

Privacy Notice (How we use your information)

Coronavirus (COVID-19) response

The categories of information that we collect, process, hold and share include:

- Personal information (such as name, address, postcode, email address, phone number)
- Health or social care information where applicable

Why we collect and hold this information

The council already has certain responsibilities towards ensuring good public health and the health of individuals under its care. The Coronavirus (Covid-19) situation means that to fulfil these responsibilities, including statutory obligations, the council may collect additional personal information where relevant to the prevention or mitigation of the impact of the virus.

These prevention and mitigation processes include but are not limited to:

- 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;
- 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;
- 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;
- 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;
- delivering services to patients, clinicians, health services, adult social care services, workforces 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;
- with your consent, providing basic information to community organisations, supermarkets and volunteers to provide you with support you have requested, such as picking up groceries.
- research and planning in relation to Covid-19. Given the unprecedented and serious nature of the outbreak, statutory partners such as the government may request we share data in the substantial public interest for the purpose of research. We will consider each case on its merits and only share your identifiable data where we are

satisfied it is necessary, have a lawful basis for doing so and it cannot be achieved by less intrusive means.

In addition to these public health processes the Council may also be required to collect and process personal information to mitigate the other impacts of Covid-19, such as economic or social impacts.

The lawful basis on which we use this information

The legal basis the council relies on will be determined by the specific process. However, it is likely that the council will process this personal data under the legal bases of:

- Article 6(1)(a) - Consent
- Article 6(1)(c) - Legal Obligation
- Article 6(1)(d) - Vital Interests
- Article 6(1)(e) - Public Task

Some of the personal data processed by the council will be information defined as special category data, which requires an article 9 condition to process. The council will be relying on the legal bases:

- Article 9(2)(a) – Explicit Consent
- Article 9(2)(c) - Vital interests
- Article 9(2)(g) - Reasons of substantial public interest (with a basis in law)
- Article 9(2)(h) - Health or social care (with a basis in law)
- Article 9(2)(i) - Public health (with a basis in law)
- Article 9(2)(j) - Archiving, research and statistics (with a basis in law)

The legislations, policies and guidance that relate to this service include, but are not limited to:

- The Civil Contingencies Act 2004 and (contingency planning) Regulations 2005
- The Local Government Act 1972
- The Local Government Act 2000
- Care Act 2014

Kirklees Council also has special permission from the Secretary of State for Health and Social Care to use personal information without people's consent where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test on Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Storing this information

We will hold the information about you securely, and for no longer than reasonably necessary. We will hold it for up to one year in order to ensure we can complete our support function, after which time we will delete this information.

Who we share this information with

We may share this information across council services and with other partners (including Public Health England (PHE), Acute NHS Trusts, local Clinical Commissioning Groups (CCGs) Locala, Kirklees Neighbourhood Housing and other Local Authorities).

Why we share this information

We share information with our partners to ensure our combined purposes are achieved.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

Your data protection rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on [Kirklees Council's data protection rights page](#).

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at Data.protection@kirklees.gov.uk if you wish to make a request.

Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#).

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.