19 Testing data. For more general information about how Portsmouth City Council uses your information for Public Health purposes, please refer to the [Public Health privacy notice](#) on the Portsmouth City Council website.

What is this information?

Portsmouth City Council has a Data Sharing Agreement with Public Health England (PHE) for the supply of COVID-19 Testing data in accordance with 'Covid-19 – Notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002' dated 20 March 2020 from the Department of Health and Social Care on behalf of the Secretary of State for Health and Social Care. On a weekly basis from the 2 July 2020 and now daily basis from 20 July, PHE send us information on Portsmouth residents who test for Covid-19 in order that we may take action to manage and mitigate the spread and impact of the current outbreak of Covid-19.

The information we receive is: a record ID number; Patient NHS Number; Patient first and surname; patient date of birth; age (single years e.g. age 45); patient address and postcode; sex, ethnic group (if stated), test date; type of test location (e.g. Pillar 1 or 2); test centre location for Pillar 2 tests (or home tests); Asymptomatic or not for Pillar 2 tests (yes or no); type of occupation (if stated); Employer (if stated); and whether the person is linked to a care home.

The data is processed by Portsmouth City Council in accordance with current data protection legislation.

The common law in this case being:

Regulation 3 (4), Health Service (Control of Patient Information) Regulations 2002

The legal basis for processing personal data is:

Article 6(1)(e) of the GDPR – It is necessary for us to process your information so we can carry out our official functions or public tasks

The condition for processing special category personal data is:

Article 9(2)(h) of the GDPR – It is necessary for us to process your personal data for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.

Who uses this information?

The Director of Public Health and nominated members of the Public Health Intelligence Team in Portsmouth City Council.

What do we do with this information?

We may use the information for the following Covid-19 Purposes specified in the Regulation 3(4) Notice:

- a) understanding Covid-19 and risks to public health, trends in Covid-19 and such risks, and controlling and preventing the spread of Covid-19 and such risks;
- b) identifying and understanding information about patients or potential patients with or at risk of Covid-19, information about incidents of patient exposure to Covid-19 and the management of patients with or at risk of Covid-19 including: locating, contacting, screening, flagging and monitoring such patients and 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;
- c) understanding information about patient access to health services and adult social care services and the need for wider care of patients and vulnerable groups as a direct or indirect result of Covid-19 and the availability and capacity of those services or that care;
- d) monitoring and managing the response to Covid-19 by health and social care bodies and the Government including providing information to the public about Covid-19 and its effectiveness and information about capacity, medicines, equipment, supplies, services and the workforce within the health services and adult social care services;
- e) delivering services to patients, clinicians, the health services and adult social care services workforce and the public about and in connection with Covid-19, including the provision of information, fit notes and the provision of health care and adult social care services; and
- f) research and planning in relation to Covid-19.

No personal information is published; and numbers and rates in published reports are risk assessed in order to further to further protect confidentiality and anonymity (e.g. counts fewer than five in an area may be removed to further protect confidentiality and anonymity). All published outputs comply with the Anonymisation Standard for Publishing Health and Social Care Data: <https://digital.nhs.uk/data-and-information/information-standards/information-standards-and-data-collections-including-extractions/publications-and-notifications/standards-and-collections/isb1523-anonymisation-standard-for-publishing-health-and-social-care-data>

Please also note that no automated decision making (decisions taken without a person involved) occur for any parts of these procedures controlled by Portsmouth City Council and we do not use profiling to deliver our service to you.

Why do we use this information?

This information is used to protect the health of the local population; and ensure that health, social care and public health services address local health needs.

Who do we intend to share this information with?

Much of the information we produce is in the form of anonymous statistics. In its anonymous format it may be shared with other council departments and partner organisations for the management of public health and the Covid-19 response across the city. Anonymised data may be shared with other council departments (e.g. Adult Social Care); Portsmouth CCG; partner organisations e.g. neighbouring authorities with public health responsibilities, Local Resilience Forum member organisations.

Please note that Public Health England are working with the Council to agree a framework for undertaking locally enhanced contact tracing which will include the Council sharing any local contact tracing information with NHS Track and Trace.

How do we keep this information secure?

Portsmouth City Council will process your personal information appropriately and legally in accordance with the EU General Data Protection Regulation (GDPR) 2018 and Data Protection Act 2018. Information is held on a secure server which is only accessible to staff within the Portsmouth City Council's Public Health Intelligence Team. These staff members are trained in data protection / information governance.

We have processes to securely protect these records and we only keep information for as long as is necessary and in accordance with the law; and which is consistent with the data access agreement between Public Health England and Portsmouth City Council.

What are your rights?

You have the right in certain circumstances to request that Portsmouth City Council stop processing your personal data. However, if this request is approved this may cause delays or prevent us delivering a service to you. Where possible we will seek to comply with your request but we may need to hold or process information in connection with one or more of the Council's public functions or legal obligations.

You have the right to rectify inaccuracies in your personal data and in certain circumstances to restrict processing and to opt-out of Portsmouth City Council Public Health Intelligence Team receiving or holding your personally identifiable

information. The process for opting out will depend on what the specific data is and what programme it relates to. For further information, please contact the Public Health team by email: publichealth@portsmouthcc.gov.uk.

Further queries

If you would like further information, please send your requests to the address below:

Public Health Intelligence Team
Public Health Portsmouth
Portsmouth City Council
Floor 2, Core 2
Civic Offices
Guildhall Square
Portsmouth, PO1 2AL
email: publichealth@portsmouthcc.gov.uk

Further information and independent advice can be found on the [Information Commissioners website](#)

Information Commissioner's Office,
Wycliffe House, Water Lane, Wilmslow,
Cheshire,
SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745 (if you prefer to use a national rate number).

Changes to this privacy notice

We keep our privacy notice under regular review. This privacy notice was last updated on 7 September 2020.